



CITY OF KIRKLAND CITY COUNCIL

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

Vision Statement

Kirkland is one of the most livable cities in America. We are a vibrant, attractive, green and welcoming place to live, work and play. Civic innovation and diversity are highly valued. We are respectful, fair, and inclusive. We honor our rich heritage while embracing the future. Kirkland strives to be a model, sustainable city that values preserving and enhancing our natural environment for our enjoyment and future generations.

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • TTY Relay Service 711 • www.kirklandwa.gov

AGENDA KIRKLAND CITY COUNCIL MEETING Peter Kirk Room Tuesday, April 5, 2016 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.

PLEASE CALL 48 HOURS IN ADVANCE (425-587-3190) if you require this content in an alternate format or if you need a sign language interpreter in attendance at this meeting.

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. Joint Meeting with the Houghton Community Council
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
6. *COMMUNICATIONS*
 - a. *Announcements*
 - b. *Items from the Audience*
 - c. *Petitions*
7. *SPECIAL PRESENTATIONS*
8. *CONSENT CALENDAR*
 - a. *Approval of Minutes:*
 - (1) March 15, 2016
 - (2) March 17, 2016
 - (3) March 21, 2016
 - (4) March 29, 2016

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*

- g. Approval of Agreements*

- (1) Resolution R-5192, Approving an Amendment to the Interlocal Agreement Between the Cities of Bothell, Edmonds, Kirkland, Lake Forest Park, Lynnwood, Mill Creek, Monroe, Mukilteo, and Mountlake Terrace for the North Sound Metro Special Weapons and Tactics/Crisis Negotiating Team Adding the City of Redmond Thereto.

- h. Other Items of Business*

- (1) Report on Procurement Activities
- (2) Surplus Vehicle for Sale

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

- a. 2016 State Legislative Update #6*
- b. Sound Transit 3 Update*
- c. City Hall Renovation Project Update*

11. NEW BUSINESS

- a. 2016 Community Survey Questions Review*
- b. Plastic Bag Policy Five Cent Fee Options*

12. REPORTS

- a. City Council Reports*

- (1) Finance and Administration Committee
- (2) Legislative Committee
- (3) Planning, and Economic Development Committee
- (4) Public Safety Committee

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.

(5) Public Works, Parks and Human Services Committee

(6) Tourism Development Committee

(7) Regional Issues

b. City Manager Reports

(1) Calendar Update

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT



CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033
425.587.3600 - www.kirklandwa.gov

MEMORANDUM

Date: March 24, 2016

To: Kurt Triplett, City Manager

From: Paul Stewart AICP, Deputy Director
Eric Shields AICP, Director

Subject: Joint meeting of City Council and Houghton Community Council

Recommendation

Staff recommends that the City Council and Houghton Community Council discuss items of interest at the joint meeting.

Background

The City Council and Houghton Community Council (HCC) are scheduled to meet on April 5, 2016 at 6:00 pm in the Peter Kirk Room. The purpose of the meeting is to discuss a number of topics – particularly how the City Council and HCC can communicate and cooperate on issues of importance.

The HCC has disapproval authority within the municipal corporation's jurisdiction on land use ordinances (legislative) and permit applications (quasi-judicial) for which the City Council is the decision maker.

The HCC and Planning Commission often hold joint meetings or hearings on legislative issues (e.g. Comprehensive Plan, zoning regulations, etc.). On legislative issues, the HCC will prepare a recommendation to the Planning Commission and City Council. Following action by the City Council the HCC will review the Council's action and either approve or disapprove the ordinances. The joint meetings and hearings with the Planning Commission have been working well. For example, at study sessions the HCC and Planning Commission hear the same information and are able to discuss it and understand the various perspectives. At joint public hearings, the HCC and Planning Commission hear comments from the public at one time without having the public attend two separate meetings.

Over the past two years the HCC has worked on the following topics (Note: the items with an "*" designate those legislative issues that the HCC and Planning Commission worked on together):

- Critical Area regulations (currently in process) *
- Sound Transit and the Cross Kirkland Corridor
- 2035 Comprehensive Plan Update *
- Review of PROS plan and Transportation Master Plan
- Multifamily parking regulations *
- South Kirkland Park and Ride
- Marijuana regulations *
- Miscellaneous Code Amendments *

For those legislative items noted above that involve the Planning Commission the HCC approved the ordinances as adopted by the City Council.

The Houghton Community Council also reviews certain permit applications (e.g. Process IIB) and has jurisdictional authority for those applications within Houghton. These are considered quasi-judicial proceedings – that is they are decision-making hearings similar to court proceedings.

In the case of a IIB application, the HCC holds a joint public hearing with the Hearing Examiner. Following the hearing, the HCC makes a recommendation to the Hearing Examiner. The Examiner considers the comments and then transmits his or her recommendations and findings to the City Council. Following City Council action, the HCC has three options – approval, disapproval, or take no action. If they take no action within 60 days of City Council adoption, the application is deemed approved.

Joint Meeting Discussion Topics

The Houghton Community Council met on March 28, 2016 and identified the following topics for discussion at the joint meeting.

- Communication – what is the best way for the HCC and City Council to communicate?
- Responsiveness – how can the HCC be more proactive rather than reactive on issues and topics?
- Sound Transit (ST3) – conveying HCC interests.

- Houghton/Everest Neighborhood Plan and 6th Street Corridor Transportation Study.
- Design Review process changes following the South Kirkland Park and Ride development.

Communication/Responsiveness

The HCC would like to discuss with the Council ways to improve communication and responsiveness on issues and topics. Over the past couple of years there have been a number of approaches that are working well:

- Joint meetings and hearings with the Planning Commission on legislative items.
- Regular meetings between the chair and vice chair of the Houghton Community Council and the Mayor and Deputy Mayor.
- Representatives from the HCC attending Planning Commission and City Council meetings

The joint meeting is an opportunity for the Council and HCC to explore other opportunities for coordination and cooperation as appropriate.

Sound Transit (ST3) and the Cross Kirkland Corridor (CKC)

The HCC has been actively involved with this issue and has prepared written correspondence regarding ST3 and the CKC. Staff from Public Works have attended HCC meetings and have been providing information and answering questions about transit on the CKC. The HCC would like to ensure that its interests are considered when the City Council takes action on matters related to the Sound Transit and the CKC.

Houghton/Everest Neighborhood Center

The City is moving forward with the study of the Houghton/Everest Neighborhood Center and the 6th Street Corridor. Staff is currently working on a scope for the study and will be soliciting consulting services to assist in the preparation of both plans along with a neighborhood outreach effort. Attached is a short memo from Senior Planner Angela Ruggeri to the Houghton Community Council (Attachment 1) that summarizes the current status of this effort.

Both the Planning Commission and Houghton Community Council will be engaged in this process. Houghton has jurisdiction on the south half of the neighborhood center – south of NE 68th Street. It is anticipated that there will be a variety of public outreach events as well as joint meetings between

the Planning Commission and HCC. The City Council will be kept informed throughout the process. In the near future, staff will brief the Planning Commission, HCC and City Council on the scope, public outreach approach and timeline for review and comment.

South Kirkland Park and Ride

Regarding the design review process following the South Kirkland Park and Ride project (which is completed and occupied), the HCC raised concerns about the project design. Staff met with the HCC on several occasions to address these concerns and have identified ways to improve the process. Attached is a memo to the HCC in August, 2015 outlining improvements to the design review process and the review of any modifications proposed after Design Review Board approval of a project (See Attachment 2).

Northwest University

Northwest University is currently working on submitting a IIB application for revisions to its master plan for the campus. While there is interest in this issue, the City Attorney has advised against discussing this topic at the joint meeting due to the quasi-judicial nature of the application.

Attachments

1. Memo on Houghton/Everest Neighborhood Center
2. Memo on South Kirkland Park and Ride



CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3600
www.kirklandwa.gov

MEMORANDUM

To: Houghton Community Council

From: Angela Ruggeri, AICP, Senior Planner
Paul Stewart, AICP, Deputy Director

Date: March 18, 2016

Subject: Houghton/Everest Neighborhood Center Amendments

RECOMMENDATION

Review process for Houghton/Everest Neighborhood Center Plan and 6th Street South Corridor Transportation Study preparation.

BACKGROUND DISCUSSION

The timeline for plan and development standards for the Houghton/Everest Neighborhood Center was directed by the City Council in September of 2014 via Resolution R-5067 (see Attachment 1). The study/master plan for the 6th Street South corridor will be done in conjunction with the Neighborhood Center update. The \$150,000 study will be funded through the City's Capital Improvement Program.

Resolution R-5067 directed staff to initiate the process for the Houghton/Everest Neighborhood Center by January 15, 2016. The process is to include a formal public review and update for the Houghton/Everest Neighborhood Center in partnership with the Houghton Community Council, property owners and residents of the Everest and Central Houghton neighborhoods. The resolution also states that the Planning Commission is to make a final recommendation to the City Council on the Neighborhood Center no later than October 31, 2016. Staff will do its best to meet this deadline, but is still evaluating if this is possible.

Staff has had a preliminary meeting with representatives from the Central Houghton Neighborhood and representatives from the Everest Neighborhood.

- Representatives from Everest expressed an interest in deferring work on the Neighborhood Center update until more information is known regarding the Sound Transit 3 candidate projects in Kirkland and the ballot measure as they may be related to the 6th Street South Corridor Study as well as the Cross Kirkland Corridor. In addition, the representative said

that having the signals in place that were proposed for 2016 (at 9th and at Kirkland Way) would be important to the transportation study. It is expected that these signals will to be installed this summer.

- Representatives from the Central Houghton neighborhood are interested in moving forward sooner rather than later. In 2015, they hosted a series of neighborhood meetings on preferences for the Neighborhood Center and since they have already put in time and effort on this, they would prefer to move ahead as soon as possible.
- Staff has had discussions with the representative from the Houghton Shopping Center (Metropolitan Market area) and representative for the PCC property and grocery store. Both are interested in moving forward. The Metropolitan Market property has zoning that has not been revised to be consistent with the adopted Comprehensive Plan for the shopping center.

Staff is in the process of contacting people who were involved in the Central Houghton Neighborhood Plan update and some new people that may have an interest in this project. The purpose is to get ideas about how we can best design a process that is inclusive and productive.

A RFQ for consultants to help with the Houghton/Everest Neighborhood Center Plan and 6th Street South Corridor Study is also being written. This will include: help with facilitation; a public outreach plan for the project; a feasibility study and urban design study for the Neighborhood Center portion; and a study of what transportation projects and programs should be developed to improve existing conditions and complement proposed land use on the 6th Street South corridor.

SCHEDULE

The following is a tentative schedule for the project.

- **April 2016** – Complete RFQ
- **May 2016** – Hire consultants and begin public outreach
- **August 2016** – begin Planning Commission and HCC meetings.
- **October 2016** – Hold public hearings and make recommendation to City Council
- **November 2016** – City Council decision
- **December 2016** – HCC approval

Attachments:

1. Resolution R-5067

RESOLUTION R-5067

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO PLANNING AND LAND USE AND ACCEPTING THE RECOMMENDATION OF THE KIRKLAND PLANNING COMMISSION TO DEFER ACTION ON THE HOUGHTON/EVEREST NEIGHBORHOOD CENTER CITIZEN AMENDMENT REQUESTS UNTIL THE COMPLETION OF THE COMPREHENSIVE PLAN (FILE CAM13-00465, #14).

WHEREAS, the City is updating its Comprehensive Plan, the guiding policy document to direct growth and development in Kirkland over the next 20 years; and

WHEREAS, the City accepted Citizen Amendment Requests that proposed property-specific changes to the land use map/zoning map, existing Plan goals and policies and/or zoning regulations as part of the Plan update process; and

WHEREAS, the Kirkland Planning Commission reviewed the Citizen Amendment Requests at its July 10, 2014, meeting; and

WHEREAS, the City Council considered the Planning Commission recommendations at the July 15, 2014, Council meeting; and

WHEREAS, City Council agreed with the recommendations of the Planning Commission on the Citizen Amendment Requests, including a recommendation that staff return to the Planning Commission with options for handling the Houghton/Everest Neighborhood Center review including the two Citizen Amendment Requests within the Central Houghton Neighborhood; and

WHEREAS, following additional review at its August 14, 2014, meeting, the Planning Commission recommended that action be deferred on the Houghton/Everest Neighborhood Center Citizen Amendment Requests until the completion of the Comprehensive Plan update when the Everest Neighborhood Plan can be updated; and

WHEREAS, the Houghton Community Council met on August 25, 2014, to discuss the process options for the Houghton/Everest Neighborhood Center Citizen Amendment Requests and agreed with the recommendation of the Planning Commission; and

WHEREAS, the existing Central Houghton Neighborhood Plan establishes goals and policies for the Houghton/Everest Neighborhood Center and the Houghton Center which need to be harmonized and coordinated with the Everest Neighborhood Plan; and

WHEREAS, the Everest Neighborhood Plan, along with all other Neighborhood Plans in the City, is being updated as part of the Comprehensive Plan update process; and

WHEREAS, accepting the recommendations of the Houghton Community Council and the Planning Commission to defer the Central

Houghton Neighborhood Citizen Amendment Requests would allow for the update of the Everest Neighborhood Plan except for the areas of Everest that are included in the Houghton/Everest Neighborhood Center; and

WHEREAS, in order to provide certainty and predictability in land use, the City Council wishes to work with the Houghton Community Council, property owners and residents of Central Houghton and Everest to consider the entire Houghton/Everest Neighborhood Center following the completion of the Comprehensive Plan update.

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

Section 1. Action will be deferred on the Houghton/Everest Neighborhood Center Citizen Amendment Requests until the completion of the Comprehensive Plan update.

Section 2. Immediately following the Plan update, and no later than January 15, 2016, the City Council and staff shall initiate a formal public review and update process for the Houghton/Everest Neighborhood Center in partnership with the Houghton Community Council, property owners and the residents of Everest and Central Houghton.

Section 3. The Houghton/Everest Neighborhood Center update process shall result in recommendations to the Planning Commission for Comprehensive Plan amendments and zoning regulations for the Houghton/Everest Neighborhood Center no later than July 15, 2016.

Section 4. The Planning Commission shall consider and hold a public hearing on the Comprehensive Plan amendments and zoning regulations and shall make final recommendations to the City Council no later than October 31, 2016.

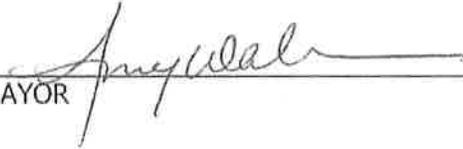
Section 5. The Council may accept, modify or reject the Comprehensive Plan amendments and zoning regulations. Both the Everest and Central Houghton Neighborhood Plans will be updated as necessary to reflect any final Council action on the Houghton/Everest Neighborhood Center.

Section 6. The existing Comprehensive Plan language and zoning regulations affecting the Houghton/Everest Neighborhood Center in both the Everest Neighborhood Plan and the Central Houghton Neighborhood Plan shall remain unchanged until the process outlined above is completed.

Section 7. The scope of the Comprehensive Plan Environmental Impact Statement will include an evaluation of business districts, but any Houghton/Everest Neighborhood Center-specific policies and zoning regulations will be deferred from the Comprehensive Plan to the process outlined above.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of September, 2014.

Signed in authentication thereof this 16th day of September, 2014.


MAYOR

Attest:


City Clerk



CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033
425.587-3225 - www.kirklandwa.gov

MEMORANDUM

To: Houghton Community Council

From: Janice Coogan, Senior Planner

Date: August 20, 2015

Subject: **TRANSIT ORIENTED DEVELOPMENT AT THE SOUTH KIRKLAND PARK AND RIDE**

Staff will attend your August 31, 2015 to answer additional questions you may have regarding the TOD project and process improvements we plan to implement with future design review projects (including within the jurisdiction of Houghton Community Council).

On July 20, 2015 the Design Review Board conducted a post completion evaluation of the final building design and design review process for the project. Only one of the two members who were involved with the original design review of the project was present (Chair, Carolyn Adams). Architect Mindy Black with Weber Thompson and Eric Evans with Polygon NW were also present to respond to questions.

At the meeting, staff discussed with the Board ways to improve the application materials that are submitted (primarily related to building materials) for the Design Response Conference review and the process for evaluating minor modifications that are requested during the building permit review or construction phases of a project. A link to the meeting packet is available [here](#). An audio of the Board's discussion is available http://www.kirklandwa.gov/DRB_Meeting_Audio.htm.

A representative of the owner of the Kirkland Crossing building indicated to the DRB that they have tried to respond to concerns raised by the Community Council and staff and that they now consider the project complete (see additional discussion below). They are in the process of leasing out the commercial tenant spaces and will continue to explore securing a retail coffee tenant.

On August 12, 2015, the HCC was copied on an email sent to the Design Review Board summarizing the Board's discussion and permit process improvements that will be implemented with future design review projects and included below.

A. Project Building Materials and Landscaping

The wood grain panels installed at sections of the building façade were different than shown on the approved plans because the manufacturer discontinued the original pattern. In response to concerns raised by the Houghton Community Council and staff, the property owner (Polygon) explored either painting or replacing the existing wood grain panels at the gateway corner of the

project. Painting the panels was determined to not be a feasible option. Two panels in different colors were installed on the building façade for approximately one month to compare the existing wood grain panels with the new “test” panels.

Eric Evans with Polygon and Mindy Black, architect with Weber Thompson attended the meeting to explain the situation. The consensus of staff and the Board’s discussion was to keep the existing wood grain panels. The property owner plans to remove the test panels by the end of August. After certificate of occupancy the property owner planted additional landscaping to help soften the concrete façade at the gateway corner. Staff concludes that no further actions are needed by the property owner and the project is considered complete.

B. Design Review Process improvements to be implemented by the Planning Department

- For future projects located within the jurisdiction of the Houghton Community Council (HCC) subject to review by the Design Review Board, a representative from the HCC will be encouraged to attend the Design Review Board meetings to express the opinions of the HCC.
- At the Conceptual Design phase of a project, staff will provide the Board with key issues or comments raised by the public during previous neighborhood planning, code amendment or other land use permit process.
- The Design Response Conference application will be revised to require the applicant to provide larger samples of building materials and paint samples.

C. Review and Processing Of Modifications

- At building permit submittal and prior to building permit issuance, the architect will be directed to submit a checklist showing all proposed modifications to the project that differ from the approved Design Response Conference plans. We currently have a modification checklist but this will be revised to be more detailed in submittal requirements. Prior to approving any modification request, all proposed modifications will be reviewed at one time in order to evaluate the cumulative effect of the changes on the design of the project. The architect must respond to each of the modification criteria in KZC 142.50 and show elevations and or materials of the approved drawings and proposed changes.
- Internally, staff will meet with a team of planners experienced with design review to discuss proposed modifications for consistency with the KZC 142.50 criteria and scope of changes we have the authority to approve administratively. The Planning Official will take a conservative approach and take more minor modifications to the Board for its review.
- Prior to final inspection of a building permit by the City, the architect and/or owner will be required to submit a letter concluding they have evaluated the project to ensure it is consistent with the plans approved with the Design Response Conference and that no modifications have been made to the project during construction that were not previously approved by the City. This way the architect or owner will take more accountability for the work of their contractor to ensure no further modifications have been made to the project that were not previously disclosed.



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
March 15, 2016

1. CALL TO ORDER
2. ROLL CALL

ROLL CALL:

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

Councilmember Marchione was absent/excused due to illness.

3. STUDY SESSION

- a. Joint Meeting with the Youth Council

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Youth Services Coordinator Regi Shubiger, and leadership members of the Kirkland Youth Council, Co-Chairs Annalise Ellefsen and Kevin Nakahara, Megan Gertmenian, Kyler Jobe, Maheen Keshani, Julian Oelsner and Catherine Ross.

4. EXECUTIVE SESSION

- a. To Discuss Potential Litigation

Mayor Walen announced that Council would recess into executive session to discuss potential litigation and would return to regular meeting at 7:30 p.m., which they did. Also in attendance were City Attorneys Robin Jenkinson and Kevin Reynolds, City Manager Kurt Triplett, and Deputy City Managers Marilynne Beard and Tracey Dunlap.

5. HONORS AND PROCLAMATIONS

- a. 2016 Earth Hour Proclamation

Director of Human Resources and Performance Management James Lopez introduced Vivian Weber and Margaret Schwender from Sustainable Kirkland, who accepted the proclamation from Mayor Walen and Deputy Mayor Arnold.

6. COMMUNICATIONS

- a. Announcements

b. Items from the Audience

Jonathan Hopkins
Keith Kyle
Charles Cooper
Brian Marshall
John Kappler
Leo Gilbert
Jeff Bell
Will Greene
John Perlic
Barbie Collins Young
Dan Ryan
Neal Wells

c. Petitions

7. SPECIAL PRESENTATIONS

None.

8. CONSENT CALENDAR

a. Approval of Minutes: March 1, 2016

b. Audit of Accounts:

Payroll \$2,947,457.31

Bills \$3,070,508.70

run #1498 checks #600022 - 600023

run #1499 checks #600024 - 600032

run #1500 checks #600033 - 600171

run #1501 checks #600172 - 600226

run #1502 checks #600227 - 600361

run #1503 check #600362

run #1504 checks #600388 - 600397

run #1505 checks #600398 - 600517

c. General Correspondence

d. Claims

Claims received from Vishal Dugar, and Michael Pinkney Lee, were acknowledged via approval of the Consent Calendar.

e. Award of Bids

(1) NE 80th Street Sewer and Watermain Replacement - Phase 2, Shoreline
Construction Company, Woodinville, WA,

The construction contract for the NE 80th Street Sewer and Watermain Replacement-Phase 2 was awarded to Shoreline Construction Co., of Woodinville, WA, in the amount of \$2,874,603.86 via approval of the Consent Calendar.

- f. Acceptance of Public Improvements and Establishing Lien Period
- g. Approval of Agreements

Resolution R-5190, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THE PORT OF EVERETT AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND."

- h. Other Items of Business

- (1) School Impact Fee Report

- (2) Report on Procurement Activities

Motion to Approve the Consent Calendar.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

- a. Sound Transit 3 Update

Public Works Director Kathy Brown provided an overview related to Sound Transit 3 options on the Cross Kirkland Corridor and requested approval of correspondence to the Sound Transit Board. Surface Water Engineering Supervisor Jenny Gaus and Planning and Building Department Deputy Director Paul Stewart presented an assessment of the quality of environmental resources along the Cross Kirkland Corridor and the potential environmental permitting process and requirements in relation to the Critical Areas update of the Kirkland Zoning Code.

Motion to Authorize the Mayor to sign the final letter to the Sound Transit Board with the language presented in Alternative 2 on page 1, and including the insertion of the word "support" as the third word on the final page so that it says, "...would also support the ST3 package if it includes the Kirkland Compromise", as amended.

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Jay Arnold

Vote: Motion carried 6-0

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

Motion to Amend the letter to the Sound Transit Board to strike the last sentence in paragraph 5 that reads, "Light rail would overwhelm the CKC and make it impossible to realize the CKC Master Plan vision created by our residents, while only delivering 5,000 riders per day by 2040."

Moved by Councilmember Shelley Kloba, seconded by Deputy Mayor Jay Arnold

Vote: Motion carried 6-0

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

Motion to Amend the letter to the Sound Transit Board to insert text at the end of the sentence at the final bullet point on page 3 so that it reads, "Saves Sound Transit significant money in the ST3 ballot measure by avoiding the need to fund a 750 million dollar BRT line or a 1.5 billion dollar light rail line that serves only 5,000 riders per day by 2040."

Moved by Councilmember Toby Nixon, seconded by Councilmember Penny Sweet

Vote: Motion carried 5-1

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

No: Councilmember Shelley Kloba.

Motion to Amend the letter to the Sound Transit Board to delete the words, "and want to set the stage for a future Sound Transit package," from the first paragraph on the second page.

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

Motion to Amend the letter to the Sound Transit Board to replace the words, "in preparation for transit in a future package," with, "as a quick win for access," in the second paragraph on the second page.

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

Motion to Amend the letter to the Sound Transit Board to delete the words, "in future ballot measures," from the eighth bullet point on page 3.

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

Motion to Amend the letter to the Sound Transit Board on page 2 to replace the single-sentence paragraph, "Phase 2 HCT construction would be funded in subsequent Sound Transit ballot measures." with, "Phase 2 would fund HCT construction."

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

Council recessed for a short break.

b. 2016 State Legislative Update #5

Intergovernmental Relations Manager Lorrie McKay provided an update on the special legislative session.

c. ITS Phase 2 Funding and Award of Bid, Totem Electric, Inc., Tacoma, WA

Capital Projects Manager Rod Steitzer provided an update on the Kirkland Intelligent Transportation System (ITS) Implementation Phase II Project including ITS general overview, ITS related projects overview, ITS related projects - Phase II, equipment. Advertisement, Bid opening and increased cost. Options for response to bids including use reserves.

Motion to Approve staff's recommendation for completing the Kirkland Intelligent Transportation System Project as originally envisioned, using real estate excise tax 2 reserves in the amount of \$360,000.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

Motion to Award the contract for the Kirkland Intelligent Transportation System Project to Totem Electric, Inc., Tacoma, WA, in the amount of \$1,729,388.50

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

- d. Resolution R-5189, Pertaining to the Adoption of the 2016–2018 Planning Work Program.

Motion to Approve Resolution R-5189, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND PERTAINING TO THE ADOPTION OF THE 2016 - 2018 PLANNING WORK PROGRAM."

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Penny Sweet
Vote: Motion carried 6-0

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

- e. Board and Commission Recruitment – Interview Selection Committee Recommendation.

Motion to Accept the Board and Commission Interview Selection Committee's recommendations, as amended.

Moved by Councilmember Penny Sweet, seconded by Councilmember Dave Asher
Vote: Motion carried 6-0

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

Motion to Approve the recommendations made by the previously appointed Board and Commission Interview Selection Committee for any additional applications with regards to the Planning Commission received in the renewed application period.

Moved by Councilmember Toby Nixon, seconded by Councilmember Shelley Kloba
Vote: Motion carried 6-0

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

11. NEW BUSINESS

- a. Ordinance O-4513 and its Summary, Amending Chapter 3.82 of the Kirkland Municipal Code Entitled "Employee Code of Ethics, Amending Section 3.82.020, "Definitions;" Amending Section 3.82.030, "Conflict of Interest;" and Adding a New Section 3.82.050, "Violation - Penalty."

Deputy City Manager Tracey Dunlap provided some background on the proposed Ordinance.

Motion to Approve Ordinance O-4513 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING CHAPTER 3.82 OF THE KIRKLAND MUNICIPAL CODE ENTITLED "EMPLOYEE CODE OF ETHICS, AMENDING SECTION 3.82.020, "DEFINITIONS;" AMENDING SECTION 3.82.030, "CONFLICT OF INTEREST;" AND ADDING A NEW SECTION 3.82.050, "VIOLATION - PENALTY.""

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

- b. Resolution R-5191, Authorizing an Additional One-Time Health Reimbursement Arrangement (HRA) Voluntary Employee Beneficiary Association (VEBA) Contribution to Eligible Employees Who Partnered With the City in Implementing the Healthy Kirkland Initiative.

Motion to Approve Resolution R-5191, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING AN ADDITIONAL ONE-TIME HEALTH REIMBURSEMENT ARRANGEMENT (HRA) VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) CONTRIBUTION TO ELIGIBLE EMPLOYEES WHO PARTNERED WITH THE CITY IN IMPLEMENTING THE HEALTHY KIRKLAND INITIATIVE."

Moved by Councilmember Penny Sweet, seconded by Councilmember Dave Asher

Vote: Motion carried 6-0

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

- c. Discussion of the Transportation Commission Work Plan and Mission Statement

Transportation Commission Chair Tom Neir and Public Works Director Kathy Brown presented the proposed Transportation Commission Work Plan and Mission Statement and received Council direction.

- d. Asphalt Milling Machine Purchase and Funding

Motion to Approve the purchase of an asphalt milling machine in 2016 for an amount not to exceed \$600,000, including sales tax, from the funding sources and amounts indicated in the staff recommendation.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

12. REPORTS

- a. City Council Reports

- (1) Finance and Administration Committee
Did not meet.

- (2) Legislative Committee

Did not meet.

(3) Planning, and Economic Development Committee

Chair Arnold reported on feedback from developers on the affordable housing fee-in-lieu; feedback from downtown merchants regarding the plastic bag reduction ordinance; a recommendation that the Public Works, Parks and Human Services Committee review the plastic bag reduction ordinance and determine if there are options to assist local boutique merchants with the paper bag fee.

(4) Public Safety Committee

Did not meet.

(5) Public Works, Parks and Human Services Committee

Chair Kloba reported on an update the National Pollution Discharge Elimination System (NPDES) and Stormwater adoption; information about a grant for LED lights; preview of the changes to the employee ethics policy; review of pay-by-phone parking options.

(6) Tourism Development Committee

Did not meet.

(7) Regional Issues

Councilmembers shared information regarding a Sound Cities Association Public Issues Committee meeting; a King County Domestic Violence Initiative meeting; the upcoming Leadership Eastside's Civic Incubator Innovation Summit; the Kirkland Alliance of Neighborhoods meeting, a Mental Illness and Drug Dependency Oversight Committee meeting, the upcoming Kiwanis Club of Kirkland Easter Egg Hunt in Peter Kirk Park; the inaugural King County Emergency Medical Services Task Force meeting; a King County Regional Water Quality Committee meeting; a King County Municipal Solid Waste Advisory Committee meeting; a King County Emergency Management Advisory Committee meeting; and an update on the upcoming Cascadia Rising 2016 exercise.

b. City Manager Reports

City Manager Kurt Triplett reported on Google's intent to bring their prototype driverless cars from California to Kirkland. The City Manager also asked for Council direction regarding the purchase of the properties in connection with the proposed Juanita Fire Station; Council directed that the contracts to execute the purchases continue forward.

(1) Calendar Update

City Manager Kurt Triplett informed the Council that a study session for a joint meeting with the Transportation Commission will be added to the calendar as well as a continuation of the discussion of the plastic bag reduction ordinance to the agenda for the upcoming meeting. Mayor Walen reported on a request by the Kirkland Arts Center for a regular funding commitment from the City of Kirkland which was sent to the Kirkland Cultural Arts Commission to review and develop a recommendation to the Council.

Mayor Walen shared some additional remarks recognizing outgoing City Attorney Robin Jenkinson's many accomplishments and the Council expressed their thanks for her service to the City.

13. ITEMS FROM THE AUDIENCE

None

14. ADJOURNMENT

The Kirkland City Council regular meeting of March 15, 2016 was adjourned at 11:17 p.m.

City Clerk

Mayor

KIRKLAND CITY COUNCIL SPECIAL MEETING

Minutes

March 17, 2016

1. CALL TO ORDER

Mayor Walen called the Special Meeting of the Kirkland City Council to order at 3:04 p.m.

2. ROLL CALL

Members Present: Mayor Amy Walen, Deputy Mayor Penny Sweet, Councilmembers Jay Arnold, and Dave Asher. Councilmember Shelley Kloba joined the meeting at 3:24 p.m. Councilmember Toby Nixon attended via Skype. Doreen Marchione was absent/excused.

3. EVALUATE THE QUALIFICATIONS OF APPLICANTS FOR PUBLIC EMPLOYMENT

Council met with three applicants for the Police Chief vacancy.

4. ADJOURNMENT

The March 17, 2016 Special Meeting of the Kirkland City Council was adjourned at 6:24 p.m.

City Clerk

Mayor

CITY OF KIRKLAND CITY COUNCIL

Council Meeting: 04/05/2016
Agenda: Approval of Minutes
Item #: 8. a. (3).



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

Vision Statement

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

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AGENDA KIRKLAND CITY COUNCIL NORTH ROSE HILL NEIGHBORHOOD SPECIAL MEETING

**Fire Station 26
9930 124th Avenue N.E.**

**Monday, March 21, 2016
7:00 – 8:45 p.m.**

**PLEASE CALL 48 HOURS
IN ADVANCE** (425-587-3190) if you require this content in an alternate format or if you need a sign language interpreter in attendance at this meeting.

- 6:45 – 7:00 p.m. 1. Informal Casual Conversations
- 7:00 – 7:05 p.m. 2. Welcome and Introduction – Mayor Amy Walen
- 7:05 – 7:10 p.m. 3. Comments from the North Rose Hill Neighborhood Chair – Robert Iracheta
- 7:10 – 7:30 p.m. 4. Introductions from City Council Members
- 7:30 – 8:45 p.m. 5. General Discussion and Questions from the Audience
- 8:45 p.m. 6. Adjourn
- 8:45 – 9:00 p.m. 7. Social Time

Mayor Amy Walen called the March 21, 2016 Kirkland City Council Special Meeting to order at 7:03 p.m. The following members of the City Council were present: Mayor Amy Walen, Deputy Mayor Jay Arnold, Councilmembers Dave Asher, Toby Nixon, and Penny Sweet.

Councilmembers Shelley Kloba and Doreen Marchione were absent/excused.

The Kirkland City Council Special Meeting was adjourned at 8:43 p.m.

City Clerk

Mayor

KIRKLAND CITY COUNCIL SPECIAL MEETING

Minutes

March 29, 2016

1. CALL TO ORDER

Deputy Mayor Arnold called the Special Meeting of the Kirkland City Council to order at 6 p.m.

2. ROLL CALL

Members Present: Deputy Mayor Jay Arnold, and Councilmembers Dave Asher, Shelley Kloba, Penny Sweet and Toby Nixon. Mayor Walen and Councilmember Marchione were absent and excused.

3. DESIGN REVIEW BOARD INTERVIEWS

- a. Dave Russell
- b. Maura Roberts

4. HUMAN SERVICES ADVISORY COMMITTEE INTERVIEWS

- a. Laura Pitarys
- b. Anne Radcliff
- c. Pat Swanson
- d. Kayle Walls
- e. Jessica Wells (youth)

5. LIBRARY BOARD INTERVIEWS

- a. Dori Butler
- b. Sandy Cummings
- c. Doris Ford
- d. Randy Johnson
- e. Lily LaMotte
- f. Lorraine McReynolds
- g. Dave Wagar

6. PARK BOARD INTERVIEWS

- a. Jason Chinchilla
- b. Richard Chung
- c. Sara Oppler
- d. Jared Radtke
- e. Jeremy Richtmyre

7. PLANNING COMMISSION INTERVIEWS

- a. Kimberly Gill
- b. Kevin Hanefeld
- c. Mathew Pruitt
- d. Dan Ryan
- e. Sandeep Singhal

8. SALARY COMMISSION INTERVIEWS

- a. Joe Chulick
- b. Sara Oppler

9. TRANSPORTATION COMMISSION INTERVIEWS

- a. John Perlic
- b. Ken Dueker
- c. John Leisle

10. KING COUNTY LANDMARKS AND HERITAGE COMMISSION PROPOSED RE-APPOINTMENT

- a. Lynette Friberg Weber

11. TOURISM DEVELOPMENT COMMITTEE ANNUAL REVIEW

- a. Jac Cooper
- b. Jennifer Gill
- c. Lori Goldfarb
- d. Troy Longwith
- e. Michelle Quisenberry
- f. Ardene Skraban

12. REVIEW AND RE-APPOINTMENT OF KING COUNTY LANDMARKS AND HERITAGE COMMISSION MEMBER AND TOURISM DEVELOPMENT COMMITTEE MEMBERS

Councilmember Sweet moved to reappoint Lynette Friberg Weber to a three year term ending 3/31/2019, as Kirkland's special voting member on the King County Landmarks and Heritage Commission. Councilmember Nixon seconded the motion, which passed unanimously.

Councilmember Nixon moved to re-appoint Jac Cooper, Jennifer Gill, Lori Goldfarb, Troy Longwith, Michelle Quisenberry, and Ardene Skraban to one year terms ending 3/31/2017 on the Tourism Development Committee. Councilmember Sweet seconded the motion, which passed unanimously.

13. SELECTION AND APPOINTMENT OF DESIGN REVIEW BOARD, HUMAN SERVICES ADVISORY COMMITTEE, LIBRARY BOARD, PARK BOARD, PLANNING COMMISSION, SALARY COMMISSION, AND TRANSPORTATION COMMISSION MEMBERS

Following the Board and Commission interviews and discussion of the applicants' qualifications,

Councilmember Sweet moved to reappoint Dave Russell to a four year term ending 3/31/2020, and to select Maura Roberts as an alternate appointee (should an additional vacancy arise within the next six months) on the Design Review Board. Asher seconded the motion, which passed unanimously.

Councilmember Asher moved to appoint Pat Swanson, Kayle Walls and Jessica Wells (youth seat) to two-year terms ending 3/31/2018, and to select Anne Radcliffe as an alternate appointee (should an additional vacancy arise within the next six months) on the Human Services Advisory Committee. Councilmember Kloba seconded the motion, which passed unanimously.

Councilmember Asher moved to reappoint Dori Butler and to appoint Sandy Cummings and Dave Wagar to four year terms ending 3/31/2020; to appoint Lorraine McReynolds to an unexpired term ending March 31, 2017 and to select Lily LaMotte as an alternate appointee (should an additional vacancy arise within the next six months) on the Library Board. Councilmember Sweet seconded the motion, which passed unanimously.

Councilmember Nixon moved to re-appoint Jason Chinchilla to a four year term ending 3/31/2020 on the Park Board. Councilmember Sweet seconded the motion, which passed on a four to one vote with Councilmember Asher voting no.

Councilmember Nixon moved to re-appoint Richard Chung to a four year term ending 3/31/2020 and to select Sara Oppler as an alternate appointee (should an additional vacancy arise within the next six months) on the Park Board. Councilmember Sweet seconded the motion, which passed unanimously.

Councilmember Asher moved to appoint Mathew Pruitt and Sandeep Singhal to four year terms ending 3/31/2020 and to select Dan Ryan as an alternate appointee (should an additional vacancy arise within the next six months) on the on the Planning Commission. Councilmember Sweet seconded the motion, which passed unanimously.

Councilmember Asher moved to appoint Sara Oppler to a three year term ending 3/31/2019 and to select Joe Chulick as an alternate appointee (should an additional vacancy arise within the next six months) on the Salary Commission. Councilmember Nixon seconded the motion, which passed unanimously.

Councilmember Asher moved to reappoint John Perlic to a four year term and to appoint Ken Dueker to a four year term ending 3/31/2020, and to select John Leisle as an alternate appointee (should an additional vacancy arise within the next six months) on the Transportation Commission. Councilmember Sweet seconded the motion, which passed unanimously.

12. ADJOURNMENT

The March 29, 2016 Special Meeting of the Kirkland City Council was adjourned at 10:31 p.m.

City Clerk

Mayor



CITY OF KIRKLAND POLICE
11750 NE 118th Street WA 98034-7114 425.587.3400
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Cherie Harris, Captain
William Hamilton, Interim Chief of Police

Date: March 18, 2016

Subject: Intergovernmental Agreement Amendment – Regional Special Operations Unit

RECOMMENDATION

That the City Council approve a resolution authorizing the City Manager to execute an amendment (Exhibit A) to the existing Interlocal Agreement for the North South Metro Special Weapons and Tactic Team (North Metro SWAT). The full ILA is attached. The amendment allows the City of Redmond to join the regional special operations unit. On February 5, 2013, the Kirkland City Council approved Resolution R-4957 authorizing the Kirkland Police Department to become a member of the North Sound Metro SWAT. Subsequent Interlocal Agreements were approved by Kirkland City Council on June 18, 2013, after the City of Mill Creek requested permission to join the North Sound Metro SWAT team and again on June 2, 2015, after the City of Mukilteo requested permission to join. Approval of the consent calendar will approve the resolution and amendment.

BACKGROUND DISCUSSION

In 2013, the Kirkland Police Department was invited to join a newly formed regional special operations unit made up of tactical officers from Lynnwood, Edmonds, Monroe, Bothell, Mountlake Terrace and Lake Forest Park known as the North Sound Metro SWAT. The North Sound Metro SWAT includes both a tactical special response team (SRT) and a crisis negotiations team (CNT). By joining this regional team, Kirkland meets training mandates while greatly increasing the deployment capabilities of the current Special Operations Unit.

Since the Kirkland City Council's most recent approval of the Interlocal Agreement, the City of Redmond has requested permission to join the North Sound Metro SWAT. The governing board, comprised of participating Chiefs of Police, supports this request. **The only change to the Intergovernmental Cooperation Agreement is the addition of the City of Redmond.**

The Kirkland Police Department does not anticipate a substantial increase in the number of call outs nor any budgetary impact due to addition of the City of Redmond to the regional team. Quarterly financial updates provided to the governing board have shown the North Sound Metro SWAT to be spending the Department's contribution in a manner consistent with the mission of the regional team such as; equipment, maintenance and repair, as well as specialized training not normally available to the Department. If costs should exceed what the budget can accommodate, the Kirkland Police Chief has the option to terminate the agreement with the North Sound Metro SWAT.

**INTERLOCAL AGREEMENT BETWEEN THE CITIES OF BOTHELL, EDMONDS,
KIRKLAND, LAKE FOREST PARK, LYNNWOOD, MILL CREEK, MONROE,
MUKILTEO, AND MOUNTLAKE TERRACE; FOR THE NORTH SOUND METRO
SPECIAL WEAPONS AND TACTICS (SWAT)/
CRISIS NEGOTIATING TEAM (CNT)**

THIS INTERLOCAL AGREEMENT (Agreement) is entered into by and between the City of Bothell, a Washington municipal corporation (Bothell), the City of Edmonds, a Washington municipal corporation (Edmonds), the City of Kirkland, a Washington municipal corporation (Kirkland), the City of Lake Forest Park, a Washington municipal corporation (Lake Forest Park), the City of Lynnwood, a Washington municipal corporation (Lynnwood), the City of Mill Creek, a Washington municipal corporation (Mill Creek), the City of Monroe, a Washington municipal corporation (Monroe), the City of Mukilteo, a Washington municipal corporation (Mukilteo), and the City of Mountlake Terrace, a Washington municipal corporation (Mountlake Terrace), (collectively referred to hereinafter as Parties or Cities).

WHEREAS, the Cities are public agencies as defined by RCW Chapter 39.34 and RCW Chapter 10.93, and are authorized to enter into interlocal agreements to provide for joint or cooperative actions to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, incidents of a serious criminal nature do occur which require a need for a specially trained and equipped unit to effectively resolve the situation. These incidents create a demand upon the undersigned Cities respective to resources which are better and more economically served by combining resources to form a joint specialty team called the NORTH SOUND METRO SPECIAL WEAPONS AND TACTICS, (hereinafter SWAT Team); and

WHEREAS, the SWAT Team shall be specially trained and equipped to provide a cooperative and joint effort among the undersigned Cities' police departments to respond to and resolve criminal activity of a high risk nature in accordance with state and federal law.

NOW, THEREFORE, be it agreed in accordance with RCW 39.34 and RCW 10.93:

1. CREATION AND AUTHORIZATION

The undersigned Cities hereby create THE NORTH SOUND METRO SPECIAL WEAPONS AND TACTICS (SWAT) Team. The SWAT Team is hereby authorized and directed to achieve the objectives of this Agreement.

2. OBJECTIVE

The primary objective of the SWAT Team is to respond effectively and appropriately to incidents which create a significant and higher safety risk for officers/detectives in the field and the public.

3. EXECUTIVE BOARD/SWAT STRUCTURE

The undersigned Cities hereby create an Executive Board (Board) to direct the SWAT Team. The Executive Board shall be comprised of the Police Chiefs of all participating Cities. Based upon recommendations from the SWAT Commander and or Board members, the Board reviews and approves changes and updates to the SWAT Policy and Procedures Manual (SWAT Policy) and also provides approval and gives direction on operational matters as presented and requested by the SWAT Team Commander.

Each member of the Board shall have an equal vote and voice on all Board decisions. All decisions, except those related to the SWAT Policy and Procedure manual, shall be made by a majority of voting Board members, provided a quorum of five (5) Board members are present. SWAT Policy and Procedure decisions shall require a unanimous vote from all Board members. The Board will meet at least once a quarter.

3.1 SWAT Team Structure

3.1.1 The goal of the SWAT Team is to have a minimum of twenty-four (24) trained officers and one (1) Command Level Officer (SWAT Team Commander). Staffing shall be proportional to the size of the participating city police department's commissioned strength and the ability of that police department to staff positions.

3.1.2 When subsequent attrition occurs in the SWAT Team, such vacancies shall be filled based on a mutually agreed to and managed selection process approved by the Board.

3.1.3 The Board will determine the host police department for the SWAT Team and the selection of the SWAT Team Commander. The SWAT Team Commander will recommend appointments for the positions of Assistant SWAT Team Commander and SWAT Team Leader(s) to the Board who shall have final approval.

3.1.4 Incident command shall be the responsibility of the police department of jurisdiction in which the incident occurs. The police department of jurisdiction may delegate incident command responsibility to the SWAT Team Commander, or an appointed designee in his absence, but will still be required to provide a liaison to the SWAT Team Commander for the duration of the event.

3.1.5 Distraction devices, gas munitions, and entrance explosives will be stored and handled per the SWAT Policy and Procedures manual and other applicable state and federal laws and regulations.

3.1.6 The general specifications of SWAT equipment/weapons will be contained within the SWAT Policy and Procedures manual.

3.1.7 SWAT policies and procedures will be standardized and agreed to by all participating Board members including any modifications or amendments thereto. Each Board member understands that SWAT, when activated in their respective jurisdictions, will act in accordance with the SWAT Policy and Procedures manual, as unanimously approved by the Board.

3.1.8 Except as provided herein, all personnel are deemed to be continuing employment for their respective employers when activated as members of the functionally consolidated SWAT Team. Each participating City shall be solely and exclusively responsible for the compensation, benefits, and training expenses for those personnel. All rights, duties, and obligations of the employer and the employee shall remain with that participating City. Each City shall be responsible for ensuring compliance with all applicable laws with regard to employees and with provisions on any applicable collective bargaining agreements and civil service rules and regulations and its disciplinary policies and procedures.

3.1.9 During field activation of the SWAT Team, an Incident Commander, SWAT Team Commander and SWAT Team Leader(s) will be designated. The duties and procedures to be utilized by the Incident Commander, SWAT Team Commander and SWAT Team Leader(s) shall be set forth in the SWAT Policy and Procedures manual approved by the Board.

3.2. Team Composition

The Board determines the SWAT Team composition and selection process.

3.3 Crisis Negotiating Teams

There will be a Crisis Negotiating Team (CNT) component. The Board will determine the composition of the Team and associated selection criteria.

3.4 Policy Development and Review

3.4.1 The Board shall determine who will coordinate development of SWAT Team policies and procedures. At a minimum, such policies and procedures shall address:

- a. Appointment to Team/Team Composition
- b. Risk Analysis Assessments
- c. Special Procedures

- d. Munitions Storage Policy/Equipment Considerations
- e. Diversionary Device Use and Deployment
- f. Firearms Qualification Standards
- g. Minimum Training Requirements/Fitness Standards
- h. Mutual Aid Responses

3.4.2 Following policy and procedure review and approval, copies of the SWAT Policy and Procedures manual will be provided to the police departments of participating Cities .

4. COST SHARING/BUDGET AND FINANCE

The Parties agree to budget and finance provisions for costs incurred by or in connection with the operations of the SWAT Team, in accordance with the following:

- 4.1. For purposes of general administration, the Board shall determine which City shall be designated as the Host police department. That police department will coordinate budgetary expenditures with all participating Cities.
- 4.2. All costs associated with the initial and continued outfitting of a SWAT Team member, including but not limited to, clothing and weapons shall be the responsibility of the employing City of any team member. This equipment shall remain the property of the purchasing City. The maintenance and replacement of individual team member's equipment shall be the responsibility of the employing City.
- 4.3. Any overtime costs associated with all deployment operations or team training of SWAT Team members shall be the responsibility of the employing City of any team member.
- 4.4. All member participating Cities understand there is need for equipment, and/or training for specialty positions within the team, that may be utilized by any qualified team member during the course of operations or training.
- 4.5. Each participating City will provide an amount of money determined by the Board and approved through the budget processes of each participating City's legislative body for necessary purchases per calendar year for approved operational expenditures. The Board shall designate one (1) participating City which will establish a single SWAT Team operational budget. Participating Cities agree to leave any money left over from that calendar year in the SWAT operational budget, which will be held in the account to supplement/augment SWAT organizational operations with the approval of the Board.
- 4.6. By May of each year, the SWAT Team Commander will submit a proposed operational budget request for approval to the Board, itemizing anticipated team/specialty

training and team equipment purchase requests for the following budget cycle. Each participating City will then submit for review and consideration the proposed operational and team/specialty training and team equipment budget via their own budget process. All team/specialty equipment purchases made during the calendar year will be documented via an inventory database spreadsheet. Training and equipment for individual team members will be the responsibility of each participating City.

4.7. During unusual occurrences, emergency expenses outside the parameters of the approved SWAT Team operational budget can be approved and ratified by agreement with a quorum of the Board. These expenses will be incurred only out of operational necessity (i.e., additional overtime or supplies related to a SWAT operation).

4.8. All Parties intend that the budget and finance provision contained herein shall support the activities of SWAT Team operations and training.

5. LIABILITY FOR INDEMNIFICATION AND DEFENSE FROM THIRD PARTY CLAIMS

5.1 Equal Sharing of Liability

The Cities agree that liability for the negligent or unintentionally tortious actions of the SWAT Team or any police officer or employee working for or on behalf of the SWAT Team be shared equally on an equal shares basis between the participating Cities. It is further the agreement of the Cities that no City should be required to pay more than an equal share of the cost of payment of any judgment or settlement for a liability claim which arises out of and is proximately caused by the actions of any officer, employee or City which is acting on behalf of or in support of the SWAT Team and acting within the scope of any person's employment or duties to said SWAT Team. This risk sharing agreement shall not apply to judgments against any party or officer for punitive damages or for damages resulting from intentionally tortious actions. This general agreement on liability sharing is subject to the following terms and conditions set for the below in Sections 5.2 to 5.10.

5.2 Hold Harmless

Each City agrees to hold harmless and indemnify the other participating Cities from any loss, claim or liability arising from or out of the negligent or unintentional tortious actions or inactions of its officers and employees or each other as related to any SWAT Team activity. Such liability shall be apportioned among the Cities equally on an equal shares basis subject to any limitation set forth below.

5.3 Defense of Lawsuits

Each City shall be responsible for selecting and retaining legal counsel for itself and for any employee of said City who is named in a lawsuit alleging liability arising out of

SWAT Team operations. Each City who retains counsel for itself and/or its officers and employees shall be responsible for paying the attorney's fees incurred by that counsel. The Cities shall not share costs of defense among each other unless they specifically agree to have one attorney representing all of them in any particular legal action.

5.4 Notice of Claims and Lawsuits and Settlements

In the event that a lawsuit is brought against a participating City, its officers and employees for actions arising out of their conduct in support of the SWAT Team operations, it shall be the duty of each said City to notify the other Cities that said claims or lawsuit has been initiated. No settlement of any such claim or lawsuit by any single City shall require equal shares contribution by any City unless it was done with the knowledge and specific consent of the other participating Cities. Any settlement made by any individual City or member which does not have the consent of the other participating Cities to this Agreement will not require any sharing of payment of said settlement on behalf of the non-consenting Cities.

5.4.1 Settlement Procedure

5.4.1(1) Any City who believes that it would be liable for a settlement or judgment which should be equally shared by the other participating Cities to this Agreement shall have the burden of notifying each other participating City of all settlement demands made to that City and any claims and/or lawsuits naming that city and/or its officers and employees for what may be a joint liability. Furthermore, if the other participating Cities are not named as parties to the actions, it shall be the burden of the City named in the lawsuit to keep the other participating Cities fully apprised of all developments in the case and all settlements demands, mediations or any other efforts made towards settlement. Settlements require the specific consent of all participating Cities to this Agreement before any equal share obligations for payment by all participating Cities becomes effective.

5.4.1(2) No City shall enter into a settlement with a claimant or plaintiff unless said settlement ends the liability of all participants to this Agreement and on behalf of their respective employees and officers. It is the intent of this Agreement that the Cities act in good faith on behalf of each other in conducting settlement negotiations on liability claims or lawsuits so that, whenever possible, all Parties to this Agreement agree with the settlement costs or, in the alternative, that all Parties to this Agreement reject settlement demands and agree to go to trial and share equally in any judgment incurred as a result of the decision to go to trial. However, in the event that a settlement demand is presented to all the participating Cities to this Agreement and there is not unanimous consent to pay the settlement, then and only then the following results shall occur:

5.4.1(2)(1) The Cities shall be free to seek a separate settlement with the claimant and/or plaintiff which would eliminate the liability of that City and/or its officers and employees and, if such separate settlement is reached, that City would have no responsibility to pay any proportionate amount of any judgment rendered against the Cities and/or their officers and employees that did not settle. A City making a separate settlement would not have to pay any proportion amount of any subsequent settlement that others might reach. Any City making a separate settlement would have no right to seek any reimbursement or contribution for any portion of a settlement which said City had reached separately with the claimant and/or plaintiff.

5.5 Cooperation in Defense of Lawsuits

The Cities and their respective defense counsel shall, to the extent reasonably legally possible and consistent with the best interests of their respective clients, cooperate in the defense of any lawsuit arising out of the operations of the SWAT Team and shall agree, wherever possible, to share non-attorney fee-related costs such as records gathering, preparation of trial exhibits, and the retention and payment of expert witnesses.

5.6 Payment of Judgments

Unless there is an exception as provided in paragraphs 5.4.1(2) and 5.4.1(2)(1), it is the intention of the participating Cities under this Agreement to jointly pay any judgment on an equal share basis for any judgment against any officer and/or employee and/or City for negligence or unintentional tortious action arising out of their conduct in the course of their employment or duties as SWAT Team members or in support of such SWAT Team operations; regardless of what percentage of liability may be attributed to that participating City or its officers and employees by way of verdict or judgment, including the costs of any awarded plaintiff's attorney's fees and costs. It is the intent of the Parties to add up the total combined judgment against any participating City and/or officer and/or employee for compensatory damages and/or plaintiff's attorney's fees and costs and to divide said total combined judgment into equal shares and each City would then pay its equal share of the total combined judgment to satisfy the judgment. Any City which refused to pay its equal share would then be liable to the Cities who paid that City's share in order to satisfy a judgment plus any attorney's fees incurred in the collection of said monies from the non-paying City.

5.7 Nothing Herein Shall Require Or Be Interpreted To:

5.7.1 Waive any defense arising out of RCW Title 51.

5.7.2 Limit or restrict the ability of any City, officer or employee to exercise any right, defense or remedy which a party to a lawsuit may have with respect to claims of third parties, including, but not limited to, any good faith attempts to

seek dismissal of legal claims against a party by any proper means allowed under the civil rules in either state or federal court.

5.7.3 Cover or apportion or require proportionate payment of any judgment against any individual or City for intentionally wrongful conduct outside the scope of employment of any individual or for any judgment for punitive damages, fines or sanctions against any individual or City. Payment of punitive damage awards shall be the sole responsibility of the individual against whom said judgment is rendered and/or his or her municipal employer, should that employer elect to make said payment voluntarily. This Agreement does not require equal sharing of any punitive damage awards, fines or sanctions.

5.8 Insurance Coverage

The Cities shall, to the best of their ability, coordinate their liability insurance coverage's and/or self-insured coverage's to the extent possible to fully implement and follow the Agreement set forth herein. However, the consent of any liability insurance carrier or self-insured pool or organization is not required to make this Agreement effective as between the member Cities signing this Agreement and the failure of any insurance carrier or self-insured pooling organization to agree or follow the terms of this provision on liability shall not relieve any individual City from its obligation under this Agreement.

6. NON-WAIVER

A waiver by any City hereto of a breach of any other City hereto of any covenant or condition of this Agreement shall not impair the right of the City not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of any City to insist upon strict performance of any agreement, covenant or condition of this Agreement, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such agreement, covenant, condition or right.

7. AMENDMENTS

This Agreement may only be amended by written agreement of all the undersigned Cities that have not terminated their respective participation under this Agreement.

8. SEVERABILITY

Should any clause, phrase, sentence or paragraph of the Agreement or its application to any party or circumstance be declared invalid or void by a court of competent jurisdiction, the remaining provisions of this Agreement and/or their application to other parties and circumstances, not declared invalid or void, shall remain in full force and effect.

9. TERM AND TERMINATION

9.1 The minimum term of this Agreement shall be one (1) year, effective upon its adoption. This Agreement shall automatically extend for consecutive one (1) year terms without action of the legislative bodies of the participating jurisdictions, unless and until terminated pursuant to the terms of this Agreement.

9.2 Any Party may withdraw from and terminate participation under this Agreement upon the giving of thirty (30) calendar days advance written notice of intent to withdraw/terminate to the other Parties herein. Withdrawal during any calendar year shall not entitle the withdrawing Party to a reduction or refund with respect to funds budgeted for or otherwise committed with respect to the withdrawing Party for any calendar year. Termination of this Agreement and/or withdrawal of a Party shall not terminate Section 5 hereof with respect to the withdrawing Party as to any incident arising prior to the withdrawal of the Party and Section 5 shall survive the termination of this Agreement with respect to any cause of action, claim or liability arising on or prior to the date of termination.

9.3 A majority of the participating Cities may terminate this Agreement at any time. Such termination shall be set forth in a document signed by the authorized Chief Executive Officer or designee of a majority of the participating Cities.

9.4 Upon termination of this Agreement by the participating Cities, property used and/or in the possession of the SWAT Team pursuant to the terms and conditions of this Agreement, including but not limited to vehicles, equipment, firearms, ammunition and Class C low explosives, shall belong to and shall be returned to the City that provided or paid for such items. Items that were jointly purchased by the Cities will be distributed between the police departments on a basis agreed to in writing by the respective police chiefs.

9.5 In the event that a City withdraws from and terminates participation under this Agreement in accordance with Section 9.2, property that was paid for and/or provided by that City and was used and/or in the possession of the SWAT Team pursuant to the terms and conditions of this Agreement, including but not limited to vehicles, equipment, firearms, ammunition and Class C low explosives, shall belong to and shall be returned to the withdrawing/terminating City. Items that were jointly purchased by the Cities will continue to remain with and be available for use by the SWAT Team until such time that this Agreement is terminated in its entirety.

10. NOTICES AND CONTACTS

Unless otherwise directed in writing, notices, reports, invoices, payments and other documents shall be delivered to each City as follows:

City of Bothell
Attn: Police Chief
18410 101st Ave., N.E.
Bothell WA 98011

City of Edmonds
Attn: Police Chief
250 5th Ave., N.
Edmonds WA 98020

City of Kirkland
Attn: Police Chief
123 5th Ave.
Kirkland, WA 98033

City of Lake Forest Park
Attn: Police Chief
17425 Ballinger Way, N.E.
Lake Forest Park WA 98155

City of Lynnwood
Attn: Police Chief/Purchasing
19321 44th Ave., W.
Lynnwood WA 98036

City of Mill Creek
Attn: Police Chief
15728 Main St.
Mill Creek, WA 98012

City of Monroe
Attn: Police Chief
806 West Main Street
Monroe WA 98272

City of Mountlake Terrace
Attn: Police Chief
5906 232nd St., S.W.
Mountlake Terrace WA 98043

City of Mukilteo
Attn: Police Chief
10500 47th PL W.
Mukilteo, WA 98275

Notices mailed by any City shall be deemed effective on the date mailed. Any City may change its address for receipt of reports, notices, invoices, payments and other documents by giving the other Cities written notice of not less than seven (7) days prior to the effective date.

11. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

12. VENUE

The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Snohomish County, Washington.

13. EXECUTION

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original as against any party whose signature appears thereon, and all of which shall together constitute one and the same instrument.

14. FILING

As provided by RCW 39.34.040, this Agreement shall be filed prior to its entry in force with the Snohomish County Auditor, or, alternatively, listed by subject on the website of each participating City.

Dated this _____ day of _____, 2015

CITY OF BOTHELL

By: _____
Title: _____
Dated: 5-5-15

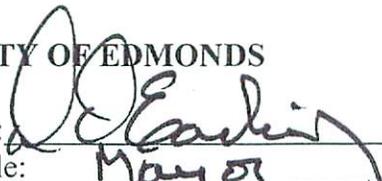
ATTEST:

By: Jana Hatway
City Clerk
Dated: 5/5/15

APPROVED AS TO FORM:

By: [Signature]
City Attorney
Dated: 5/1/15

CITY OF EDMONDS

By: 

Title: Mayor

Dated: 5.4.15

ATTEST:

By: 

City Clerk

Dated: 5-6-2015

APPROVED AS TO FORM:



By: _____

City Attorney

Dated: 5-6-2015

CITY OF KIRKLAND

By: Marylene Beaul
Title: Deputy City Manager
Dated: 6/8/15

ATTEST:

By: Anja Mullin
City Clerk Deputy City Clerk
Dated: 6/10/15

APPROVED AS TO FORM:

By: John Johnson
City Attorney
Dated: 6/10/15

CITY OF LAKE FOREST PARK

By: Mary Jane Barr
Title: Mayor
Dated: 4/10/2015

ATTEST:

By: Evelyn J. Had
City Clerk
Dated: 4/10/15

APPROVED AS TO FORM:

By: K. A. Pratt
City Attorney
Dated: 4-9-15

CITY OF LYNNWOOD

By: NSmitz
Title: mayor
Dated: 5-18-15

ATTEST:

By: [Signature]
City Clerk
Dated: 5-18-15

APPROVED AS TO FORM:

By: [Signature]
City Attorney
Dated: 5-20-15

CITY OF MONROE

By: [Signature]
Title: [Signature]
Dated: 4/4/15

ATTEST:

By: [Signature]
City Clerk
Dated: 04/07/2015

APPROVED AS TO FORM:

By: [Signature]
City Attorney
Dated: 4/7/15

CITY OF MILL CREEK

By: *Jessie M. [Signature]*
Title: *Interim City Manager*
Dated: *5/14/15*

ATTEST:

By: *[Signature]*
City Clerk
Dated: *5/14/15*

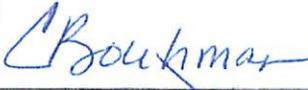
APPROVED AS TO FORM:

By: *[Signature]*
City Attorney
Dated: *5/19/15*

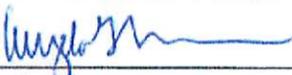
CITY OF MUKILTEO

By: 
Title: MAYOR
Dated: 6.3.15

ATTEST:

By: 
City Clerk 6.3.15
Dated: _____

APPROVED AS TO FORM:

By: 
City Attorney
Dated: 2 June 15

CITY OF MOUNTLAKE TERRACE

By: *Robert Fisher*
Title: *City manager*
Dated: *4/8/15*

ATTEST:

By: *Virginia Volk*
City Clerk
Dated: *4/6/15*

APPROVED AS TO FORM:

By: *[Signature]*
City Attorney
Dated: *4-10-2015*

RESOLUTION R-5192

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITIES OF BOTHELL, EDMONDS, KIRKLAND, LAKE FOREST PARK, LYNNWOOD, MILL CREEK, MONROE, MUKILTEO, AND MOUNTLAKE TERRACE FOR THE NORTH SOUND METRO SPECIAL WEAPONS AND TACTICS/CRISIS NEGOTIATING TEAM ADDING THE CITY OF REDMOND THERETO.

1 WHEREAS, the cities of Bothell, Edmonds, Kirkland, Lake Forest
2 Park, Lynnwood, Mill Creek, Monroe, Mukilteo, Mountlake Terrace, and
3 Redmond (Cities) are public agencies as defined by RCW Chapter 39.34
4 and RCW Chapter 10.93, and are authorized to enter into interlocal
5 agreements to provide services and facilities in a joint or cooperative
6 manner that will best align with geographic, economic, population and
7 other factors influencing the needs and development of local
8 communities; and
9

10 WHEREAS, incidents of a serious criminal nature sometimes
11 occur which require a specially trained and equipped unit to effectively
12 resolve the situation; and
13

14 WHEREAS, these incidents create a demand upon the resources
15 of the respective Cities which are better and more economically
16 addressed by combining resources in a joint specialty team called the
17 North Sound Metro Special Weapons and Tactics Team (SWAT Team);
18 and
19

20 WHEREAS, the North Sound Metro SWAT Team is specially
21 trained and equipped to provide a cooperative and joint effort among
22 the police departments of the Cities to respond to and resolve criminal
23 activity of a high risk nature in accordance with state and federal law;
24 and
25

26 WHEREAS, the City of Redmond Police Department wishes to
27 join the North Sound Metro Swat Team and an amendment to the
28 existing Interlocal Agreement is necessary.
29

30 NOW, THEREFORE, be it resolved by the City Council of the City
31 of Kirkland as follows:
32

33 Section 1. The City Manager is authorized to execute on behalf
34 of the City of Kirkland an amendment to the existing Interlocal
35 Agreement substantially similar to that attached as Exhibit "A," which is
36 entitled "First Amendment to Interlocal Agreement between the Cities
37 of Bothell, Edmonds, Kirkland Lake Forest Park, Lynnwood, Mill Creek,

38 Monroe, Mukilteo and Mountlake Terrace; for the North Sound Metro
39 Special Weapons and Tactics (SWAT)/Crisis Negotiating Team (CNT).”
40

41 Passed by majority vote of the Kirkland City Council in open
42 meeting this ____ day of ____, 2016.
43

44 Signed in authentication thereof this ____ day of _____, 2016.

MAYOR

Attest:

City Clerk

**FIRST AMENDMENT
TO
INTERLOCAL AGREEMENT BETWEEN THE CITIES OF BOTHELL, EDMONDS,
KIRKLAND, LAKE FOREST PARK, LYNNWOOD, MILL CREEK, MONROE,
MUKILTEO, AND MOUNTLAKE TERRACE; FOR THE NORTH SOUND METRO
SPECIAL WEAPONS AND TACTICS (SWAT)/
CRISIS NEGOTIATING TEAM (CNT)**

THIS FIRST AMENDMENT TO INTERLOCAL AGREEMENT (First Amendment) is entered into by and between the City of Bothell, a Washington municipal corporation (Bothell), the City of Edmonds, a Washington municipal corporation (Edmonds), the City of Kirkland, a Washington municipal corporation (Kirkland), the City of Lake Forest Park, a Washington municipal corporation (Lake Forest Park), the City of Lynnwood, a Washington municipal corporation (Lynnwood), the City of Mill Creek, a Washington municipal corporation (Mill Creek), the City of Monroe, a Washington municipal corporation (Monroe), the City of Mukilteo, a Washington municipal corporation (Mukilteo), the City of Mountlake Terrace, a Washington municipal corporation (Mountlake Terrace), and the City of Redmond, a Washington municipal corporation (Redmond) (collectively referred to as Parties or Cities).

WHEREAS, the Cities are public agencies as defined by Chapters 39.34 and 10.93 RCW, and are authorized to enter into interlocal agreements to provide for joint or cooperative actions to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, incidents of a serious criminal nature occur which require a need for a specially trained and equipped unit to effectively resolve the situation. These incidents create a demand upon the undersigned Cities respective to resources which are better and more economically served by combining resources to form a joint specialty team called the NORTH SOUND METRO SPECIAL WEAPONS AND TACTICS, (the SWAT Team); and

WHEREAS, in June of 2015, the Cities of Bothell, Edmonds, Kirkland, Lake Forest Park, Lynnwood, Mill Creek, Monroe, Mukilteo and Mountlake Terrace entered into the "Interlocal Agreement Between the Cities of Bothell, Edmonds, Kirkland, Lake Forest Park, Lynnwood, Mill Creek, Monroe, Mukilteo and Mountlake Terrace; for the North Sound Metro Special Weapons and Tactics (SWAT)/Crisis Negotiating Team (CNT)" (the Interlocal Agreement), for the purpose of creating the SWAT Team and establishing the respective Cities' rights, duties and obligations regarding the SWAT Team; and

WHEREAS, the Parties to the Interlocal Agreement and the City of Redmond wish to add the City of Redmond to the Interlocal Agreement through the execution of this First Amendment to the Interlocal Agreement.

NOW, THEREFORE, the Parties agree as follows:

- 1. Amendment to the Preamble to the Interlocal Agreement to Add City of Redmond to the Interlocal Agreement.** The Preamble to the Interlocal Agreement is amended to add the City of Redmond, a Washington municipal corporation, as a Party to the Interlocal Agreement. The City of Redmond shall be included in the terms “Party,” “Parties,” “City” and “Cities.” By executing this First Amendment, the City of Redmond agrees to the terms and conditions of the Interlocal Agreement.

- 2. Amendment to Section 3 of the Interlocal Agreement.** The introductory paragraphs of Section 3 of the Interlocal Agreement are amended to read as follows:

The undersigned Cities hereby create an Executive Board (Board) to direct the SWAT Team. The Executive Board shall be comprised of the Police Chiefs of all participating Cities. Based upon recommendations from the SWAT Commander and or Board members, the Board reviews and approves changes and updates to the SWAT Policy and Procedures Manual (SWAT Policy) and also provides approval and gives direction on operational matters as presented and requested by the SWAT Team Commander.

Each member of the Board shall have an equal vote and voice on all Board decisions. All decisions, except those related to the SWAT Policy and Procedure manual, shall be made by a majority of voting Board members, provided a quorum of ~~six~~five (65) Board members are present. SWAT Policy and Procedure decisions shall require a unanimous vote from all Board members. The Board will meet at least once a quarter.

- 3. Amendment to Section 10 of the Interlocal Agreement.** Section 10 of the Interlocal Agreement is amended to read as follows:

10. NOTICES AND CONTACTS

Unless otherwise directed in writing, notices, reports, invoices, payments and other documents shall be delivered to each City as follows:

City of Bothell
Attn: Police Chief
18410 101st Ave., N.E.
Bothell WA 98011

City of Edmonds
Attn: Police Chief
250 5th Ave., N.
Edmonds WA 98020

City of Kirkland
Attn: Police Chief
123 5th Ave.
Kirkland, WA 98033

City of Lake Forest Park
Attn: Police Chief
17425 Ballinger Way, N.E.
Lake Forest Park WA 98155

City of Lynnwood
Attn: Police Chief/Purchasing
19321 44th Ave., W.
Lynnwood WA 98036

City of Mill Creek
Attn: Police Chief
15728 Main St.
Mill Creek, WA 98012

City of Monroe
Attn: Police Chief
806 West Main Street
Monroe WA 98272

City of Mountlake Terrace
Attn: Police Chief
5906 232nd St., S.W.
Mountlake Terrace WA 98043

City of Mukilteo
Attn: Police Chief
10500 47th PL W.
Mukilteo, WA 98275

City of Redmond
Attn: Police Chief
8701 160th Ave NE
Redmond, WA 98052

Notices mailed by any City shall be deemed effective on the date mailed. Any City may change its address for receipt of reports, notices, invoices, payments and other documents by giving the other Cities written notice of not less than seven (7) days prior to the effective date.

4. Amendment to Title of the Interlocal Agreement. The title of the Interlocal Agreement is amended to read as follows:

**INTERLOCAL AGREEMENT FOR THE NORTH SOUND METRO
SPECIAL WEAPONS AND TACTICS (SWAT)/
CRISIS NEGOTIATING TEAM (CNT)**

5. No Further Changes or Modifications. Except as otherwise specifically provided in this First Amendment, the terms, conditions, and provisions of the Interlocal Agreement shall remain in full force and effect.

6. Execution. This First Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original as against any party whose signature appears thereon, and all of which shall together constitute one and the same instrument.

7. Filing. As provided by RCW 39.34.040, this First Amendment shall be filed prior to its entry in force with the Snohomish County Auditor, or, alternatively, listed by subject on the website of each participating City.

Dated this _____ day of _____, 2016.

CITY OF BOTHELL

By: _____
Title: _____
Dated: _____

ATTEST:

By: _____
City Clerk
Dated: _____

APPROVED AS TO FORM:

By: _____
City Attorney
Dated: _____

CITY OF EDMONDS

By: _____
Title: _____
Dated: _____

ATTEST:

By: _____
City Clerk
Dated: _____

APPROVED AS TO FORM:

By: _____
City Attorney
Dated: _____

CITY OF KIRKLAND

By: _____
Title: _____
Dated: _____

ATTEST:

By: _____
City Clerk
Dated: _____

APPROVED AS TO FORM:

By: _____
City Attorney
Dated: _____

CITY OF LAKE FOREST PARK

By: _____

Title: _____

Dated: _____

ATTEST:

By: _____

City Clerk

Dated: _____

APPROVED AS TO FORM:

By: _____

City Attorney

Dated: _____

CITY OF LYNNWOOD

By: _____
Title: _____
Dated: _____

ATTEST:

By: _____
City Clerk
Dated: _____

APPROVED AS TO FORM:

By: _____
City Attorney
Dated: _____

CITY OF MILL CREEK

By: _____
Title: _____
Dated: _____

ATTEST:

By: _____
City Clerk
Dated: _____

APPROVED AS TO FORM:

By: _____
City Attorney
Dated: _____

CITY OF MONROE

By: _____
Title: _____
Dated: _____

ATTEST:

By: _____
City Clerk
Dated: _____

APPROVED AS TO FORM:

By: _____
City Attorney
Dated: _____

CITY OF MUKILTEO

By: _____
Title: _____
Dated: _____

ATTEST:

By: _____
City Clerk
Dated: _____

APPROVED AS TO FORM:

By: _____
City Attorney
Dated: _____

CITY OF MOUNT LAKE TERRACE

By: _____
Title: _____
Dated: _____

ATTEST:

By: _____
City Clerk
Dated: _____

APPROVED AS TO FORM:

By: _____
City Attorney
Dated: _____

CITY OF REDMOND

By: _____

Title: _____

Dated: _____

ATTEST:

By: _____

City Clerk

Dated: _____

APPROVED AS TO FORM:

By: _____

City Attorney

Dated: _____



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: March 24, 2016

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF APRIL 5, 2016

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

The City's major procurement activities initiated since the last report, dated March 3, 2016, are as follows:

	Project	Process	Estimate/Price	Status
1.	Local Source Control Program Inspection Services	Request for Qualifications	\$118,000.00	RFQ advertised on 3/16 with statements of qualifications due on 3/31.
2.	Engineering consulting services for 52 nd Street Sidewalk Project	A&E Roster Process	\$197,420.93	Contract awarded to KPG of Tacoma based on qualifications per RCW 39.80.
3.	2016 Curb Ramp & Concrete Repairs	Invitation for Bids	\$457,407.00	Project to be advertised on 3/30 with bids due on 4/13.

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
Kathy Brown, Public Works Director

Date: April 5, 2016

Subject: SURPLUS OF EQUIPMENT RENTAL VEHICLE/EQUIPMENT

RECOMMENDATION:

It is recommended that the City Council approve the surplus of the Equipment Rental vehicles/equipment identified in this memo and thus remove them from the City's Equipment Rental Replacement Schedule.

Approval of the consent calendar will authorize these vehicle surplus actions.

BACKGROUND DISCUSSION:

The surplus of vehicles and equipment which have been replaced with new vehicles or equipment, or which no longer meet the needs of the City, is consistent with the City's Equipment Rental Replacement Schedule Policy. Under this policy, if approved by City Council, vehicles or equipment are sold or disposed of in accordance with the Kirkland Municipal Code, Chapter 3.86, Sale and Disposal of Surplus Personal Property.

The criteria for replacement are reviewed annually for each vehicle by Fleet Management prior to making a recommendation. Among the replacement criteria considered are the following:

- wear and tear on the engine, drive train, and transmission
- condition of the structural body and major component parts
- the vehicle's frequency and nature of past repairs
- changes in the vehicle's mission as identified by the Department which it serves
- changes in technology
- vehicle right-sizing
- the impact of future alternative fuels usage
- specific vehicle replacement funding accrued

The decision to replace a vehicle requires the consensus of the Fleet Management staff (currently representing more than 120 years of experience among its six members) and the Department which it serves. Vehicles should be replaced close to the point to where major repairs and expenses occur in order to maximize their usefulness without sacrificing resale value with consideration given to the vehicle's established accounting life.

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 the end of which there should be sufficient funds in the Replacement Reserve Fund to purchase a similar replacement vehicle. The accounting life is a guideline only, and the actual usage of vehicles typically vary from averages.

The City of Kirkland standard accounting life for a vehicle, which is also consistent with the industry standard, is 8 years or 80,000 miles, whichever comes first. This life is also supported by FleetAnswers.com which recently published Municipal Vehicle Replacement Trends. Among cities, the average age of replacement for cars is 6.7 years, for class 1-5 trucks it is 7.7 years, and for police vehicles it is 4 years. The City's standard for Fire Engines/Pumpers and for Fire Ladder/Aerial apparatus is 18 years.

The following equipment is recommended for surplus with this memo:

<u>Fleet #</u>	<u>Year</u>	<u>Make</u>	<u>VIN/Serial Number</u>	<u>License #</u>	<u>Mileage</u>
PU-93	2009	Ford Escape	1FMCU92749KC57045	50228D	81,250

For 7 years, PU-93 has been assigned as the Public Works underground utility locate vehicle. PU-93 recently experienced a transmission failure coupled with rear differential problems. Since the vehicle has achieved the replacement standard of 80,000, it is no longer cost effective to conduct the repairs.

Cc: Erin Devoto, Deputy Director
Ray Steiger, P.E., Operations Manager



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: March 28, 2016
Subject: 2016 STATE LEGISLATIVE UPDATE #6

RECOMMENDATION:

Council should receive its sixth update on the 2016 state legislative session

BACKGROUND DISCUSSION:

This memo reflects an update on the City's legislative interests as of March 28. At the writing of this memo, the legislature was on its 18th day of a 30-day special session that was immediately convened by the Governor, who encouraged lawmakers to complete this year's supplemental budget. The Governor also promptly vetoed 27 bills and signed 10 into law. Both Senate and House leadership are discussing an override strategy, requires 2/3 majorities in both chambers. Since all 27 bills that the Governor vetoed had received solid majority passing votes, then this requirement shouldn't be an issue, if they take this path.

Council's Legislative Workgroup

The Council's Legislative Workgroup (Mayor Walen, Councilmember Asher and Councilmember Marchione) did not meet on Friday March 25, as there had been no significant movement in budget negotiations. While the legislature did pass the supplemental transportation budget, there has been no agreement on either the operating budget or the capital budget. The status of the City's 2016 Priorities is attached (Attachment A), as well as the status of remaining bills, on which the City has taken a position (Attachment B).

Status Summary of the City's 2016 legislative priorities

- New policies and funding tools to address homelessness and create more affordable housing:

([Senate Bill 6239](#)) Property tax exemption program for the preservation of housing

The City of Seattle is the lead on this bill. 6239 was, by resolution, reintroduced and retained in Senate Rules Committee for third reading.

The bill would authorize city governing authorities to adopt a property tax exemption program, and county governing authorities to adopt a property tax exemption program for unincorporated jurisdictions, to preserve affordable housing that meets health and quality standards for very low-income households at risk of displacement or that cannot afford market-rate housing.

([Senate Bill 6337](#)) Disposing tax foreclosed property to cities for affordable housing purposes

This bill was championed by the City of Tacoma and it was passed and has been delivered to the governor's desk.

The final version of the bill calls for, prior to disposing of tax-foreclosed property, the county legislative authority gives notice to any city in which any tax foreclosed property is located within 60 days of acquiring the property. The notice must offer the city the opportunity to purchase the property for the original minimum bid under RCW 84.64.080 plus any direct costs incurred by the county in the sale, under the following conditions:

- the city must accept the offer within 30 days of receiving the notice, unless the county agrees to extend the offer;
- the city must provide that the property is suitable and will be used for affordable housing development; and
- the city must agree to transfer the property to a local housing authority or nonprofit entity eligible under chapter 43.185A RCW. The city must be reimbursed by the entity for the original minimum bid under RCW 84.64.080 plus any direct costs incurred by the city in the sale of the property to a local housing authority or eligible nonprofit.

- Capital budget funding for a multimodal safety improvement project connecting the Cross Kirkland Corridor with the Redmond Central Connector:
Funding for this priority was not included in either proposed supplemental capital budget.
- Allow both the state and local governments the option of replacing the property tax cap:
There was no movement on this priority this session.
- Facilitate greater access to rooftop residential and community solar installations by extending the timeframe for state solar incentives in the Renewable Energy System Cost Recovery program:

([House Bill 2346](#)) Promoting a sustainable, local renewable energy industry through modifying renewable energy system tax incentives and providing guidance for renewable energy system component recycling.

Passed by the House in February, 2346 was amended in the Senate Energy committee to only allow the incentive program, if no clean air rule is adopted by the Governor. This amendment, along with concerns that the state can't afford the incentives, had stalled the bill in Ways & Means. On March 10, the bill was, by resolution, reintroduced and retained in House Rules Committee for third reading.

At the writing of this update, it appears that HB 2346 is still in play, continuing with the challenge of making it little or no cost in this biennium and next. House and Senate leadership are working to resolve this bill.

2346 would increase the per-utility cap on solar installations, as many current utilities are approaching their legislative cap on systems. The result is that existing customers are receiving a lower incentive payment than they were promised up front. It also risks hampering solar installation. The bill would also adjust the incentive rates to a more sustainable level that continues to incentivize growth, while allowing a greater number of groups to participate. This includes larger community solar for those without roof space or cash to install an expensive system on their house, including low-income customers. It also allows small businesses to take advantage of the incentive.

- Clarify records retention, disclosure, and use limitations of video and/or sound recordings made by law enforcement or corrections officers:

(House Bill 2362) Concerning video and/or sound recordings made by law enforcement or corrections officers.

2362 was passed and has been delivered to the governor's desk. The bill takes effect 90 days after adjournment of the session (June 9, 2016).

Generally speaking, in the final version of the bill, public records relief to agencies that deploy body cameras only applies to agencies that have deployed body cams before the effective date of the bill (June 9, 2016). Agencies that deploy body cameras on or after June 9, 2016 will not benefit from the bill's provisions.

On March 15, the American Civil Liberties Union of Washington, along with 11 other community organizations sent a veto request letter to the Governor (Attachment C). While the signers of the letter agree that body cameras have the potential to be a valuable tool in police accountability, these groups believe that the bill has been moved forward without adequate input from impacted communities. The letter requests that the Governor veto the bill and suggests that legislators take the time to engage with stakeholders and create a framework that contains safeguards for racial equity, accountability, privacy, and that care for survivors of crime.

The groups that signed the veto letter are: ACLU of Washington, API Chaya, Black Lives Matter Seattle, BlackOut WA, Washington Community Action Network, Children's Alliance, I Did the Time, NAACP Spokane, OneAmerica, People for Peace, Justice and Healing Pierce County, Seattle Black Book Club, and Sex Workers Outreach Project Seattle.

Supplemental Budget

The legislature did not complete its budget work by the end of the regular session on March 10, which has resulted in the current 30-day special session, ending April 10. As reported in previous updates, the February revenue forecast showed that the current two-year \$38 billion budget that ends in the middle of 2017, falls about \$78 million short of what was originally estimated. The forecast for the next two-year budget falls short by \$436 million. In February, the projected overall state budget for 2017-19 is expected to be about \$41 billion.

At the writing to this update, lawmakers were convening in Olympia, which suggests that they may be on the brink of reaching a deal on the supplemental operating budget. Assuming they complete the supplemental operating budget (and capital budget) this week, they will wrap-up. Wrap-up may include the override strategy discussed earlier this month with regard to the 27 bills that the Governor vetoed March 10.

Supplemental Operating (SB 6246)

- Council's Legislative Workgroup has continued to advocate for funding for the Basic Law Enforcement Academy (BLEA), maintaining the Fire Insurance Premium Tax and shared distributions with cities, and maintaining funding for the Municipal Research & Service Center (MRSC) and for maintaining funding for the Public Works Trust Fund.
- Council's Legislative Workgroup has also advocated support for the budget proviso, adopted by the House of Representatives, to appropriate \$250,000 in funding to the William D. Ruckelshaus Center to conduct a study concerning public records requests of local agencies.

Supplemental Capital (SB 6201)

- Council's Legislative Workgroup has continued to advocate that the supplemental capital budget included \$350,000 toward the design and construction of the Women and Families Shelter in Kirkland. It also included \$1.4 million toward a Men's Shelter in Bellevue.

Supplemental Transportation (ESHB 2524)

The legislature did pass a supplemental transportation budget which was signed by the Governor on Friday, March 25. The transportation budget:

- Maintains the 2015 funding appropriation of \$75 million and the originally proposed phasing of funding for the ramps at NE 132nd and I-405: \$8M (2017-19), \$54M (2019-21) and \$13M (2021-23).
- Of the \$5.5 million in funding for Bike-Share expansion in Kirkland, Bellevue, Redmond and Issaquah \$5 million was moved out to "future biennia."

- Attachments:
- A. Status update of the City's 2016 legislative priorities (3/25/16)
 - B. Bill Tracker – Recommended Positions (3/25/16)
 - C. Veto request letter on HB2362

Legislative Priority	Bill #	Prime Sponsor	Status
<p>New policies and funding tools to address homelessness and create more affordable housing.</p> <ul style="list-style-type: none"> Prop tax exemption for preservation of affordable housing Disposing tax foreclosed property to cities for affordable hsg. Capital Budget Request for Women’s Shelter 	<p>SB 6239</p> <p>SB 6337</p> <p>SB 6201</p>	<p>Sen Fain</p> <p>Sen. Darnielle</p> <p>Sen. Honeyford</p>	<p>2/16 – PASSED Senate 36 yeas, 13 nays 3/10 – Returned to Senate Rules for 3rd Reading</p> <p>2/16 – PASSED Senate 36 yeas, 14 nays 3/1 – PASSED House 61 yeas, 36 nays, 1 excused 3/10 – Delivered to the Governor’s desk</p> <p>2/26 – PASSED Senate 39 yeas, 10 nays (No \$ for Wmns Shelter) 3/10 – Returned to Senate Rules for 3rd Reading</p>
<p>Capital budget funding for a multimodal safety improvement project connecting the Cross Kirkland Corridor with the Redmond Central Connector.</p>	<p>HB 2380</p> <p>SB 6201</p>	<p>Rep. Tharinger</p> <p>Sen. Honeyford</p>	<p>2/24 – Not included in House Supplemental Capital Budget</p> <p>2/24 – Not included in Senate Supplemental Capital Budget</p>
<p>Allow both the state and local governments the option of replacing the property tax cap, currently fixed at 1 percent, with a cap that is indexed to both population growth and inflation.</p>			
<p>Facilitate greater access to rooftop residential and community solar installations by extending the timeframe for state solar incentives in the Renewable Energy System Cost Recovery program.</p>	<p>HB 2346</p>	<p>Rep. Morris</p>	<p>2/16 – PASSED House 77 yeas, 20 nays, 1 excused 2/26 – Referred to Ways & Means 3/10 – Returned to House Rules for 3rd Reading</p>
<p>Clarify records retention, disclosure, and use limitations of video and/or sound recordings made by law enforcement or corrections officers.</p>	<p>HB 2362</p>	<p>Rep. Hansen</p>	<p>2/22– PASSED House 61 yeas, 36 nays, 1 excused 3/4– PASSED Senate 37 yeas, 9 nays, 3 excused 3/10 – Delivered to the Governor’s desk</p>

* No HIGHLIGHTS = No change in status from last update.

Bill	Title	Position	Sponsor	Status
Support				
HB 2346	Promoting a sustainable, local renewable energy industry through modifying renewable energy system tax incentives and providing guidance for renewable energy system component recycling.	Support	Morris	2/16 - House PASSED: 77 yeas, 20 nays, 1 excsd 2/26 - Referred to Ways & Means 3/10 - Returned to House Rules for third reading
HB 2362	Concerning video and/or sound recordings made by law enforcement or corrections officers.	Support	Hansen	2/22 - House PASSED: 61 yeas, 36 nays, 1 excsd 3/4 - Senate PASSED: 37 yeas, 9 nays, 3 excsd 3/10 - Delivered to the Governor's desk
HB 2519	Allowing nuisance abatement cost recovery for cities.	Support	McCaslin	2/16 - House PASSED: 76 yeas, 21 nays 3/3 - Senate PASSED: 48 yeas, 1 excsd 3/8 - Delivered to the Governor's desk
HB 2583	Authorizing specified local governments to designate a portion of their territory as a creative district subject to certification by the Washington arts commission	Support	McBride	2/17 - House PASSED: 90 yeas, 8 nays 2/25 - Referred to Ways & Means 3/10 - Returned to House Rules for third reading
HB 2708	Providing for fire protection district formation by the legislative authority of a city or town subject to voter approval	Support	Appleton	2/17 - House PASSED: 68 yeas, 30 nays 2/26 - Passed to Senate Rules for second reading 3/10 - Returned to House Rules for third reading
HB 2741	Addressing state and local government fiscal agents.	Support	Kuderer	2/17 - House PASSED: 95 yeas, 3 nays 3/3 - Senate PASSED 49 yeas 3/8 - Delivered to the Governor's desk
Monitor				
HB 2971	Addressing real estate as it concerns the local gov authority in the use of real estate excise tax revenues and regulating real estate transactions.	Neutral	McBride	2/17 - House PASSED: 92 yeas, 2 nays 3/2 - Senate PASSED: 48 yeas, 1 excsd 3/10 - Delivered to the Governor's desk
Oppose				
HB 2929	Concerning temporary homeless housing by religious organizations	Oppose	Parker	2/11 - House PASSED 96 yeas, 1 excsd 3/4 - Senate PASSED 48 yeas, 1 excsd 3/10 - House refuses to concur in Senate amendments. Asks Senate to recede from amendments. - Returned to House Rules 3

Bill	Title	Position	Sponsor	Status
Support				
SB 6171	Concerning civil penalties for knowing attendance by a member of a governing body at a meeting held in violation of the open public	Support	Roach	2/16 - Senate PASSED: 49 yeas 3/4 - House PASSED: 72 yeas, 25 nays, 1 excsd 3/9 - Delivered to Governor's desk
SB 6211	Concerning the exemption of property taxes for nonprofit homeownership development.	Support (weak)	Bailey	2/10 - Senate PASSED: 46 yeas, 3 nays 3/3 - House PASSED: 83 yeas, 14 nays, 1 excsd 3/10 - Delivered to Governor's desk
SB 6239	Authorizing local governments to adopt a property tax exemption program for the preservation of certain affordable housing	Support	Fain	2/16 - Senate PASSED: 36 yeas, 13 nays 2/29 - Placed on second reading by Rules 3/10 - Returned to Senate Rules for third reading
SB 6248	Concerning risk mitigation plans to promote the transition of eligible coal units.	Support	Ericksen	2/16 - Senate PASSED: 42 yeas, 7 nays 3/4 - House PASSED: 92 yeas, 5 nays, 1 excsd 3/9 - Delivered to Governor's desk
SB 6337	Disposing tax foreclosed property to cities for affordable housing purposes.	Support	Darneille	2/16 - Senate PASSED: 34 yeas, 14 nays 3/1 - House PASSED: 61 yeas, 36 nays, 1 excsd 3/10 - Delivered to Governor's desk
Oppose				

March 15, 2016

Governor Jay Inslee
Office of Governor
PO Box 40002
Olympia, WA 98504-0002

RE: Diverse Stakeholders Request Veto of EHB 2362 (Video and/or Sound Recordings Made by Law Enforcement or Corrections Officers)

Dear Governor Inslee,

The undersigned organizations, representing diverse communities of color and many other stakeholders, write to urge you to veto EHB 2362. Body cameras have the potential to be a valuable tool in our state's quest for police accountability. But we believe it is extremely important to take the time to engage with stakeholders and create a framework that contains important safeguards for racial equity, accountability, privacy, and care for survivors of crime. EHB 2362 has been moved forward without adequate input from impacted communities and does not meet this standard. Please veto it.

While state-level legislation is necessary and important, EHB 2362's poorly-conceived scheme will move our state conversation on body cameras backwards. Any state-level legislation must create minimum requirements for police departments that further their oversight aims. Legislation should also address critical privacy problems associated with public records requests and use of footage for surveillance fishing expeditions. Finally, the framework must also mandate opportunity for public input and transparent oversight. EHB 2362 fails on all these counts.

EHB 2362 is the wrong approach from an accountability perspective—this bill will make it difficult to ever put effective accountability rules in place. EHB 2362 sets no substantive guidelines on department use of cameras, so individual departments will get to make their own rules, and will resist the imposition of any statewide rules in the future. Studies have shown that departments routinely fail at setting their own body camera rules.¹ Those being held accountable should not write the accountability rules—we need a statewide floor of minimum usage rules to hold law enforcement accountable, ensure that encounters are not selectively recorded, and ascertain that videos are not used for purposes counter to community interests.

EHB 2362 also fails to create privacy and protection from unwarranted public records disclosures—this bill would allow virtually all body camera video to be disclosed to the public (where they may simply end up on YouTube). The privacy rules in EHB 2362 are so weak as to shield almost nothing from disclosure. Anything with a “legitimate public interest” will still be disclosed—and given that courts have held the public has an interest in police activities, this means virtually all videos will be disclosed.²

¹ See e.g., <https://www.bwscscorecard.org/>; <https://www.brennancenter.org/body-cam-city-map>

² The “right of privacy” relied upon by EHB 2362 is narrowly defined in RCW 42.56.050, so that it is only violated if disclosure is *both* “highly offensive to a reasonable person” *and* “not of legitimate concern to the public.” The test does *not* balance offensiveness against public concern, it is a two part test and both prongs must be met. See *Brouillet v. Cowles*

Finally, while we appreciate the good work of EHB 2362's proponents, it is important that a broad set of impacted community stakeholders be engaged *before* Washington creates legislation around police body cameras. Although EHB 2362 creates a task force to come up with comprehensive rules around body cameras, that task force will make recommendations only in 2019, after three years under the inadequate scheme of EHB 2362. Instead, impacted communities, including communities of color and survivors of crime, should play an active role in developing policies that will protect their communities. If community input is truly valuable, it should come before a bill is passed.

We urge you to veto this bill and instead create a task force that allows impacted communities to create a scheme that builds community trust in law enforcement, while ensuring that police misconduct can be held accountable without unnecessary invasions of privacy. The task force should base its approach on actual data and real world evidence, rather than on perceptions or hunches of how body cameras will impact behavior of officers and the public alike. It should also reflect a broad range of impacted stakeholders, particularly those in communities of color.

Governor Inslee, in the past, you have cited lack of an adequate framework and stakeholder engagement as a reason to veto bills in the past, and we urge you to do so here. EHB 2362 threatens to saddle Washington with a scheme for body cameras that causes more harm than good, allowing police departments to dictate their own rules for how accountability and public oversight should function.

We urge you to veto the bill in its entirety, and request a meeting with you to discuss these issues further. Thank you for considering our concerns.

Sincerely,

ACLU of Washington
API Chaya
Black Lives Matter Seattle
BlackOut WA
Children's Alliance
I Did the Time
NAACP Spokane
OneAmerica
People for Peace, Justice and Healing Pierce County
Seattle Black Book Club
Sex Workers Outreach Project Seattle

Publishing Co., 114 Wn.2d 788, 798 (1990); *Dawson v. Daly*, 120 Wn.2d 782, 795 (1993). The bill adds presumptions for the first prong that disclosure is highly offensive when the recording depicts minors, nudity, sexual activity, medical facilities etc. However, these presumptions are ineffective to protect privacy because they address only the offensiveness prong of the privacy test specified in RCW 42.56.050. Courts have interpreted the second prong broadly, finding the public concern test to be met when there is only a modicum of public interest. Furthermore, courts have expressly held that people have an interest "in knowing what their public officers are doing in the discharge of public duties." *Dawson v. Daly*, 120 Wn.2d 782, 798 (1993). Taken together, since there is a public interest in how police officers act, disclosure of recordings reflecting those actions are required *regardless of how offensive that disclosure is*.



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: David Godfrey, P.E., Transportation Engineering Manager
Kathy Brown, Public Works Director

Date: March 30, 2016

Subject: UPDATE ON SOUND TRANSIT 3 (ST3)

RECOMMENDATION:

It is recommended that City Council take the following next steps during the final public comment period for Sound Transit's ST3 Draft System Plan:

- Review potential ST3 projects in the Draft ST3 System Plan.
- Review the set of projects that the Council expressed interest for in past letters to the ST Board but that are not in the ST3 Draft System Plan.
- Review the March 24th letter (Attachment A) to Mayor Walen from Sound Transit Board Chair, Dow Constantine and the Eastside Board members.
- Based on these reviews, indicate priority projects and actions that the Council wishes staff and the City Council's ST3 Ad-Hoc Work Group to take.
- Consider requesting that the Ad-Hoc Work Group and staff prepare a draft response letter to the Sound Transit Chair and Eastside Board members for review and approval by the full Council at the April 19, 2016 City Council meeting.

BACKGROUND DISCUSSION:

Review of potential ST3 projects: Draft ST3 System Plan

The Sound Transit Board released a Draft System Plan for ST3 on March 24, 2016. Templates with more technical data were posted on the [ST3 website](#) on March 29, 2016. The plan is a 25-year, \$50 billion set of investments. A map of the Draft System Plan is attached to this memo as Figure 1.

In summary, Draft ST3 System Plan includes the following elements in Kirkland:

- Bus Rapid Transit (BRT) on I-405 with new in-line station access at NE 85th Street
- Transit lanes from NE 85th Street to downtown Kirkland,
- 800 additional parking stalls at the Kingsgate Park and Ride
- BRT service at 10 minute frequency on I-405;
- An environmental and planning study of future HCT between Bellevue and Bothell (University of Washington Bothell campus). The study segment includes the Cross Kirkland Corridor (CKC). The purpose of the study is to evaluate transit mode

alternatives, select a mode, and complete the environmental work needed to achieve a Record of Decision and prepare for eventual future construction of HCT on this segment of the Eastside Rail Corridor.

Note that the March 24th letter from the Sound Transit board members discusses the planned BAT lane connection along NE 85th Street, and indicates that the proposed transit lanes would extend from downtown Kirkland to 132nd Avenue NE (the Kirkland-Redmond city boundary). Sound Transit staff met recently with Kirkland staff and stated that the project in the Draft ST3 System Plan does not extend to Redmond; rather, the Draft System Plan only includes transit lanes that extend from downtown Kirkland to I-405 (assumed to be roughly at 120th Avenue NE). Confirmation should be requested from the Board that the intent is to include transit lanes from I-405 to Redmond on NE 85th Street, as well as from downtown Kirkland to I-405.

Review of potential ST3 projects that Council expressed interest for in past letters to the ST Board but that are not in the ST3 Draft System Plan.

In addition to the absence of a BRT project on the CKC, the major projects that were of interest to the Kirkland City Council, but are not in the ST3 Draft System Plan, are listed below:

- BRT stop on I-405 at the southern portion of the Totem Lake Urban Center (NE 112th)
This project would provide an additional in-line stop at NE 112th Street with pedestrian access across I-405. It was included in Sound Transit's candidate projects for I-405 BRT, but is not in the Draft System Plan.

By 2035, Totem Lake is expected to double its housing units to approximately 12,000 units. Employment is expected to increase from today's 13,000 employees to approximately 52,000 employees. An additional stop at south Totem Lake would support the redevelopment of the Par-Mac area, a 30-acre business district zoned for 8-story, office/high-tech uses. The NE 112th Street location gives the potential for good access from the CKC and a pedestrian bridge across the I-405 that serves the portions of the Totem Lake Urban Center to the east of I-405. Because of the street network, the Par-Mac area is difficult to serve with transit and the NE 112th Street stop would mitigate this problem. If HCT on the CKC is more than 25 years in the future, this stop would provide important transit access to the South Totem Lake Urban Center.

- Transit Oriented Development at Kingsgate Park and Ride
The City of Kirkland and Washington State Department of Transportation (WSDOT) have expressed mutual interest in developing Transit Oriented Development (TOD) at the Kingsgate Park and Ride in Kirkland (Attachment B). TOD at the Kingsgate site is expressed in City's Totem Lake Business District Plan. Although the Draft System Plan includes a net increase of 800 new parking stalls at the Kingsgate Park and Ride, the Plan does not include a TOD at this location. A TOD project at this location could be a partnership between WSDOT, Sound Transit, King County Metro, the City of Kirkland and A Regional Coalition for Housing (ARCH). Adding a TOD project to the Draft Plan would help further the City's and the region's policy goals regarding affordable housing. WSDOT owns this site and has indicated an interest in TOD here.

Review of potential ST3 projects: March 24th letter from Sound Transit Board Chair and the Eastside Board members

Attachment A is the March 24, 2016 letter from the Sound Transit Board Chair and Eastside Board members, summarizing their understanding of Kirkland projects in the ST3 Draft System Plan, and making an offer to explore the inclusion of additional projects in ST3, beyond those currently identified in the ST3 Draft System Plan. The letter states, in part:

In the past few days, there have been discussions regarding extending light rail from Bellevue to the South Kirkland Park and Ride. We have not had the opportunity to fully study this option, or to conduct the analysis and consultation needed before releasing the draft ST3 plan today. With the draft plan out for public comment and review, we will undoubtedly be hearing from many citizens and stakeholders on how to refine the plan. If the City of Kirkland is interested in the South Kirkland connection, we would welcome the opportunity to work with you and members of the Kirkland City Council during the next two months to identify the scope of the proposal and determine whether it is feasible within the ST3 finance plan.

...we are also focused on opportunities to create strong connections for Kirkland residents to the new BRT stations on I-405...This will involve joint discussions with King County Metro...We are interested in discussing potential bike and pedestrian access improvements to better connect Kirkland to the I-405 BRT.

There are three major areas proposed for discussion in the letter:

- 1) Extension of Light Rail Transit (LRT) from Bellevue to the South Kirkland Park and Ride. The Board members also invite the Kirkland Mayor and Council to work with Sound Transit to define the scope of this project, presumably beyond the connection itself.
- 2) Improved transit connections to I-405 BRT (and, presumably to the South Kirkland Park and Ride LRT, should that project move forward).
- 3) Bicycle and pedestrian access improvements to I-405 BRT (and, again, presumably to the South Kirkland Park and Ride LRT, should that project move forward).

The following list of projects flows from these 3 elements:

Extension of LRT to the South Kirkland Park and Ride

- Extend light rail north to the South Kirkland Park & Ride from Wilburton Station
This concept was specifically suggested in the Sound Transit Board members' March 24th letter. Light rail would extend north from the Wilburton Station in Bellevue to a station at the South Kirkland Park and Ride. This extension would allow light rail connections to

Downtown Seattle via Bellevue; to Redmond via the Spring District and Overlake; and to Issaquah via Eastgate. It would also provide the following advantages:

- Help prepare the CKC as a future HCT corridor.
- Provide meaningful connectivity improvement to Factoria, Bellevue College, Issaquah, and Spring District with faster travel times and more reliability than is available with buses in mixed traffic.

The South Kirkland Park and Ride provides good bus transfers to routes that serve all of Kirkland's core destinations. Addition of a rail connection would support increased development densities in the Yarrow Bay Area. The extension would provide marginal access improvements to Downtown Bellevue. There may be little or no improvement for riders who already take a bus heading into downtown Bellevue; further work on service patterns would be needed.

- Parking at South Kirkland Park and Ride
 Although expanded parking was not specifically called out in the Sound Transit Board members' March 24th letter, it would be a logical consideration when constructing a new light rail station, should that project move forward. This concept would build on the scope of LRT to the South Kirkland Park and Ride with the construction of a parking garage on the existing surface parking. Parking occupancy is currently near or at 100% during peak periods, and would be further pressured by a light rail connection. However, extra parking may encourage driving to the Park & Ride instead of access by transit, biking or walking. A brief review of the site indicates that several hundred stalls could be provided, but more work is necessary for a more accurate estimate, and to evaluate the pros and cons of expanded parking from a multimodal transportation perspective.
- Improve access to LRT at the South Kirkland Park and Ride
 This project would construct bike/pedestrian access on the CKC between 6th Street and the South Kirkland Park and Ride, including a new bridge at NE 68th Street. It would improve access to transit at the South Kirkland Park and Ride by connecting to a major employment center. Note that the Draft System Plan includes consideration for access to LRT stations in each project; this would be a major access project.
- Capital improvements to Metro Route 255
 This project would serve as a Metro Rapidride style precursor to HCT from the South Kirkland Park and Ride north to Totem Lake. Speed and reliability of the route would be increased. Metro has begun developing a set of projects for potential future conversion of Route 255 to Rapidride that could be used to refine the scope elements.

Improved transit connections to I-405: bicycle and pedestrian access improvements to I-405 BRT.

- Pre-design service plan for I-405 BRT & NE 85th bus service

This effort would specifically coordinate planning for capital improvements at NE 85th Street and associated service, which would, according to the Draft System Plan, be provided by King County Metro. Coordinating the planning of service and capital construction will improve the ability for the facility to operate effectively.

- Improve bicycle and pedestrian access to the NE 85th Street access point at I-405
The NE 85th Street/I-405 interchange is difficult to access. ST staff has indicated that sidewalks are included along the transit lanes in the Draft System Plan, and are included in the bus stop area. This proposed item would also include improvements on a section of the CKC between, for example, 7th Avenue and Kirkland Avenue, and access improvements between the CKC and the NE 85th interchange.
- Bicycle and pedestrian access improvements to I-405 BRT in Totem Lake
For the NE 112th Street access, this could include improvements on a section of the CKC between, for example, NE 112th Street and a trail that extends to Forbes Creek Drive. It should also include pedestrian and bicycle improvements on surface streets in the vicinity of the NE 128th Street BRT stop. The NE 124th/NE 124th Bridge at the CKC should also be included for improved access to I-405 BRT at Totem Lake.

STAFF RECOMMENDATIONS:

Given the relatively short comment period, staff is providing recommendations to help start the Council discussion. Staff recommends the following:

- The City Council accept the March 24th offer to work with Sound Transit to define the scope and benefit of a potential LRT extension to the South Kirkland Park and Ride for consideration during the public comment period for the ST3 Draft System Plan;
- Request extension of transit lanes of NE 85th to 132nd Avenue NE as proposed in the March 24th letter from Sound Transit Board Members;
- Work with Sound Transit to explore transit connections and access opportunities to Sound Transit facilities within Kirkland;
- Request funding of a Transit Oriented Development at the Kingsgate Park and Ride;
- Finally, that the City Council respond to the March 24th letter from the Sound Transit Chair and Eastside Board members, with a formal letter articulating Kirkland's interests moving forward. Kirkland's communication could include any or all of the items listed above, or other items Council members wish to suggest.

CONCLUSION:

The Draft System Plan includes several requests from the City of Kirkland. These include in-line BRT station on I-405 at NE 85th Street, and a bus-only connection between downtown Kirkland and the NE 85th Street station. The Draft Plan also includes a parking facility at Kingsgate. On the CKC, the Draft Plan does not propose the Light Rail solution that Council opposed, but has included a study to determine the future high capacity transit mode along the CKC to improve mobility in the city. The public comment period between now and the end of April is an opportunity for Kirkland residents and elected officials to engage with Sound Transit staff and board members to refine the final plan. Staff and the Council's Ad-Hoc Work Group are seeking full Council direction on next steps, or whether the Council needs additional information first.

Figure 1: Map of Draft ST3 System Plan





March 24, 2016

The Honorable Amy Walen
Mayor
City of Kirkland
123 Fifth Avenue
Kirkland, Washington 98033-6198

Dear Mayor Walen:

Thank you for your thoughtful engagement and feedback on the development of the draft Sound Transit 3 plan, including your most recent letter of March 16. As members of the Sound Transit Board, we have been pleased to work closely with you and members of the Kirkland City Council to understand the interests and priorities of the City and your citizens.

Today the Board released for public comment a draft ST3 plan, and we believe it reflects most of the City's priorities identified in your March 16 letter. One of the centerpieces of the draft ST3 plan is the proposed Bus Rapid Transit (BRT) system along I-405 which will provide new high capacity transit service to the residents of Kirkland, with connections to the regional light rail system. To provide a seamless connection between this new service and downtown Kirkland, the draft ST3 plan includes the \$260 million you requested for an in-line station at Northeast 85th Street in Kirkland as well as the \$45 million you requested for new bus-only lanes along Northeast 85th Street to connect I-405 to the downtown Kirkland Transit Center and 132nd Avenue Northeast. The proposed I-405 BRT investment will also serve the existing Totem Lake in-line station in Kirkland, and the draft plan includes \$40 million to expand access and parking at the Kingsgate Park and Ride which connects to the Totem Lake station. The I-405 investment will provide buses every 10 minutes at Northeast 85th and Totem Lake to connect Kirkland riders to destinations throughout the region.

At the City's request, the draft plan also includes funding for the analysis and environmental work necessary to determine which type of high capacity transit would be appropriate to use in the transit easement on the Eastside Rail Corridor, including the Cross Kirkland Corridor. This study will examine alternatives to connect Kirkland, Bellevue, and Bothell, potentially resulting in a decision on an investment to propose and implement in a future system expansion. We look forward to engaging with you and Kirkland residents during this study.

While the draft plan includes investments requested by the City, it does not fund trail improvements to the Eastside Rail Corridor. As you know, Sound Transit has no authority to do so absent a high capacity transit investment, consistent with the letter sent to the City by Sound Transit General Counsel Desmond Brown on March 15.

CHAIR

Dow Constantine
King County Executive

VICE CHAIRS

Paul Roberts
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Peter M. Rogoff

In the last few days, there have been discussions regarding extending light rail from Bellevue to the South Kirkland Park and Ride. We have not had the opportunity to fully study this option, or to conduct the analysis and consultation needed before releasing the draft ST3 plan today. With the draft plan out for public comment and review, we will undoubtedly be hearing from many citizens and stakeholders on how to refine the plan. If the City of Kirkland is interested in the South Kirkland connection, we would welcome the opportunity to work with you and members of the Kirkland City Council during the next two months to identify the scope of the proposal and determine whether it is feasible within the ST3 finance plan. The Board will be considering refinements to the draft plan that you and others across the region propose as we prepare to adopt the final ST3 plan in June.

At the same time, we are also focused on opportunities to create strong connections for Kirkland residents to the new BRT stations on I-405, and to move passengers east and west between Totem Lake, downtown Kirkland and downtown Redmond. This will involve joint discussions with King County Metro about creating service that is the right scale, frequency and reliability for the needs of Kirkland residents, workers and businesses. We are interested in discussing potential bike and pedestrian access improvements to better connect Kirkland to the I-405 BRT.

Thank you again for your engagement and interest in the expansion of regional high capacity transit. We look forward to continuing our positive collaboration with the City of Kirkland in the weeks ahead.

Sincerely,



Dow Constantine
Chair



Claudia Balducci
Boardmember



Fred Butler
Boardmember



John Marchione
Boardmember

cc: Members of the Kirkland City Council
Members of the Sound Transit Board of Directors
Peter M. Rogoff, Sound Transit Chief Executive Officer



October 8, 2015

Secretary Lynn Peterson
Washington State Department of Transportation
P.O. Box 47316
Olympia, WA 98504-7316

RE: City of Kirkland's Interest in Developing TOD at the Kingsgate Park and Ride

Dear Secretary Peterson,

On behalf of the City of Kirkland, I write this letter to express the City's interest in developing Transit Oriented Development (TOD) at the Kingsgate Park and Ride. The City will assist WSDOT in its work with USDOT on any work/research that might need to be done to advance this interest.

We are grateful that you and your staff took time to visit Kirkland in June of this year to tour several sites, including the Kingsgate Park and Ride with myself, Deputy Mayor Sweet, Representative McBride and our City Manager, Kurt Triplett.

The Kingsgate Park and Ride is owned by WSDOT and operated by King County Metro Transit. It is located just east of I-405 at NE 130th Street, adjacent to the Totem Lake Urban Center. Sound Transit's Totem Lake Freeway Station is located across the street from the site, as are the NE 128th Street direct access ramps for northbound and southbound HOV lanes on I-405. King County Metro's Totem Lake Transit Center is located five blocks east on the southwest corner of the hospital campus of EvergreenHealth. Totem Lake, is Kirkland's largest employment center and is the focus of significant economic revitalization. By 2035, Totem Lake is expected to double its housing units to approximately 12,000 units. Employment is expected to increase from today's 13,000 employees to approximately 52,000 employees.

The City continues to invest in significant multimodal connectivity capital projects in anticipation of connection to the I-405 high capacity transit spine and Kirkland has prioritized pedestrian and bicycle infrastructure investments around access to transit facilities. WSDOT's willingness to work with the City on its interest in developing a TOD at the Kingsgate site left us hopeful for the future of maximizing the livability of the Totem Lake area.

We appreciate the enormous responsibility you carry as the Secretary of Transportation and look forward to working with your staff on next steps. The City's point of contact for this is Dorian Collins at (425) 587-3249 or email dcollins@kirklandwa.gov.

Sincerely,

KIRKLAND CITY COUNCIL



By Amy Walen, Mayor
City of Kirkland

Cc: Lorena Eng, Northwest Region Administrator
Allison Camden, Intergovernmental and Tribal Relations Director
Kirkland City Council
Kurt Triplett, City Manager
Eric Shields, Director, Planning and Building Department
Dorian Collins, Senior Planner, Planning and Building Department
Lorrie McKay, Intergovernmental Relations Manager



**Washington State
Department of Transportation**

Lynn Peterson
Secretary of Transportation

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February 1, 2016

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**CITY OF KIRKLAND
CITY MANAGER'S OFFICE**

The Honorable Amy Walen
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033-6189

Dear Mayor Walen:

Thank you for your October 8th letter regarding the City's interest in developing Transit Oriented Development (TOD) at the Kingsgate Park and Ride in Kirkland. Please accept our apology for the delay in our response.

With Kingsgate being the City's priority for TOD, we look forward to working with USDOT and the City to determine the steps necessary to make this happen with the state owned Park and Ride lot.

Please feel free to contact Dylan Counts, of our Public Transportation Division at (206) 464-1232 or email countsd@wsdot.wa.gov, with questions you may have.

Sincerely,

A handwritten signature in blue ink that reads "Lynn Peterson".

Lynn Peterson
Secretary of Transportation

cc: Lorena Eng, Northwest Region Administrator
Allison Camden, Intergovernmental and Tribal Relations Director
Kirkland City Council
Kurt Triplett, City Manager
Eric Shields, Director, Planning and Building Department
Dorian Collins, Senior Planner, Planning and Building Department
Lorrie McKay, Intergovernmental Relations Manager



CITY OF KIRKLAND
Department of the City Manager
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Deputy City Manager
Chris Dodd, Facilities Services Manager

Date: March 25, 2016

Subject: CITY HALL RENOVATION PROJECT UPDATE

RECOMMENDATION:

Provide City Council an update on the construction, schedule, budget, change orders to date, customer and staff experience, furniture, and art component of the City Hall renovation project and acknowledge uses of contingency funds.

BACKGROUND DISCUSSION:

During the January 5, 2016 City Council Meeting, staff presented the schematic design, outlined the construction phasing strategy, reviewed funding mechanisms and requested that the City Manager be authorized to enter into a Public Works construction contract with Bayley Construction to complete Phase 2.

Phase 2 of the project includes rehabilitation of the City Council Chambers (including flattening the floor, all new audio/visual/technological components, new dais and supporting staff areas and enhanced community interaction), a new customer service area to enhance the customer experience, replacement of worn out finishes, addition of an entry vestibule, installation of a newer, more space-efficient furniture system, and construction of a new Peter Kirk Room.

CONSTRUCTION TO DATE

Bayley began construction on January 25, 2016 and have a contracted substantial completion date of October 31, 2016.

While construction efforts have been relatively smooth, it has become clear that, in several cases, the 1994 as-built drawings are inaccurate. Some of those discrepancies have resulted in change orders to remedy the unknown conditions, including:

- Small amounts of low-level asbestos were identified and a full remediation has occurred.
- 1993 HVAC documentation did not indicate the 1981 mechanical units had never been removed.
- 1993 HVAC documentation indicating mechanical units that do not exist.
- The clearstory was constructed 3 feet taller than the building plans show.

Despite these issues, construction in the Council Chambers, Customer Service Areas, and lower level (EOC, Video Studio, etc.) is well underway.

BUDGET AND CHANGE ORDERS

The project budget, as presented at the January 5 Council meeting, is summarized in the table below.

Project Estimate	Amount
Phase 2 Construction Cost	\$ 7,372,687
Wiring (include EOC)	
Dedicated EOC	
Council Chamber Remodel (including A/V)	
Preventative Maintenance	
Carpet/Paint/Restroom Refresh	
Fire Suppression System	
Seismic Upgrade	
Add Alts. 1-3 (Solar/Restrooms/Ext. Paint)	
Phase 1 Re-roofing Construction/Prof. Svc.	\$ 421,000
Architect Feasibility Contracts	\$ 230,000
Architect Design Contract	\$ 759,000
Architect Seismic Design/Engineering	\$ 77,539
Project Management Consultant	\$ 175,000
Permit Fees (estimate)	\$ 150,000
One Percent for the Arts	\$ 105,000
Contingency (approx. 15% project budget)	\$ 1,500,000
Sales Tax on Art/Contingency (9.5%)	\$ 152,475
Set-aside for Future Enhancements	\$ 807,299
Total Estimate	\$ 11,750,000

The unknown conditions described above have resulted in Bayley Construction submitting 10 change order requests with their first pay application. As with any project of this nature, unknown conditions will arise, and that change orders would occur is expected. The approved change orders to date total \$53,389; these change orders are a very small percent of the contingency (3.73%). All change orders were reviewed by the City project team and approved by Deputy City Manager Tracey Dunlap.

Three additional "owner initiated" changes have been requested as follows:

Security System - After completing the Kirkland Justice Center, many City facilities have moved their security system to the newly installed Genetec system. City Hall has a security system that is 23 years old and is well past its useful life. When value engineering the City Hall Renovation Project, installing a new security system was removed to fit the project within budget. This included a new key-card access system and new security cameras.

Installing a new security system would provide a safer and more secure building, capabilities that are not realized with the current system, redundant security cameras with better viewing quality,

the ability for the Kirkland Police Department to monitor from the Kirkland Justice Center, remote access and removal of the cypher locks that are presently at City Hall.

Given the favorable construction bids, staff believes that the best time to replace the current system is during the renovation. At an estimated cost of \$130,000, this investment would cost nearly three times that much if it were installed after the completion of the renovation. This cost is proposed to be funded from the contingency. (Note that if additional design/engineering costs are incurred for this change, they will be incorporated into a future updated).

New furnishings for the Peter Kirk Room - On March 3, 2016, the City received 6 proposals for lounge furniture including council chamber chairs and tables, both the upper level and lower level lobby furnishings and development service tables and chairs. Open Square was the apparent low bidder with a bid of \$140,675.26, which is under the budget of \$180,000. Because of the aggressive schedule and manufacturing, some of this furniture may not be available during the first few weeks of opening the newly renovated lobby and customer service area. The bids included an alternate to purchase new tables and chairs for the Peter Kirk Room. The cost of the alternate is \$47,030.91. When added to the base bid, takes the total order to \$187,706.17, \$7,706.17 higher than the common area furniture budget. Staff proposes to fund the incremental amount from the project contingency.

Additional doorway from the Council Chambers – Council requested an option for an additional doorway leaving the back of the Council Chambers. The change order for this request will be funded from the “Set-aside for Future Enhancements” portion of the budget. The contractor is still awaiting a final price for this additional work (expected to be in the \$35,000-\$50,000 range).

Finally, additional architect/design/engineering services of \$49,770 have been funded from the contingency to recognize the following changes and incorporate them into the construction documents:

- Award of the exterior painting bid alternate;
- Design of the additional doorway from the Council Chambers and associated dias casework changes;
- Owner initiated casework changes to better meet the needs of the customer service functions;
- Coordination of the final art elements selected for the renovation; and
- Bayley Construction change orders described above.

The revised table that follows shows the re-allocated budget with these changes incorporated (except the doorway, which will be reflected in a future update once we receive the final figure).

Project Estimate	Amount
Phase 2 Construction Cost	\$ 7,372,687
Wiring (include EOC)	
Dedicated EOC	
Council Chamber Remodel (including A/V)	
Preventative Maintenance	
Carpet/Paint/Restroom Refresh	
Fire Suppression System	
Seismic Upgrade	
Add Alts. 1-3 (Solar/Restrooms/Ext. Paint)	
<i>Security System</i>	\$ 130,000
<i>Change Orders to Date</i>	\$ 55,961
<i>PK Room Furniture Increment</i>	\$ 7,706
Phase 1 Re-roofing Construction/Prof. Svc.	\$ 421,000
Architect Feasibility Contracts	\$ 230,000
Architect Design Contract	\$ 759,000
Architect Seismic Design/Engineering	\$ 77,539
<i>Add'l Design/Engineering Services</i>	\$ 49,770
Project Management Consultant	\$ 175,000
Permit Fees (estimate)	\$ 150,000
One Percent for the Arts (incl. sales tax)	\$ 114,975
Contingency (incl. sales tax)	\$ 1,399,063
Set-aside for Future Enhancements	\$ 807,299
Total Estimate	\$ 11,750,000

SCHEDULE

At the January 5, 2016 Council Meeting, a proposed schedule reflected an 8 step approach with Step 1 beginning on January 25, 2016 and was to last approximately 3 months. Step 2 would begin the beginning of April, 2016 and last approximately 1 month culminating in Council Chambers, lobby and front counters opening in May of 2016. The following 6 steps would each last approximately 1 month long with a project substantial completion of October 31, 2016 and complete construction completion date including punch-list items completed by December 21, 2016.

Due to the City's aggressive schedule, long lead times for certain items (including the casework for the Council Chamber dais), the unknown conditions described above, and additional items added to the scope of work (such as the additional door by the Council dais), the contractor is targeting May 17, 2016 as the date of the first Council Meeting in the renovated Council Chamber. Please keep in mind that the contractor believes they can meet this date, however, many variables still remain that may impact the schedule, including vendor delivery timelines.

At this time, there is no change to the substantial completion date of October 31, 2016.

OTHER UPDATES

Temporary Entrance and Service Counters

On January 25, 2016 the interim Main Street counters opened to serve our customers. The lower level lobby is now staffed full time by our Customer Service Program Lead. The interim customer interaction approach has been successfully adapted by staff and customers. The new customer service model will be carried over in to remodeled space. The CORE team meets every other week to discuss improvements and process implementation. The main focus moving through the remainder of the interim is the impact on customer service after the remodel is complete.

1% for Art

A subcommittee comprised of three Cultural Arts Commissioners and three staff members have chosen two photographs for graphic glass applications in the customer service area. (Attachment A and B) The committee agreed that these two photos represent the goals set forth by the City Council. Those goals were transparency in government, highlight the unique character of Kirkland, use local landscape and significant, yet diverse work done within the City of Kirkland.

Council has also approved the metal artwork to adorn the windows of the lobby. Attachment C is a photograph of the progress the artist is making.

The subcommittee also completed a complete inventory of the all of the art within the facility and are evaluating opportunities to re-install these pieces throughout.

Exterior Paint

At the January 5, 2016 City Council Meeting, Council accepted 3 additive alternates to the construction base bid. One of those items is to paint the exterior stucco of the facility. Attachment D indicates the options provided by ARC Architects and Robin Daulton, the project interior designer. Staff is seeking Council feedback on the preferred exterior color.

Air Quality

In February, the City had King County's Safety & Health Administrator, Bill Hager, come out to City Hall and perform an air quality study. Bill used an instrument called a "personal data ram" or pDR which measures total respirable dust in the air. He placed the pDR in both the flex area and in Public Works directly next to the plastic construction wall for about a week. According to Bill, the dust levels measured in City Hall are within the range of a normal office with no construction activities and are remarkably low for dust levels in the middle of a construction project. He also stated that the pDR results for the flex area and Public Works clearly demonstrate that, overall, we are doing a really good job of controlling the construction dust and have taken steps to address the few anomalies. Hopefully the study helps to address indoor air quality concerns regarding the construction activities. The graphic results for both areas are included as Attachment E. Air quality testing will continue on a monthly basis to ensure construction dust is kept within normal range.

Naming Additional Conference Rooms

The renovation adds 6 new conference rooms. After discussions with the LEAN Team, the rooms would continue to be named after Kirkland neighborhoods. Currently, we have the Rose Hill Room, Houghton Room, Norkirk Room, Highlands Room and the Lakeview Room. Additional conference rooms will respectfully be named the Moss Bay Room, the Finn Hill Room, the Juanita Room, the Kingsgate Room, the Everest Room and the Market Room. The Peter Kirk Room will remain.









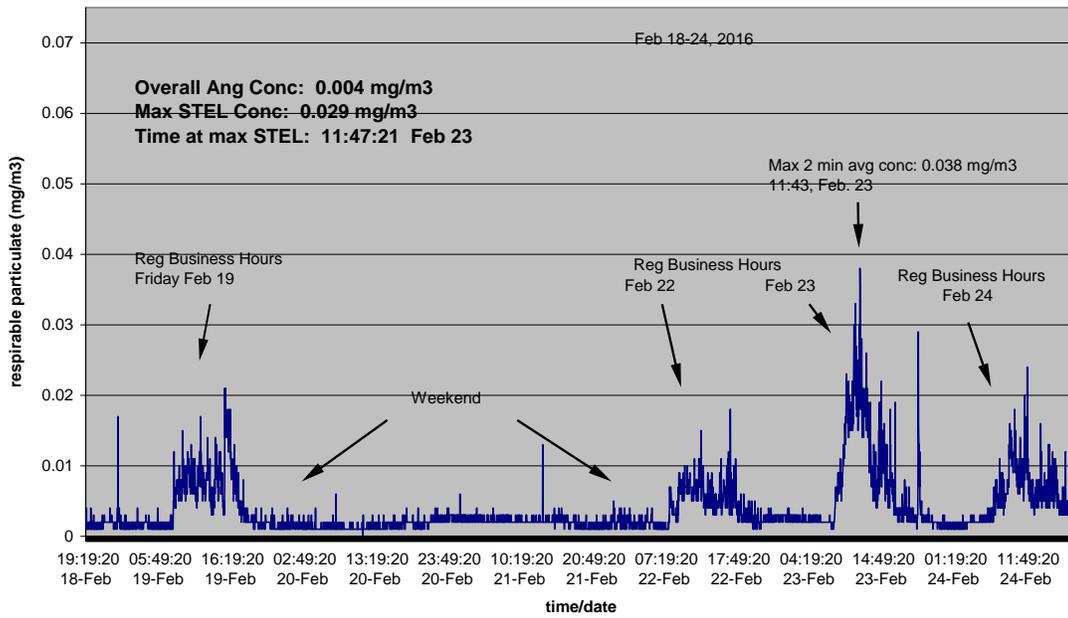




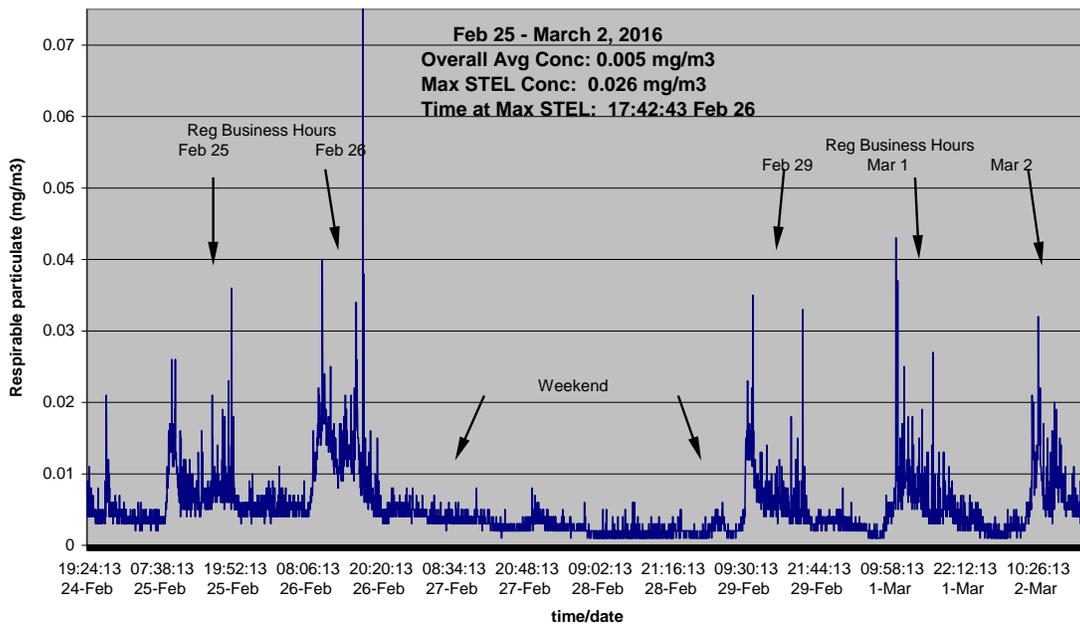
City Hall Remodel – Air Quality Test Results

0-0.04	Normal working conditions
0.04-0.07	Increased dust, but still considered Normal
0.07-0.10	Heightened dust levels, but still within industry standards
0.10+	Precautions should be taken to reduce dust

**KIRKLAND CITY HALL FLEX AREA
Total Respirable Particulate**



**KIRKLAND CITY HALL PUBLIC WORKS
Total Respirable Dust**





CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Marilynne Beard, Deputy City Manager
Date: March 21, 2016
Subject: 2016 COMMUNITY SURVEY

RECOMMENDATION:

City Council reviews the last community survey and provides direction regarding changes for the 2016 community survey.

BACKGROUND DISCUSSION:

The City conducts a community survey every other year to get feedback about the City's performance in a variety of areas. The survey provides the source data for the City's Performance Measure Report and the "Kirkland Quad" that is one of the strategic anchors used in making policy and resource allocation decisions. The City engages the services of a local survey firm to develop and conduct the survey through random sample telephone interviews. In 2012 and 2014, the City engaged EMC Research to conduct the survey and staff is recommending that EMC conduct the 2016 survey.

Prior to initiating a community survey, staff checks in with the City Council to determine if there are any changes needed to the survey instrument. As a practical matter, the survey does not change dramatically from one year to the next in order to maintain longitudinal data that shows changes to basic indicators over time. However, if the City Council believes that a question is not eliciting the information needed, changes can be made. There is also a limit to the number of total questions that can practically be asked on a telephone survey to avoid respondent fatigue. If new questions are added, they should generally replace another question. A copy of the 2014 survey report is included as Attachment A. To review the survey questions as they were asked, refer to the Topline Results beginning on page 38 of the survey report

Staff is recommending consideration of the following changes to the survey:

- In 2012 and 2014 the community survey included cross tabulations that compared the responses of the 2011 annexation neighborhoods with the pre-annexation area responses. The consultant can continue to provide that cross-tabulation or analyze responses for the city as a whole. Staff is recommending including that cross tabulation one last time to recognize the fifth year since annexation, and then discontinuing it for future surveys.

- Questions 13 and 14 rate the quality and importance of various City services. One of the items is titled "land use and zoning." This item typically rates in the upper left quadrant as important but below expectations in performance. Staff is concerned that responses to this question are rating the City Council's policies on land use and zoning (or the perception of over-development) rather than the quality of customer services for permitting and inspection. Most of the questions in this section are related to whether the City is allocating sufficient resources and/or providing high quality services. Council may want to change the service category to read "Development Permitting and Inspection" and add separate questions about community perception of land use and development trends.
- Questions 20 and 21 were specifically seeking input on the community's familiarity with transit plans for the Cross Kirkland Corridor and their views regarding whether the City should plan for transit or wait for another agency to fund and develop transit on the corridor. The Council may want to replace these questions with a different question aimed at a current topical concern. When choosing focused questions, Council should take into consideration that the survey will be administered in April with results available for the Council retreat in May. The Council may wish to focus the extra questions on perceptions of land-use and density, fire station investments, or whether the community wishes to revisit the ARC with a more "traditional" funding source.

Once the survey questions are finalized, EMC will begin the survey process which will take several weeks. Preliminary results are usually available within two to three weeks. Survey results and analysis will be available for the second retreat and, if possible, will be made available earlier.

In 2014, staff also made the survey available on the City's website after the telephone survey was completed. Staff recommends that the on-line survey be made available again for residents interested in participating but who were not included in the random telephone sample. Web-based survey data is not statistically valid and will be kept separate from the telephone survey results.



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ATTACHMENT A

City of Kirkland 2014 Telephone Survey on Citizen Opinions & Priorities



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1 Project Overview

1.1 Project Goal

To assess and track residents' attitudes and opinions about quality of life in Kirkland, priorities for the future and satisfaction with city government and its services. Specifically, the survey covered the following topic areas:

- *Respondents' evaluation of Kirkland as a place to live, including what they like the most about the city and what concerns them, their satisfaction with the availability of good and services in the City, attitudes about personal safety, and neighborhood infrastructure.*
- *Overall ratings of city government, and specific ratings on government priorities, financial management, communication with residents, and overall service delivery.*
- *Ratings of the overall importance and assessment of the City's performance across 18 City services and functions.*
- *Questions about household emergency preparedness.*
- *New questions about the Cross Kirkland Corridor.*

1.2 Methodology

- ✓ Telephone survey of 500 registered voters in the City of Kirkland.
- ✓ Overall margin of error of +/- 4.4 percentage points at the 95% confidence level.
- ✓ Interviewing took place between April 6th and 11th, 2014.

This survey is the fifth in a biannual series of citizen surveys commissioned by the City of Kirkland. The previous surveys (2006, 2008, and 2010) were conducted by Elway Research and the 2012 & 2014 surveys were conducted by EMC research.

2 Key Findings

Kirkland as a Place to Live

- *The overall rating of Kirkland as a place to live continues to be overwhelmingly positive and there has been a significant increase in "excellent" ratings since 2012.*
- *When asked in an open end question (no response choices given) what they like best about living in Kirkland, location (convenience) most often is mentioned, followed by the small town feel, and the fact that Kirkland is safe and quiet. Responses are similar to 2012, although convenience is up significantly.*
- *When asked in an open end question what things concern them about the way things are going in Kirkland, the top response is "nothing."*
- *As in previous years, the top specific concerns are related to development/growth and traffic/infrastructure. Concerns about traffic/infrastructure have shown the biggest increase over 2012.*
- *Most residents are satisfied with the availability of goods and services in Kirkland -- however most are just "somewhat satisfied" rather than "very satisfied." There is no significant change compared to 2012.*
- *Most (97%) Kirkland residents say they feel safe walking in their neighborhood during the day.*
- *Most also (82%) say they feel safe walking in their neighborhood after dark, but only 40% feel "very safe" and one-in-five (16%) feel unsafe.*
- *There has been an 8 point increase in the percentage of residents who say they feel "very safe" walking in their neighborhood after dark and a 6 point increase in the percentage of residents who say they feel "very safe" walking in their neighborhood during the day.*
- *Lack of street lights and general concerns about crime make up over half the mentions among those who feel unsafe.*
- *Most residents continue to be satisfied with their neighborhood's infrastructure - fewer than one-in-five are dissatisfied.*
- *Although overall satisfaction with infrastructure has not changed from 2012 there has been a 5 point increase in residents who say they are "very satisfied."*

Kirkland City Government

- *Kirkland City government continues to get high marks overall, and also receives high marks for "delivering services efficiently" and "keeping citizens informed."*
- *The City also gets good marks for "focusing on the priorities that matter most to residents" although one-in-four residents is unable to rate the City on this metric.*
- *The City's rating for "managing the public's money" is divided, with more than a third unable to rate the City's performance in this area. There is little intensity in the negative ratings (% "Poor") suggesting that this is not a critical problem area.*
- *Most residents are not paying close attention to Kirkland City government, although a majority consider themselves either very (10%) or somewhat (45%) well informed.*
- *The fact that residents give the City generally high marks for keeping citizens informed suggests that most residents do not blame the City for their not being more informed.*
- *Respondents take advantage of a wide variety of information sources to find out "what is going on with Kirkland City government." The Kirkland Reporter continues to be the top source, followed by the City Newsletter, and the City website.*

Emergency Prep & Other Issues

- *Kirkland residents' emergency preparedness is essentially unchanged since 2012 on 3 of the 4 items, but those saying they have three days of stored food/water has decreased from 70% to 62%.*
- *Roughly four-in-ten residents say they are familiar with transit plans for the Cross Kirkland Corridor, although only one-in-ten say they are "very familiar" with the plans.*
- *After hearing a description of potential options for transit in the Cross Kirkland Corridor a majority of residents say they prefer that the city design the corridor for future high capacity transit but wait until Sound Transit is ready to build and operate transit rather than having the city providing interim transit in the corridor funded by the city and other partners.*

City Services and Functions

- *Most importance ratings for City services and functions are similar to 2012.*
- *Safety related services -- fire/emergency medical services and police -- continue to be seen as the City's most important functions and as in 2012 the percentage of residents rating these services as "extremely important" is significantly higher than for any other service/function.*
- *After fire and police, key services/functions include, pedestrian safety, City parks, and the environment.*
- *Community events, arts, and recreation programs/classes continue to be seen as the least vital functions, although close to half of residents still say these service are important.*
- *Of the top services/functions, City Parks and managing traffic flow have seen the biggest increase in importance.*
- *For the most part, the City continues to perform best on those services/functions that residents see as most important - fire/emergency medical, police, pedestrian safety City parks and recycling/garbage*
- *Attracting and keeping businesses in Kirkland, recreation programs and classes, City parks have all seen positive increases in performance ratings.*
- *The City's performance exceeds importance on 6 of the 18 services/functions tested and performance is comparable to importance for another 7 services/functions.*
- *The City is over performing relative to importance on community events, recreation programs and classes, support for arts, recycling and garbage collection, City parks and bike safety.*
- *The gap between importance and performance is largest on managing traffic flow by a significant margin. Other areas where the city is slightly underperforming include zoning and land use, maintaining streets, and services for people in need.*

3 Attitudes about Kirkland

3.1 Rating Kirkland as a Place to Live

Question(s) Analyzed

Q5. How would you rate Kirkland as a place to live? Would you say it is Excellent, Very good, satisfactory, only fair, or poor place to live?

Finding

- *The overall rating of Kirkland as a place to live continues to be overwhelmingly positive and there has been an increase "Excellent" ratings since 2012.*

Figure 3-1 – Rating of Kirkland as a Place to Live (Overall)

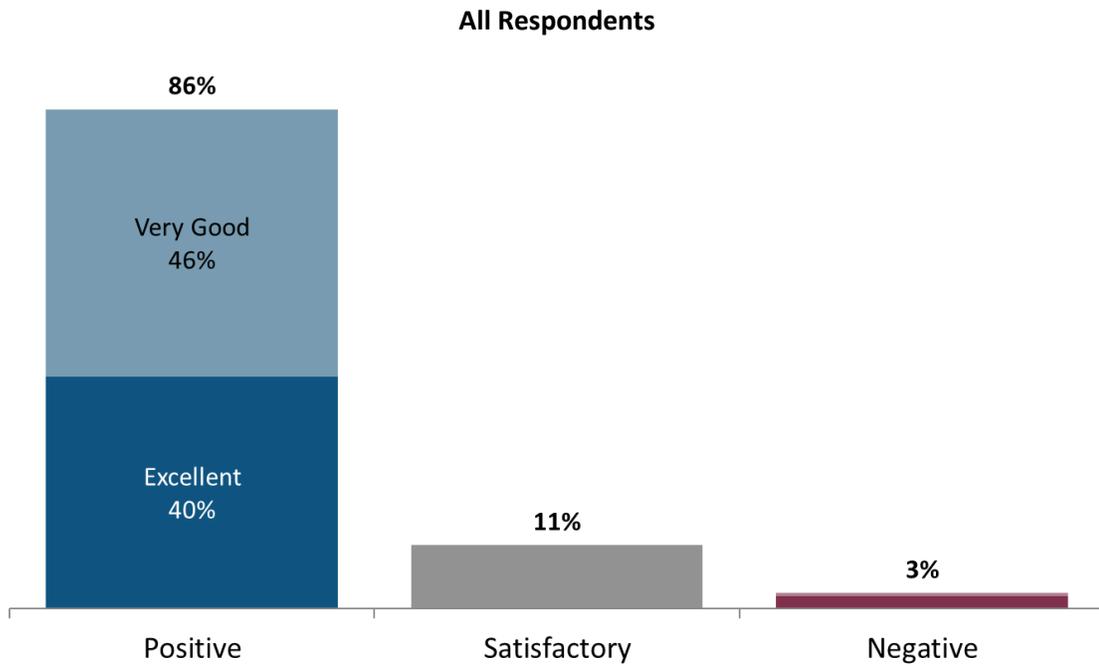
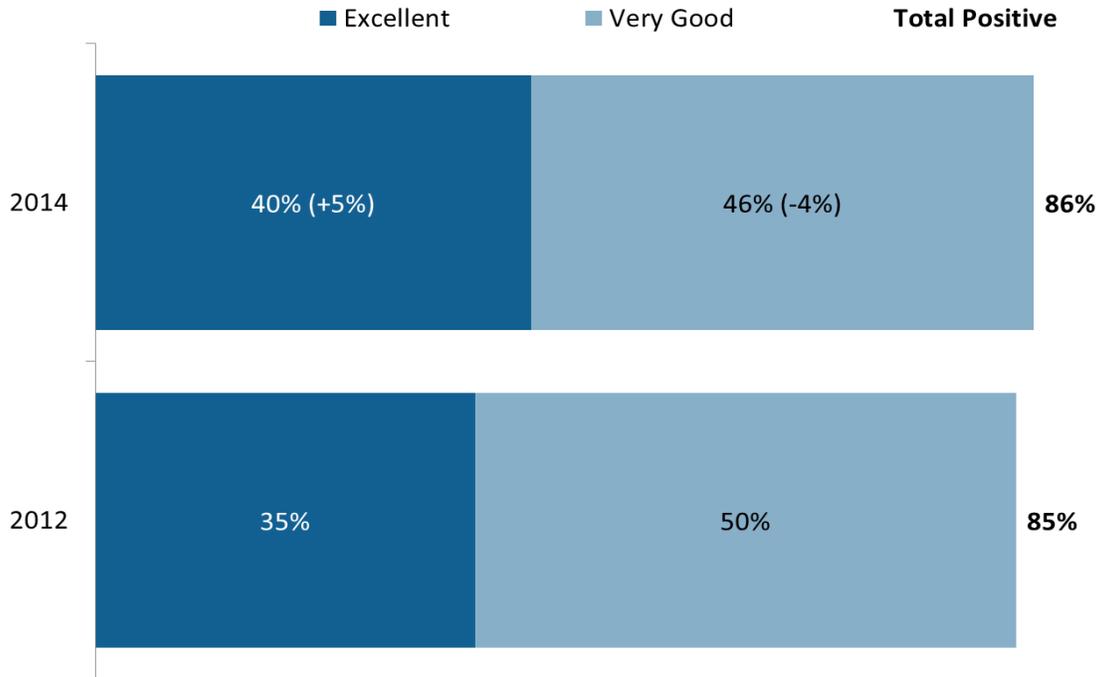
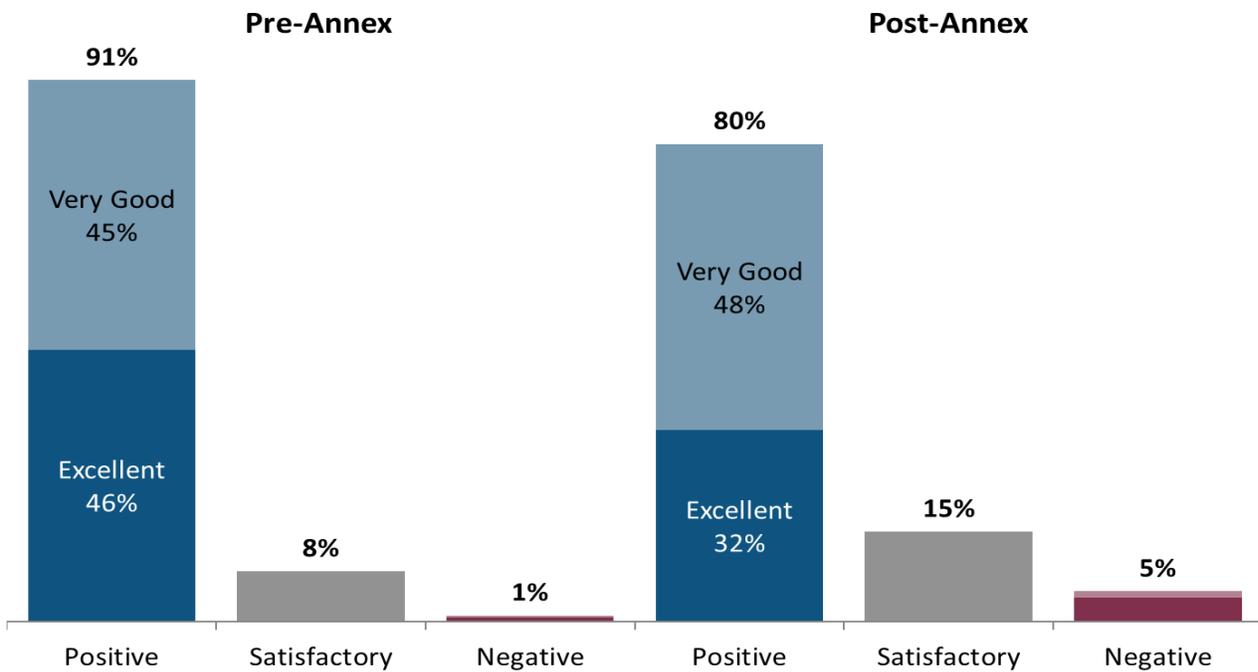


Figure 3-2 – Rating of Kirkland as a Place to Live by Year



Intensity of satisfaction (“Excellent”) is up 5 points since 2012, and most residents (86%) continue to give Kirkland a positive rating as a place to live.” Residents in the pre-annex areas continue to give a higher positive rating with greater intensity.

Figure 3-3 – Rating of Kirkland as a Place to Live (Pre/Post-Annex)



3.2 Positives Aspects of Living in Kirkland

Question(s) Analyzed

Q6. What do you like best about living in Kirkland? (One Response)

Finding

- *When asked in an open end question (no response choices given) what they like best about living in Kirkland, location (convenience) is most often mentioned, followed by the small town feel, and the fact that Kirkland is safe and quiet.*
- *Overall the responses are similar to the 2012 survey, although convenience is up significantly.*

Figure 3-4 – Kirkland Positives

	2012	2014	± Gap
Convenience/ Easy to get places (general location)	23%	36%	+13%
Small town feel/ Community/ Neighborhood	19%	23%	+4%
Safety	7%	8%	+1%
Access to water	11%	7%	(-4%)
Close to parks/ recreation	6%	7%	+1%
Downtown Kirkland	--	5%	+5%
Beautiful scenery/ Peaceful/ Clean	8%	4%	(-4%)
Nice place to live (general positive)	5%	2%	(-3%)
Family/ Raised here	3%	1%	(-2%)
Close to Seattle	4%	--	(-4%)
Other	10%	4%	(-6%)
Nothing	1%	2%	+1%
Don't Know	3%	1%	(-2%)

3.3 Concerns about Kirkland

Question(s) Analyzed

Q7. When you think about the way things are going in Kirkland, what if anything concerns you? (One Response)

Finding

- *When asked in an open end question what things concern them about the way things are going in Kirkland, the top response is "nothing."*
- *As in previous years, the top specific concerns are related to development/growth and traffic/infrastructure. Concerns about traffic/infrastructure have shown the biggest increase over 2012.*

Combining those who say “nothing” and those who are unable to think of a specific concern (“don’t know”), over a quarter (27%) of respondents do not offer a concern about the way things are going in Kirkland. Only two specific areas of concern – development/growth (21% mention) and traffic/infrastructure (16% mention) – reach double digit mentions.

Figure 3-5 – Kirkland Negatives

	2012	2014	± Gap
Over development/Growth	15%	21%	+6%
Traffic/Infrastructure	7%	16%	+9%
Taxes	4%	8%	+4%
Police/Issues with Police	5%	5%	0%
Leadership issues/Management	3%	4%	+1%
Housing	2%	4%	+2%
Education/Schools	2%	3%	+1%
Budget/Spending	6%	2%	(-4%)
Totem Lake Mall vacancy	3%	2%	(-1%)
More Businesses/Leaving	2%	2%	0%
Other	15%	7%	(-8%)
No/None/Nothing	27%	23%	(-4%)
Don't Know	8%	3%	(-5%)

3.4 Satisfaction with the Availability of Goods & Services

Question(s) Analyzed

Q15. Thinking about the types of stores, goods and services available in Kirkland... would you say that you are Very satisfied with the availability of goods and services in Kirkland, Satisfied, Dissatisfied, or Very dissatisfied with the availability of goods and services in Kirkland?

Finding

- *Most residents are satisfied with the availability of goods and services in Kirkland -- however there is room for improvement as most are just "somewhat satisfied" rather than "very satisfied."*
- *There is no significant change compared to 2012.*

Eight-in-ten (80%) residents are satisfied with the availability of goods and services in Kirkland – one-in-five (20%) are dissatisfied, with only 3% “very dissatisfied.”

Figure 3-6 – Satisfaction with Availability of Goods & Services

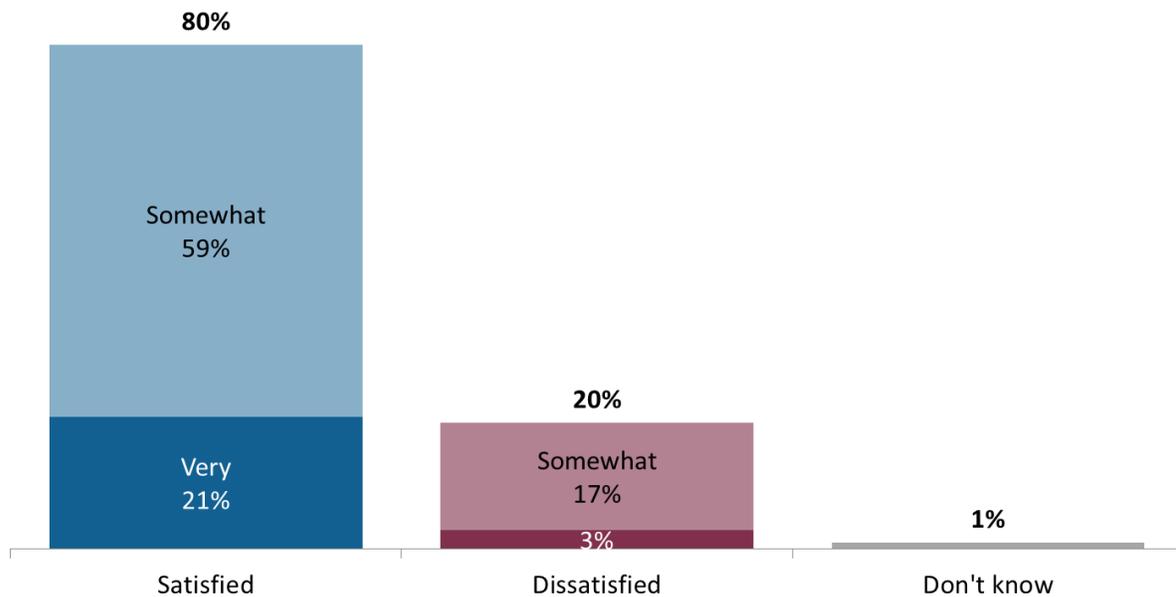
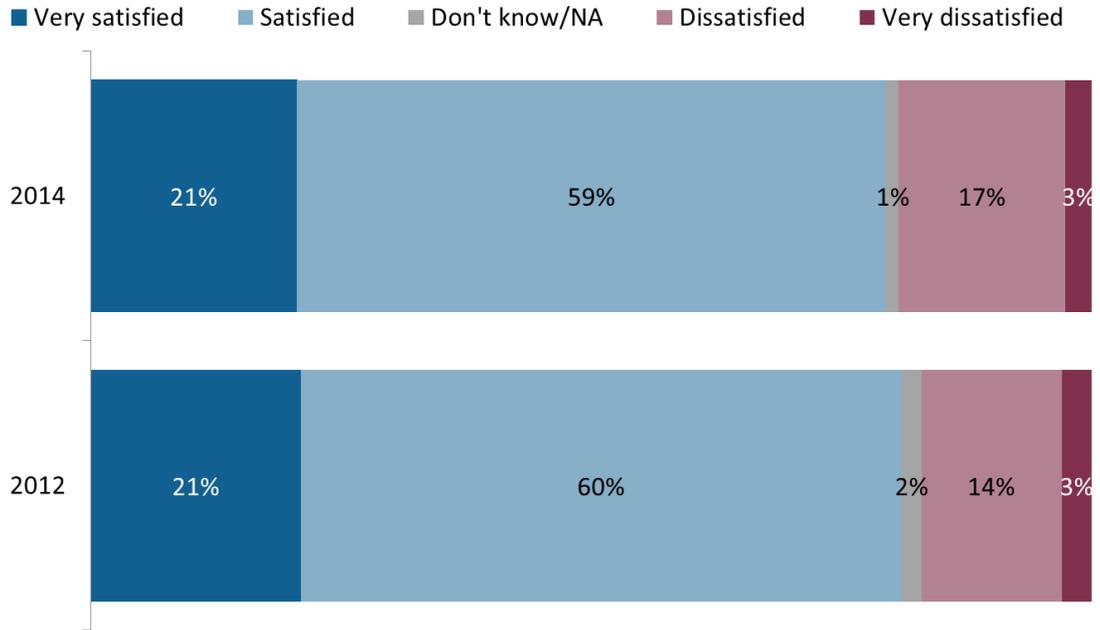


Figure 3-7 – Satisfaction with Availability of Goods & Services, 2012 and 2014



3.5 Neighborhood Safety

Question(s) Analyzed

- Q16. In general, how safe do you feel walking alone in your neighborhood during the day? Would you say very safe, safe, somewhat unsafe, or very unsafe?
- Q17. And how safe do you feel walking alone in your neighborhood after dark? Would you say very safe, safe, somewhat unsafe, or very unsafe?
- Q18. *(If unsafe)* Why do you feel unsafe?

Finding

- Most (97%) Kirkland residents say they feel safe walking in their neighborhood during the day.
- Most also (82%) say they feel safe walking in their neighborhood after dark, but only 40% feel "very safe" and one-in-five (16%) feel unsafe.
- There has been an 8 point increase in the percentage of residents who say they feel "very safe" walking in their neighborhood after dark and a 6 point increase in the percentage of residents who say they feel "very safe" walking in their neighborhood during the day.
- Lack of street lights and general concerns about crime make up over half the mentions among those who feel unsafe.

Figure 3-8 – Neighborhood Safety

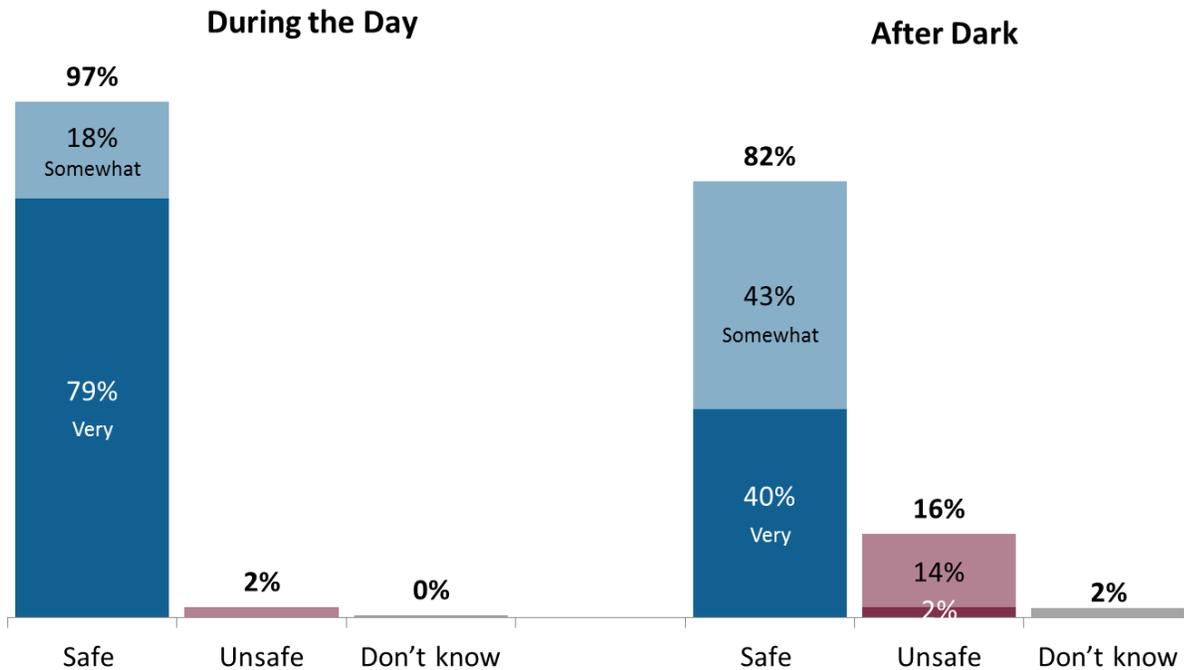


Figure 3-9– Neighborhood Safety 2012vs. 2014

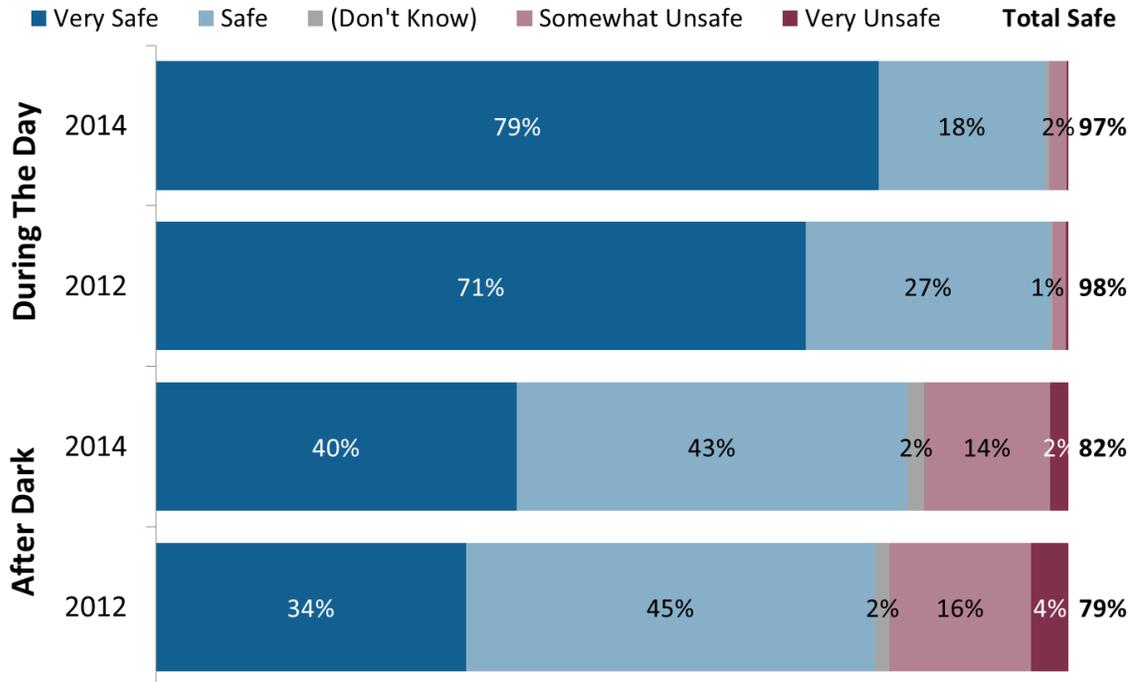


Figure 3-9 – Reasons for Feeling Unsafe After Dark

Reason	Percentage
Lack of streetlights/Dark	35%
Crime	26%
Night time is unsafe	14%
Strangers	12%
No sidewalks	7%
Other	7%

3.6 Satisfaction with Neighborhood Infrastructure

Question(s) Analyzed

Q19. In general, how satisfied are you with your neighborhood’s infrastructure such as streets and sidewalks, and roadside landscaping? Are you very satisfied, somewhat satisfied, somewhat dissatisfied, or very dissatisfied?

Finding

- *Most residents continue to be satisfied with their neighborhood's infrastructure - fewer than one-in-five are dissatisfied.*
- *Although overall satisfaction with infrastructure has not changed since 2012 there has been a 5 point increase in residents who say they are "very satisfied."*

Eight-in-ten (82%) residents say they are satisfied with their neighborhood’s “infrastructure such as streets and sidewalks, and roadside landscaping” -- 18% are dissatisfied, but only 5% are “very dissatisfied.”

Figure 3-11 – Satisfaction with Neighborhood Infrastructure

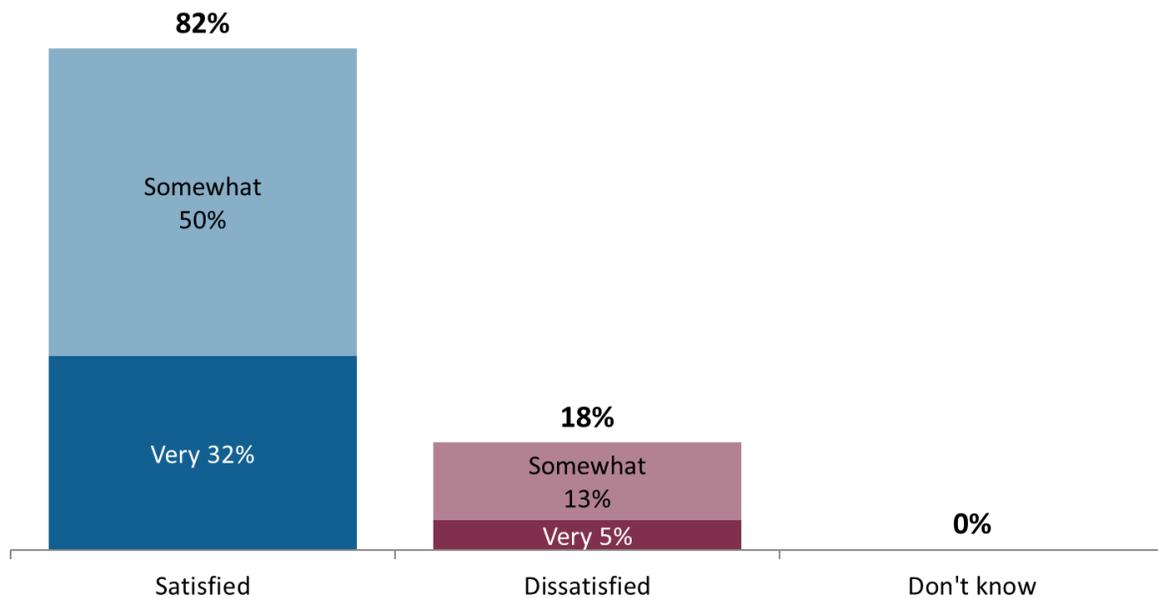
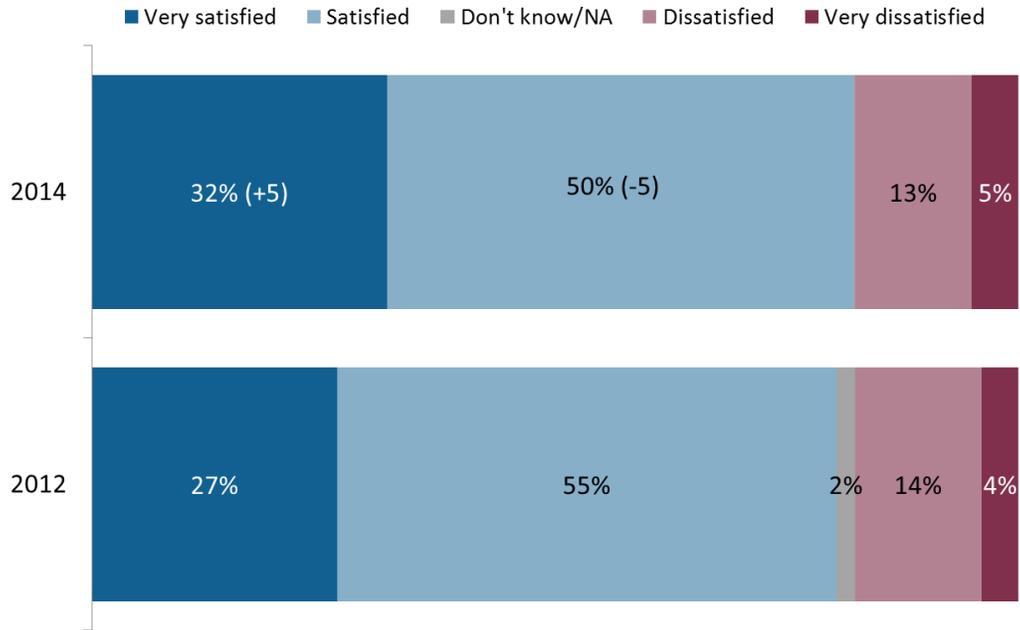


Figure 3-12 – Satisfaction with Neighborhood Infrastructure, 2012 vs. 2014



4 Kirkland City Government

4.1 Kirkland Job Ratings

Question(s) Analyzed

Please tell me how you think Kirkland City government is doing in each of the following areas.

Use a scale of excellent, good, only fair, or poor. If you aren't sure one way or the other, please just say so.

Q8. the job the City doing overall

Q9. the job the City is doing managing the public's money

Q10. the job the City does keeping citizens informed

Q11. the job the City does delivering services efficiently

Q12. the job the City does focusing on the priorities that matter most to residents

Finding

- *Kirkland City government continues to get high marks overall, and also receives high marks for "delivering services efficiently" and "keeping citizens informed."*
- *The City also gets good marks for "focusing on the priorities that matter most to residents" although one-in-four residents is unable to rate the City on this metric.*
- *The City's rating for "managing the public's money" is divided, with more than a third unable to rate the City's performance in this area. There is little intensity in the negative ratings (%"Poor") suggesting that this is not a critical problem area.*

Almost three quarters (71% "Excellent" or "Good") of residents give the City a positive rating for the job it is doing overall. Only 3% give the City a "poor" rating indicating that there is little intensity on the negative side.

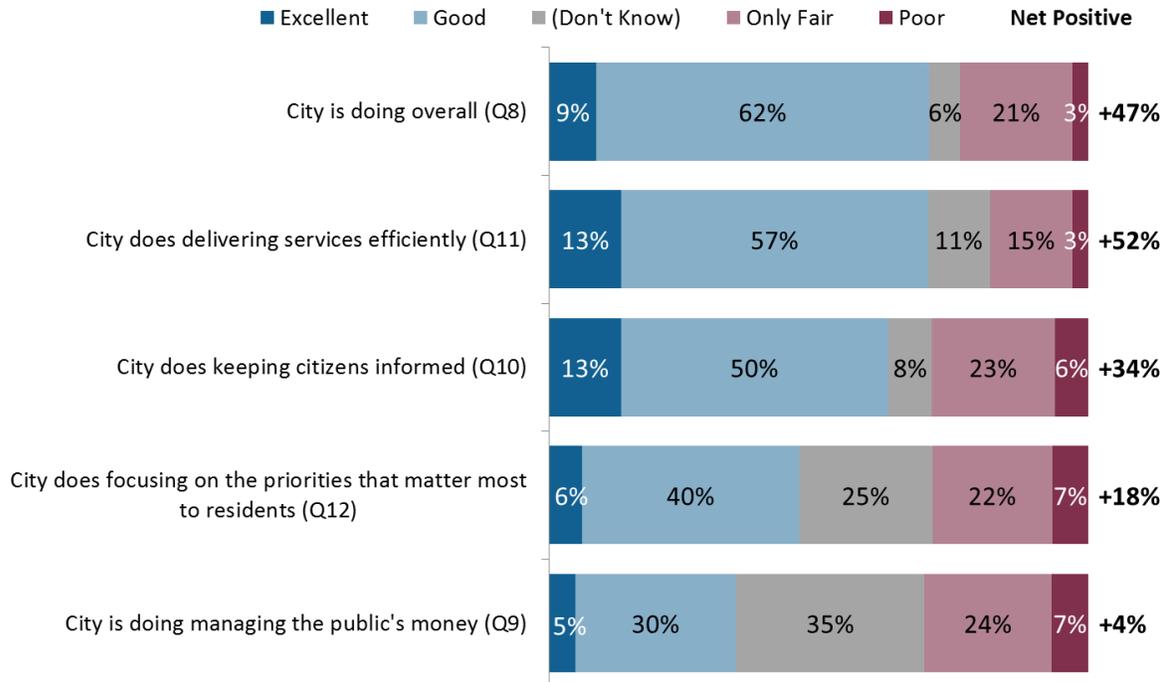
The City also gets very strong marks for delivering services efficiently. Two-thirds (70%) give the City a positive rating – and again, there is little intensity on the negative side (3% "Poor").

Nearly two-thirds (63% "Excellent" or "Good") of residents give the City a positive rating for the job it is doing keeping citizens informed. Fewer than a third (29%) give the city a negative rating for communications, with only 6% saying the City is doing a "Poor" job.

Residents' attitudes about the job the City does focusing on the priorities that matter most to them is net positive (46% "Excellent" or "Good" / 29% "Only fair" or "Poor"), however there is an information deficit, with one-in-four (25%) saying they are unable to rate the City on this measure.

Fewer residents in 2014 are divided over the job the City is doing managing the public's money (35% Positive / 31% Negative), but more than a third (35%) are still unable to rate the City's performance in this area.

Figure 4-2 – City of Kirkland Job Ratings



Job ratings are similar among pre and post annex areas for all .but the “job the City is doing managing the public’s money” where residents in post annex areas give a net negative 12 point rating.

Figure 4.2 –City of Kirkland Job Ratings Pre vs. Post Annex

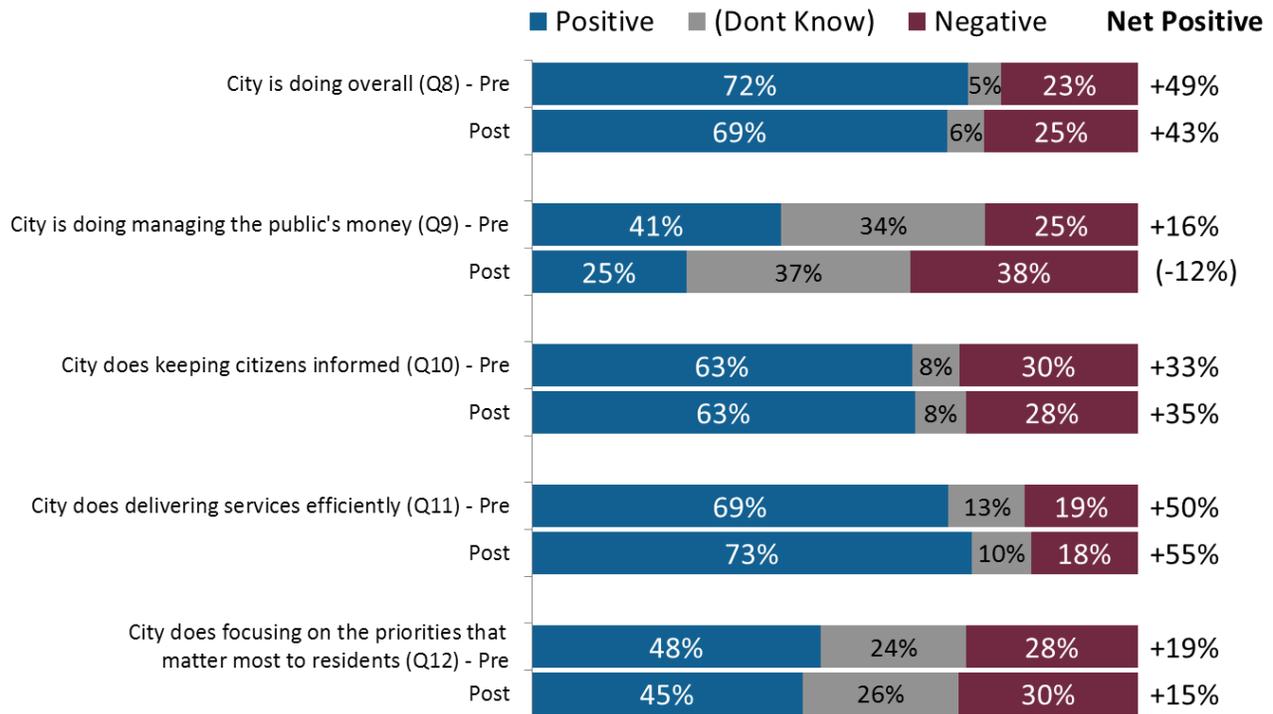
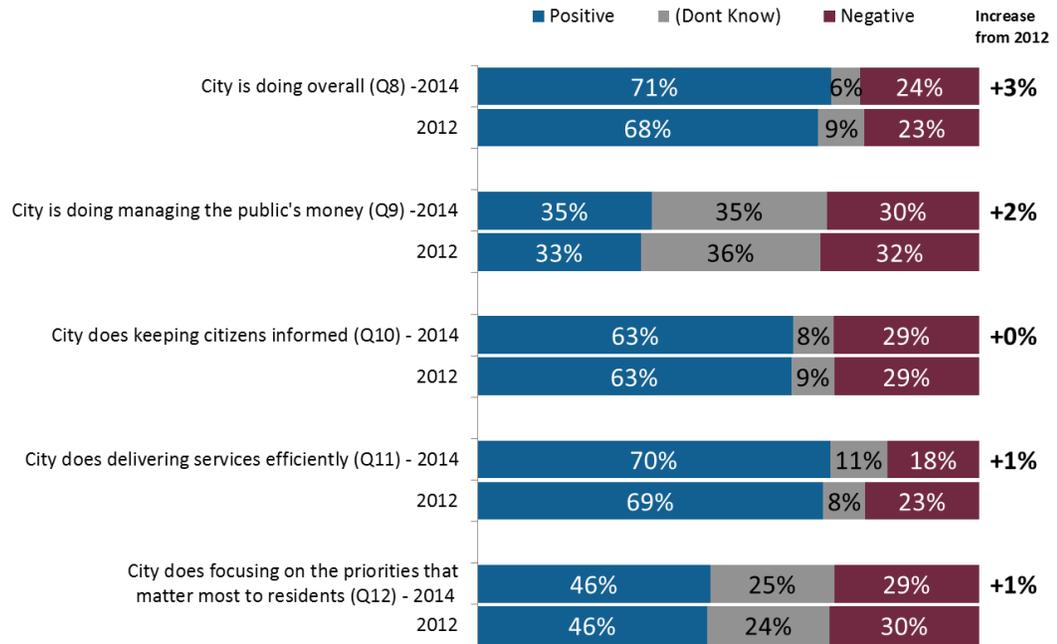


Figure 4-2 – City of Kirkland Job Ratings, 2012 vs. 2014



4.2 Information Level & Information Sources

Question(s) Analyzed

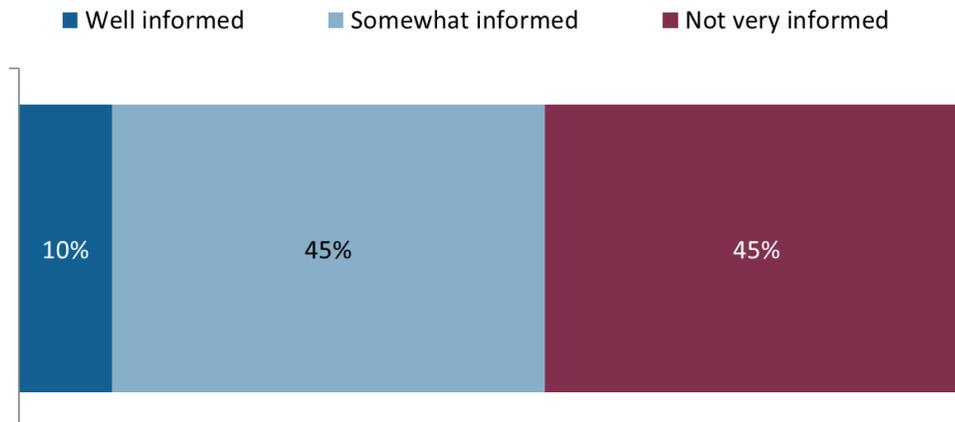
- Q26. In general, how well-informed would you say you are about Kirkland City government? Would you say you are well informed, somewhat informed, or not very informed?
- Q27. What is your primary source of information for finding out what is going on with Kirkland City government?

Finding

- *Most residents are not paying close attention to Kirkland City government, although a majority consider themselves either very (10%) or somewhat (45%) well informed. These results are similar to 2012.*
- *The fact that residents give the City generally high marks for keeping citizens informed suggests that most residents do not blame the City for their not being more informed.*
- *Respondents take advantage of a wide variety of information sources to find out "what is going on with Kirkland City government." The Kirkland Reporter continues to be the top source, followed by the City Newsletter, and the City website.*

Only one-in-ten respondents consider themselves "well-informed" about Kirkland City government. About half (45%) classify themselves as "somewhat informed" and about half (45%) say they are "not very informed." Pre-annex residents are more likely to consider themselves at least somewhat informed than are Post-annex residents (57% vs. 52%).

Figure 4-3 –Information Level



The Kirkland Reporter is the top source (31% mention) for news about City government, followed by the City Newsletter (16%) and the City website (13%). Information sources are similar among pre and post annex areas.

Figure 4-4 – Information Sources

	2012	2014	± Gap
Kirkland Reporter	31%	31%	0%
City Newsletter	16%	16%	0%
Kirkland/City Website	10%	13%	+3%
City Television Channel	6%	5%	(-1%)
Neighborhood association meetings	5%	5%	0%
City email list	6%	3%	(-3%)
Facebook	1%	2%	+1%
Local Blogs	3%	2%	(-1%)
Twitter	1%	1%	0%
Other	13%	14%	+1%
None	5%	4%	(-1%)
Don't know/NA	3%	4%	+1%

Figure 4-4 – Information Sources Pre vs. Post Annex

	Pre-Annex	Post-Annex
Kirkland Reporter	34%	27%
City Newsletter	15%	17%
Kirkland/City Website	13%	13%
City Television Channel	5%	5%
Neighborhood association meetings	5%	4%
City email list	3%	4%
Facebook	2%	2%
Local Blogs	1%	3%
Twitter	1%	1%
Other	14%	14%
None	2%	8%
Don't know/NA	4%	3%

5 City Services and Functions

5.1 Importance

Question(s) Analyzed

Q13. I'm going to read to you a list of services and functions provided by the city. For each one, please tell me how important that city function is to you and your household. Use a scale of 1 to 5, where 1 means that it is "not at all important" and 5 means it is "extremely important."

Finding

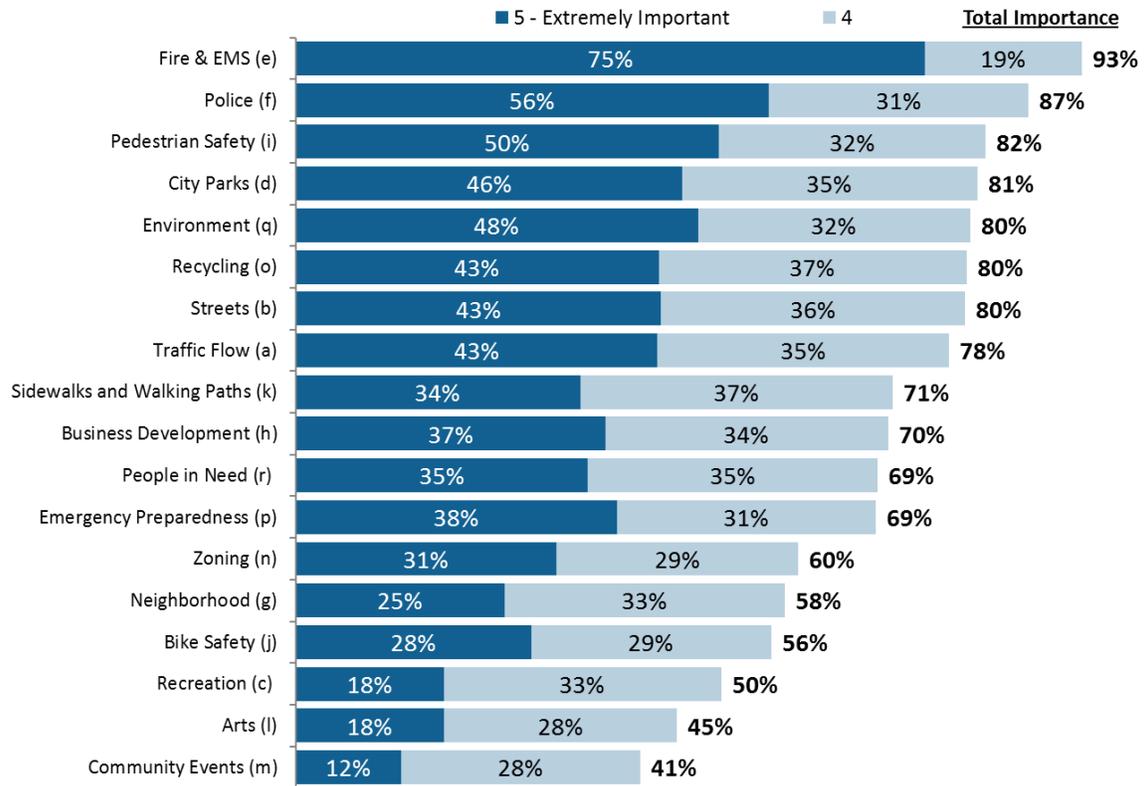
- *Safety related services -- fire/emergency medical services and police -- continue to be seen as the City's most important functions and as in 2012 the percentage of residents rating these services as "extremely important" is significantly higher than for any other service/function.*
- *After fire and police, key services/functions include, pedestrian safety, City parks, and the environment.*
- *Community events, arts, and recreation programs/classes continue to be seen as the least vital functions, although close to half of residents still say these service are important.*

Sixteen of the 18 functions/services tested are seen as important by a majority of residents – only “support for arts in the community” and “community events” fail to get a majority, although both are above 40% in overall importance.

Three-fourths of residents rate “fire and emergency medical services” as a 5 (“Extremely Important”) on a 5-point scale and 93% rate it as a 4 or a 5. A strong majority (56% “Extremely Important”) of residents also see “police services” as a critical City function – 87% rate police services as a 4 or a 5.

Pedestrian safety has moved into the next tier of services/functions seen as highly important with (82% Total Important, including 50% Extremely important), followed by City parks (81%; 46%),

Figure 5-1 – Importance (All Residents)



There continues to be minor differences in average importance between Pre-annex and Post-annex residents, but the overall order is largely the same.

Figure 5-2 – Average Importance Pre and Post-Annex

Service Item	Pre-Annex	Post-Annex
	2014	
Fire and Emergency Medical Services	4.67	4.69
Police Services	4.42	4.31
Protecting our natural environment	4.27	4.16
Pedestrian safety	4.24	4.28
City Parks	4.21	4.22
Recycling and Garbage Collection	4.16	4.16
Maintaining streets	4.16	4.21
Managing Traffic Flow	4.13	4.16
Availability of Sidewalks and Walking Paths	4.04	3.80
Emergency Preparedness	4.02	4.09
Services for People in Need	3.98	4.02
Attracting and Keeping Businesses in Kirkland	3.97	3.96
Zoning and Land Use	3.83	3.73
Support for Neighborhoods	3.71	3.78
Bike safety	3.64	3.56
Recreation Programs and Classes	3.5	3.43
Support for Arts in the community	3.41	3.27
Community Events	3.32	3.16

5.2 Importance - Comparison with 2012

Finding

- *Most importance ratings are similar to 2012.*
- *Of the top services/functions, City Parks and managing traffic flow have seen the biggest increase in importance.*
- *The importance of bike safety has increased by 4.5 points while the importance for attracting and keeping businesses in Kirkland has decreased by 4 points.*

The mean importance for most services/functions is similar to 2012. Bike safety” (+4.5%), managing traffic flow (+3.4%) and protecting the natural environment (+3.0%) have shown the biggest increases in importance. Attracting and keeping businesses in Kirkland has shown the greatest decrease in importance, likely as a result of an increase in performance.

Figure 5-3 – Importance 2012 vs. 2014 (Ranked by Importance)

Service Item	Importance 2012	Importance 2014	Change	% Increase/ Decrease
ALL SERVICES/FUNCTIONS	3.95	3.97	+0.02	0.5%
Fire and Emergency Medical Services	4.68	4.68	+0.00	+0.0%
Police Services	4.40	4.37	(-0.02)	(-0.5%)
Pedestrian safety	4.22	4.26	+0.04	+0.9%
Protecting our natural environment	4.10	4.22	+0.12	+3.0%
City Parks	4.14	4.21	+0.07	+1.8%
Maintaining streets	4.21	4.18	(-0.03)	(-0.7%)
Recycling and Garbage Collection	4.27	4.16	(-0.11)	(-2.7%)
Managing Traffic Flow	4.01	4.14	+0.13	+3.4%
Emergency Preparedness	4.16	4.05	(-0.11)	(-2.7%)
Services for People in Need	3.96	4.00	+0.03	+0.9%
Attracting and Keeping Businesses in Kirkland	4.13	3.96	(-0.16)	(-4.0%)
Availability of Sidewalks and Walking Paths	3.94	3.94	+0.00	+0.1%
Zoning and Land Use	3.76	3.79	+0.03	+0.8%
Support for Neighborhoods	3.69	3.74	+0.05	+1.3%
Bike safety	3.45	3.61	+0.15	+4.5%
Recreation Programs and Classes	3.44	3.47	+0.04	+1.1%
Support for Arts in the community	3.31	3.35	+0.04	+1.2%
Community Events	3.17	3.25	+0.08	+2.5%

5.3 Performance

Question(s) Analyzed

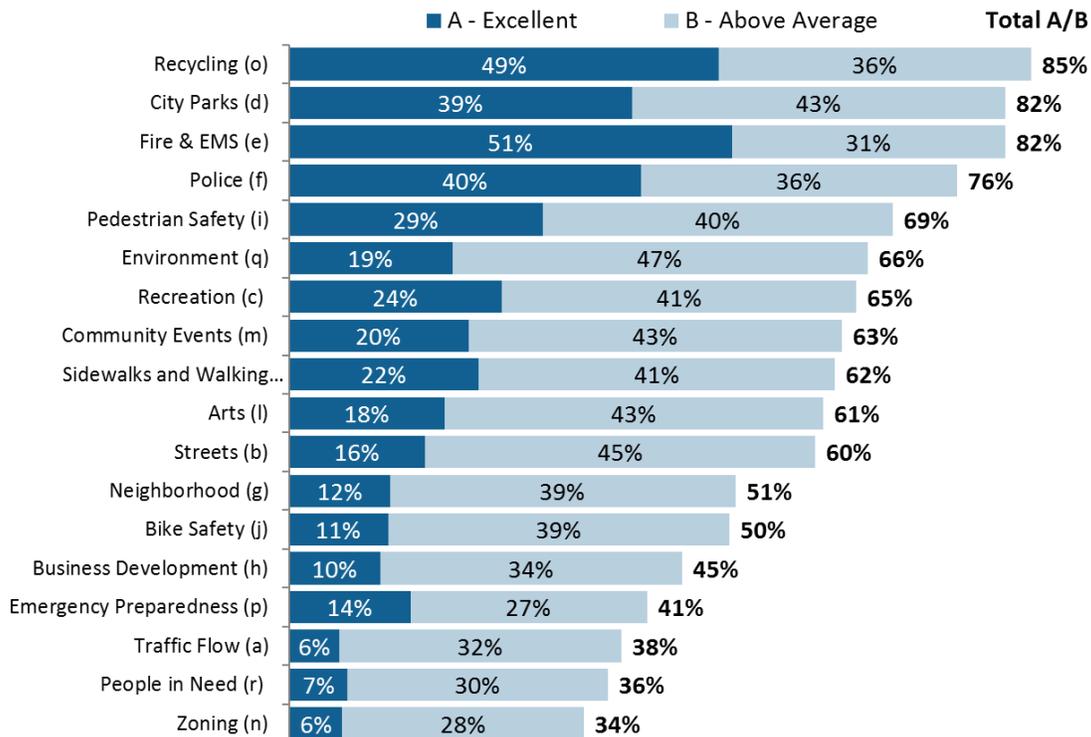
Q14. Using the same list, please tell me how well you think the city is doing in each area. Use an A thru F grading scale where A means Excellent, B means Above Average, C is Average, D is Below Average, and F is Failing.

Finding

- *For the most part, the City continues to perform best on those services/functions that residents see as most important - fire/emergency medical, police , pedestrian safety City parks and recycling/garbage*
- *Managing traffic flow is a service area where performance significantly trails importance and represents an opportunity for the City to respond to a perceived deficiency.*

Five of the top six services/functions in terms of importance are also in the top six in terms of performance, meaning that for the most part, the City is performing best on those services/functions that residents see as most important. Managing traffic flow which was seventh in average importance ranks 16th in performance, with just over half (55%) giving it an A or B grade.

Figure 5-4 – Performance Total A/B Grade



As with the importance ratings, there are some minor differences in average performance between Pre-annex and Post-annex residents, but the overall order is largely the same.

Figure 5-5 – Average Performance Pre and Post Annex

Service Item	Pre-Annex	Post-Annex
	2014	
Fire and Emergency Medical Services	4.52	4.35
City Parks	4.31	4.07
Recycling and Garbage Collection	4.31	4.33
Police Services	4.26	4.10
Recreation Programs and Classes	4.07	3.97
Pedestrian safety	4.03	3.84
Community Events	3.95	3.79
Protecting our natural environment	3.92	3.85
Support for Arts in the community	3.88	3.82
Emergency Preparedness	3.81	3.62
Availability of Sidewalks and Walking Paths	3.77	3.72
Support for Neighborhoods	3.73	3.57
Bike safety	3.66	3.50
Maintaining streets	3.64	3.60
Services for People in Need	3.63	3.49
Attracting and Keeping Businesses in Kirkland	3.49	3.43
Zoning and Land Use	3.18	3.20
Managing Traffic Flow	3.17	3.18

5.4 Performance - Comparison with 2012

Finding

- *Attracting and keeping businesses in Kirkland, recreation programs and classes, City parks have all seen positive increases in performance ratings.*
- *Most of the top services /attributes in importance have seen an increase in their performance rating.*
- *The performance rating for managing traffic flow has dropped significantly since 2012.*

Across all 18 services/functions mean performance is up 1.2%. Thirteen of 18 have shown a performance increase, 4 services/functions are down slightly, and managing traffic flow is down significantly (-8.8%), while also increasing in importance.

Figure 5-6 – Performance Year-to-Year Comparison (Ranked by Performance)

Service Item	Performance 2012	Performance 2014	Change	% Increase/ Decrease
ALL SERVICES/FUNCTIONS	3.76	3.81	+0.04	+1.2%
Fire and Emergency Medical Services	4.36	4.45	+0.08	+1.9%
Recycling and Garbage Collection	4.27	4.32	+0.05	+1.1%
City Parks	4.04	4.21	+0.18	+4.4%
Police Services	4.12	4.19	+0.07	+1.8%
Recreation Programs and Classes	3.84	4.03	+0.19	+5.1%
Pedestrian safety	3.98	3.95	(-0.03)	(-0.8%)
Protecting our natural environment	3.81	3.89	+0.08	+2.2%
Community Events	3.79	3.89	+0.10	+2.6%
Support for Arts in the community	3.81	3.86	+0.05	+1.3%
Availability of Sidewalks and Walking Paths	3.69	3.75	+0.06	+1.7%
Emergency Preparedness	3.70	3.73	+0.03	+0.8%
Support for Neighborhoods	3.56	3.67	+0.11	+3.0%
Maintaining streets	3.58	3.62	+0.04	+1.2%
Bike safety	3.65	3.60	(-0.05)	(-1.3%)
Services for People in Need	3.64	3.58	(-0.06)	(-1.7%)
Attracting and Keeping Businesses in Kirkland	3.26	3.47	+0.21	+6.4%
Zoning and Land Use	3.20	3.19	(-0.01)	(-0.3%)
Managing Traffic Flow	3.48	3.17	(-0.31)	(-8.8%)

5.5 Importance vs. Performance – Gap Analysis

Finding

- The City's performance exceeds importance on 6 of the 18 services/functions tested and performance is comparable to importance for another 7 services/functions.
- The City is over performing relative to importance on community events, recreation programs and classes, support for arts, recycling and garbage collection, City parks and bike safety.
- The gap between importance and performance is largest on managing traffic flow by a significant margin. Other areas where the city is slightly underperforming include zoning and land use, maintaining streets, and services for people in need.

Figure 5-7 – Gap Analysis: Performance as a Percentage of Importance

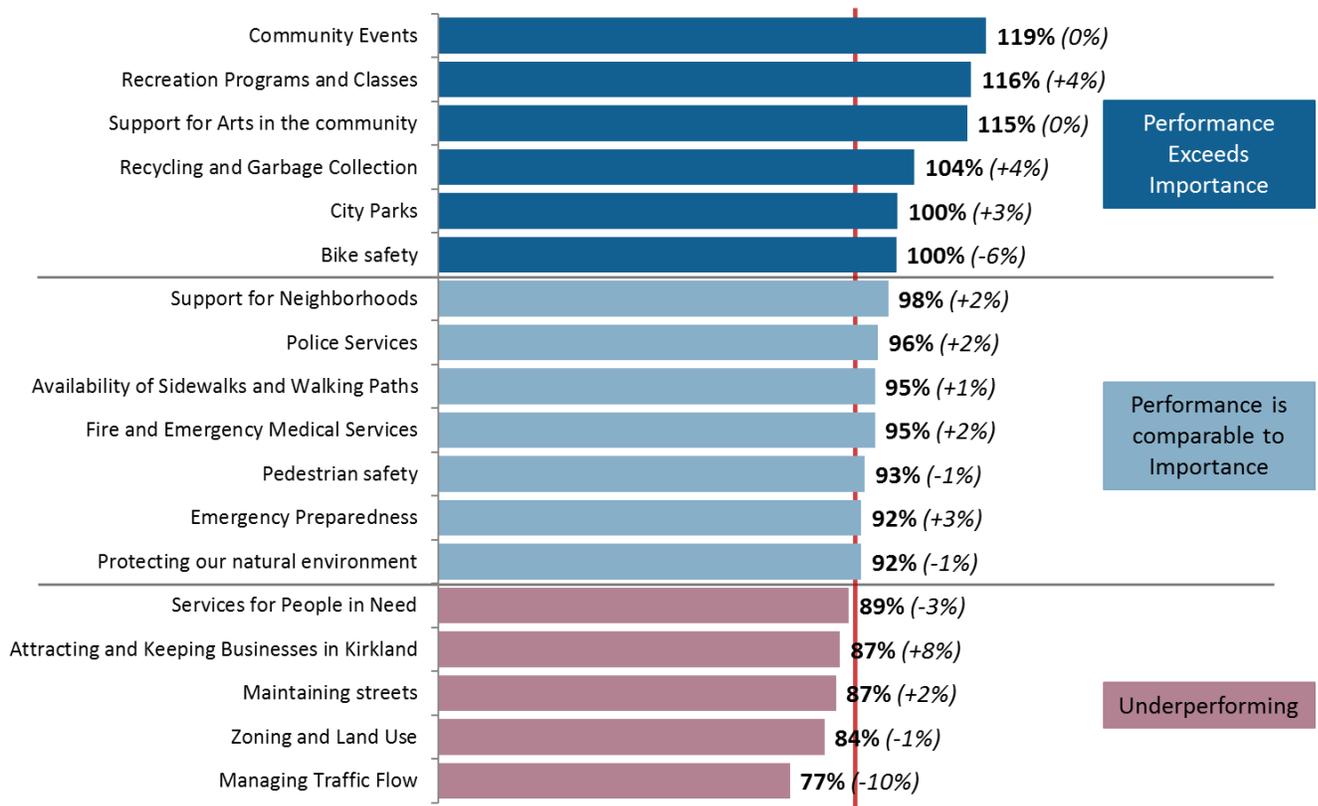


Figure 5-8 – Gap Analysis: Importance vs. Performance

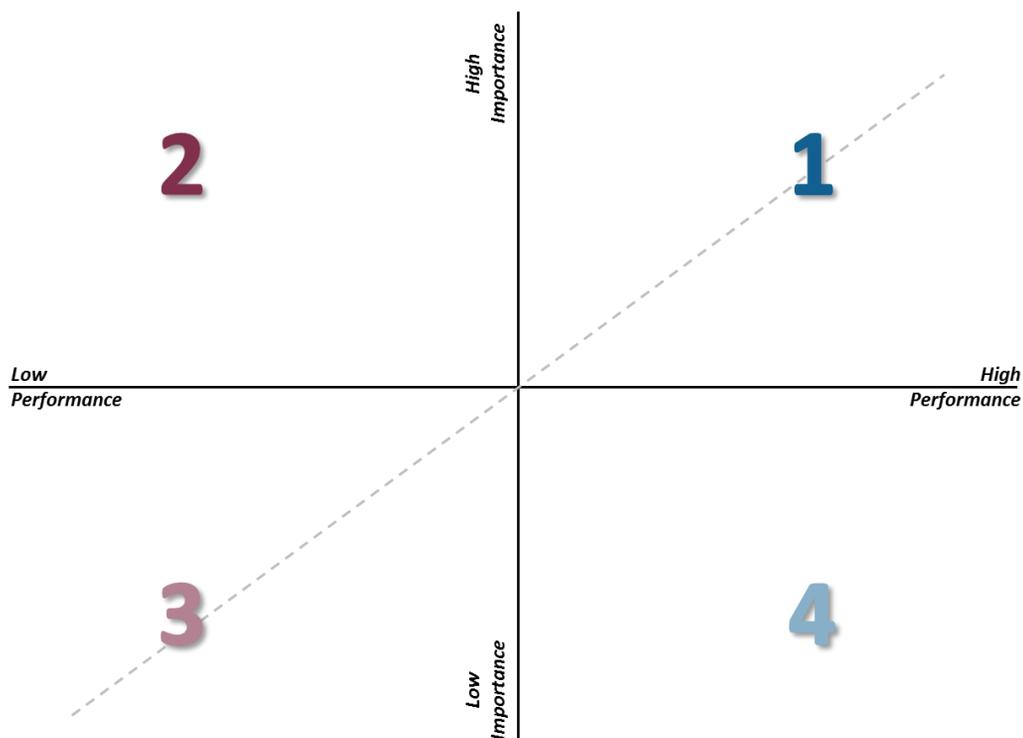
Service Item	Importance 2014	Performance 2014	Gap	Performance / Importance
ALL SERVICES/FUNCTIONS	3.97	3.81	+0.16	96.0%
Community Events	3.25	3.89	+0.63	119.4%
Recreation Programs and Classes	3.47	4.03	+0.56	116.0%
Support for Arts in the community	3.35	3.86	+0.51	115.2%
Recycling and Garbage Collection	4.16	4.32	+0.15	103.7%
City Parks	4.21	4.21	0.00	100.0%
Bike safety	3.61	3.60	-0.01	99.8%
Support for Neighborhoods	3.74	3.67	-0.07	98.0%
Police Services	4.37	4.19	-0.18	95.9%
Availability of Sidewalks and Walking Paths	3.94	3.75	-0.19	95.2%
Fire and Emergency Medical Services	4.68	4.45	-0.23	95.1%
Pedestrian safety	4.26	3.95	-0.30	92.8%
Emergency Preparedness	4.05	3.73	-0.32	92.2%
Protecting our natural environment	4.22	3.89	-0.33	92.1%
Services for People in Need	4.00	3.58	-0.42	89.5%
Attracting and Keeping Businesses in Kirkland	3.96	3.47	-0.50	87.5%
Maintaining streets	4.18	3.62	-0.56	86.7%
Zoning and Land Use	3.79	3.19	-0.60	84.1%
Managing Traffic Flow	4.14	3.17	-0.97	76.6%

5.6 Importance & Performance – Quadrant Analysis

Plotting the importance and performance on a quadrant chart allows items to be categorized in the following ways:

- 1) **High Importance & Performance** (top-right quadrant) – These are the services that residents view as very important and that the City is doing best with. Items in this category should be considered Kirkland’s **most valued strengths**.
- 2) **High Importance, Low Performance** (top-left quadrant) – Services falling into this category should be viewed as **opportunities for improvement**. These are the items that residents feel are very important but the City could be doing better with. Improving the services in this quadrant will have the greatest effect in improving citizens’ overall favorability of the City.
- 3) **Low Importance & Performance** (bottom-left quadrant) – Services in this category are **low-priority items** for residents and so lower performance here is not a critical issue for them. Some of these items may be raised by a vocal minority of residents but, for the most part, focusing too much on them will have a minimal impact on improving overall attitudes about the City.
- 4) **Low Importance, High Performance** (bottom-right quadrant) – This quadrant represents services that citizens think the City is doing well with but are believed to be less important. While items in this quadrant can be considered successes with certain niche groups, for most citizens, they are **not major drivers** of the City’s favorability.

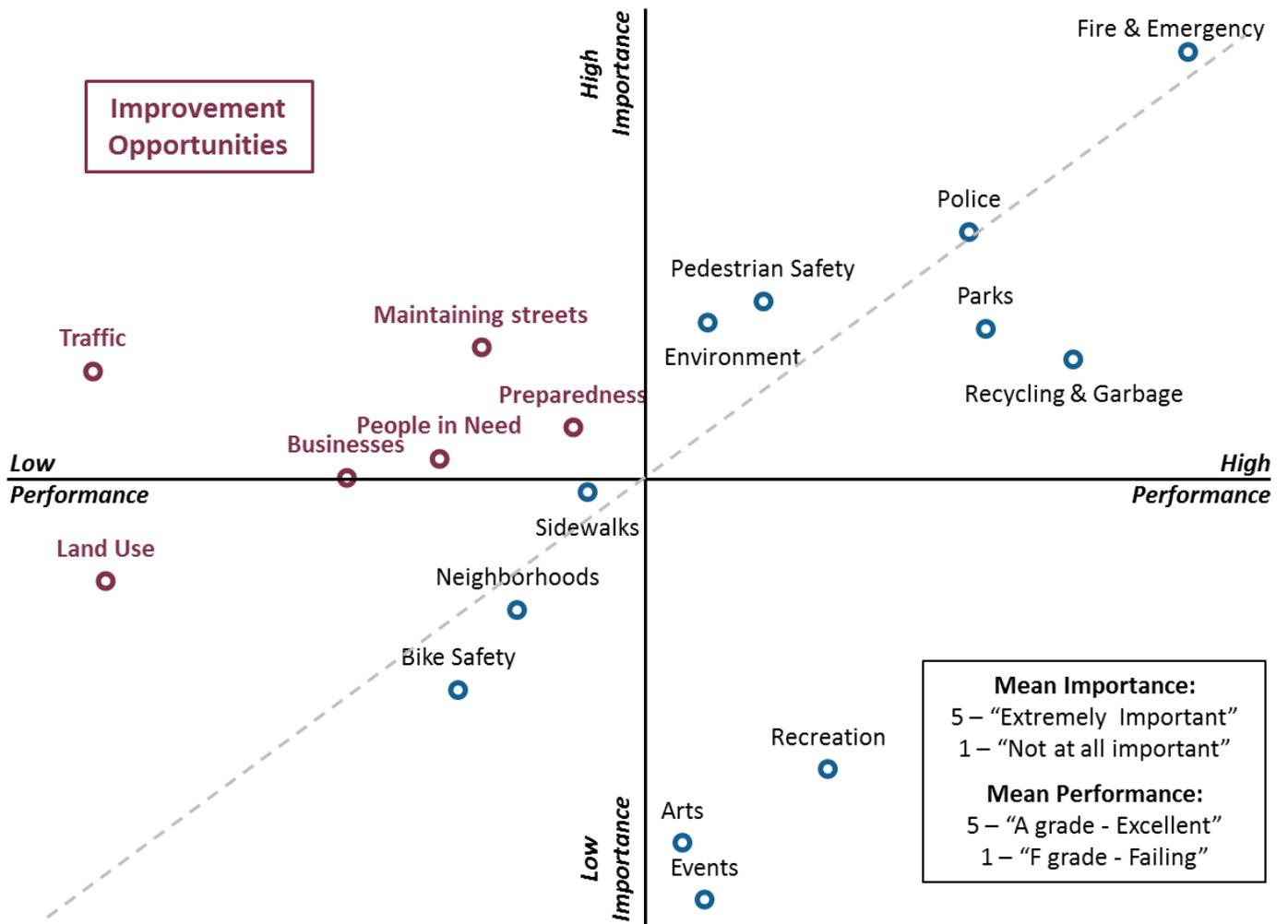
The diagonal line overlaying the chart represents where the ideal performance should be relative to the level of importance. Services falling on or near this line are performing optimally compared to how citizens value them. Items significantly left of the line may be potentially valuable improvement opportunities (even if they appear in quadrants 1 or 3) while items far right of the line may result in wasted resources if given too much focus.



This view shows that, overall, many items are exactly where they should be, with appropriate performance levels for their importance. Further, it once again shows that the City is doing well with most of the higher importance items – fire & emergency, police, parks, pedestrian safety, recycling/garbage and environment.

The most critical area for improvement opportunities is managing traffic flow. Among the higher importance services/functions, city parks and recycling/garbage services are over performing.

Figure 5-9 – Overall Importance & Performance Quadrant Chart



6 Cross Kirkland Corridor Project

6.1 Familiarity with the Cross Kirkland Corridor Project

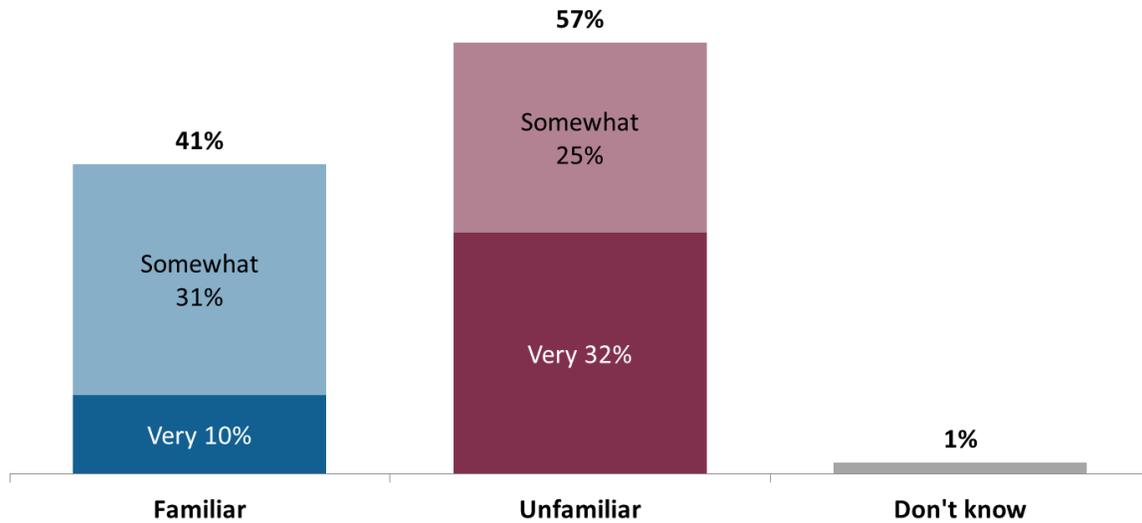
Question(s) Analyzed

Q20. How familiar would you say you are with transit plans for the Cross Kirkland Corridor - very familiar, somewhat familiar, not that familiar, or not at all familiar?

Finding

- *Roughly four-in-ten residents say they are familiar with transit plans for the Cross Kirkland Corridor, although only one-in-ten say they are "very familiar" with the plans.*

Figure 6-1 –Familiarity with the Cross Kirkland Corridor Project



6.2 Options for Transit in the Corridor

Question(s) Analyzed

Q21. As you may know, the Cross Kirkland Corridor was recently acquired by the City and provides a connection from the South Kirkland Park and Ride to Totem Lake. Along with bike and pedestrian trails, the City is planning to make the corridor ready for potential future light rail or bus rapid transit to connect residents from South Kirkland to Totem Lake and link Kirkland to light rail and other transit in Bellevue and Seattle. Right now the City is considering two options for transit in the corridor:

Please tell me which option you prefer?

Design the Cross Kirkland corridor for future high capacity transit, but wait for some years into the future until Sound Transit is ready to build and operate transit services as part of its regional investments.

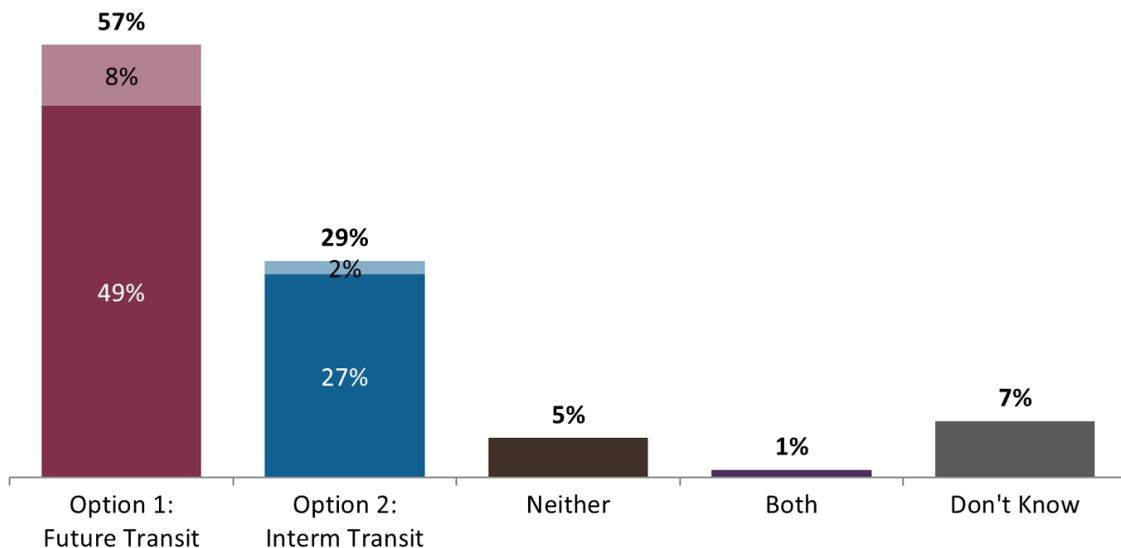
OR

Provide interim transit service on the Cross Kirkland corridor as soon as possible, funded by the City and other partners.

Finding

- *After hearing a description of potential options for transit in the Cross Kirkland Corridor a majority of residents say they prefer that the city design the corridor for future high capacity transit but wait until Sound Transit is ready to build and operate transit rather than having the city providing interim transit in the corridor funded by the city and other partners.*

Figure 6-2 – Corridor Options



7 Emergency Preparedness

7.1 Measures Taken to Prepare

Question(s) Analyzed

The following are things that some people have done to prepare their household for disasters or emergencies? As I read each one, just say yes if you have done that at your home.

- Q22. Stored three days of food and water for use in the event of an emergency
- Q23. Put together a kit for the car, with things like food, flashlight, blankets, & tire chains
- Q24. Established a plan to communicate with friends or relatives out of state
- Q25. Put active, working smoke detectors in your home

Finding

- *Kirkland residents' emergency preparedness is essentially unchanged since 2012 on 3 of the 4 items, but those saying they have three days of stored food/water has decreased from 70% to 62%.*

Most all residents (97%) have working smoke detectors in their home and six-in-ten (62%) have three days of stored food and water. Half (50%) of residents have put together an emergency kit for their car and half (48%) have established a communications plan.

Figure 7-1 – Emergency Preparedness Measures Taken

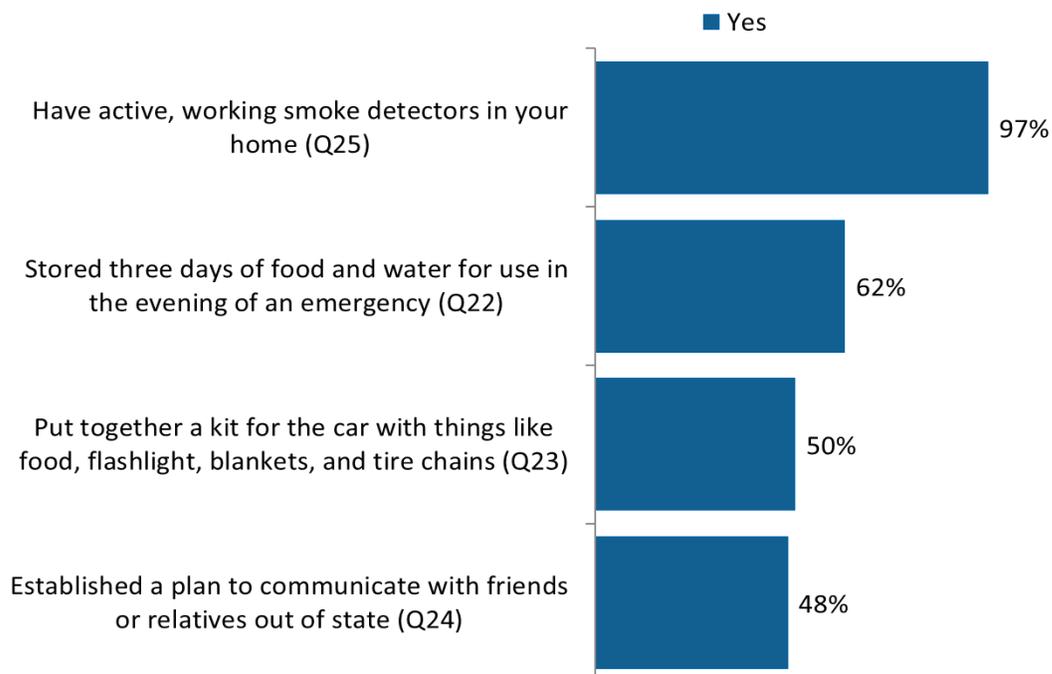
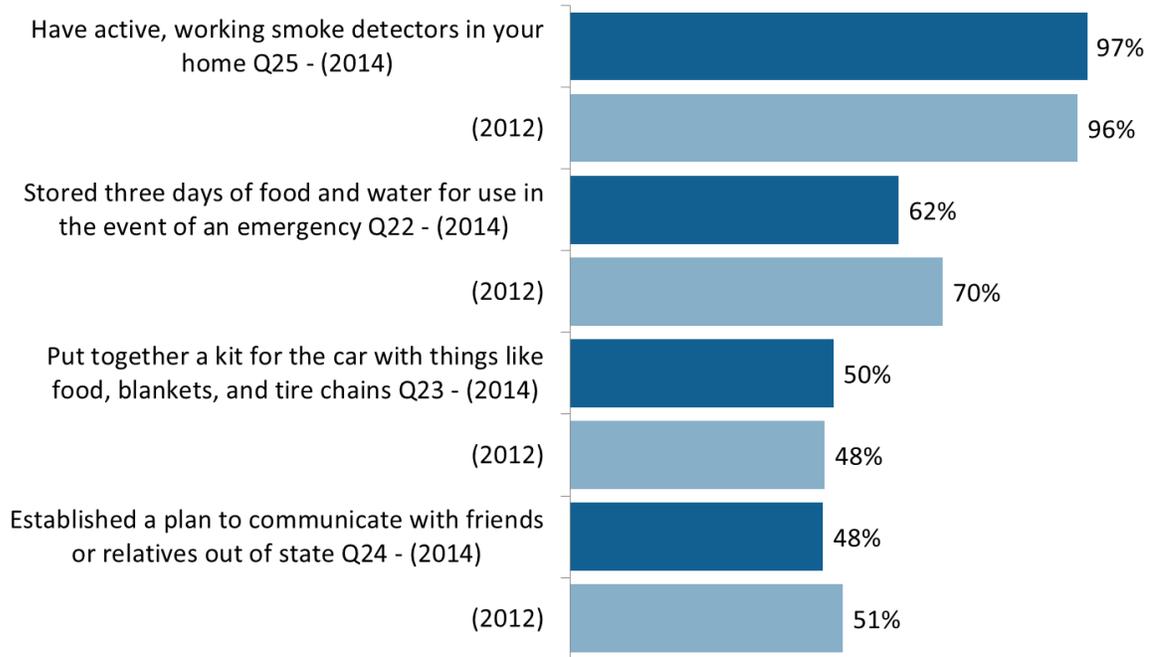


Figure 7-2 – Emergency Preparedness Measures Taken, 2012 and 2014



8 Demographics

8.1 Residency

8.2 Neighborhood

Question(s) Analyzed

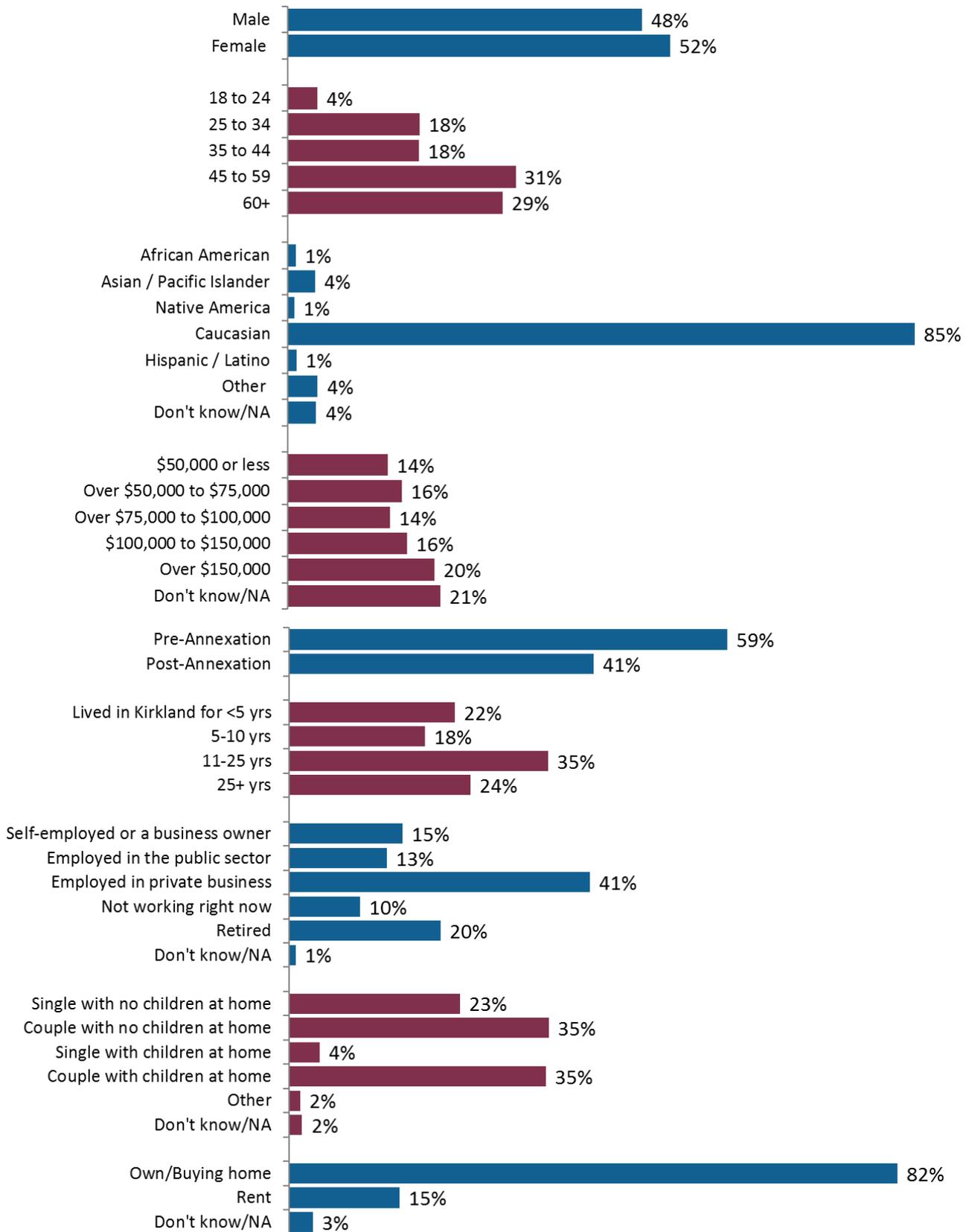
Q4. What neighborhood do you live in?

The table below shows the breakdown of respondents by neighborhood.

Figure 8-1 – Responses by Neighborhood, 2014 and 2012

Neighborhood	2012	2014
North Juanita	15%	19%
Finn Hill	14%	16%
Kingsgate	9%	14%
South Juanita	8%	1%
Central Houghton	8%	6%
North Rose Hill	7%	6%
South Rose Hill	6%	3%
Totem Lake	5%	2%
Norkirk	4%	5%
Bridle Trails	4%	5%
Market	3%	5%
Moss Bay	3%	3%
Highlands	2%	3%
Other	10%	11%
Don't Know/NA	4%	1%

8.3 Demographics



9 Topline Results

Hello, my name is _____, may I speak with **(NAME ON LIST)**.

Hello, my name is _____, and I'm conducting a survey for the City of Kirkland to find out how people in your area feel about some of the different issues facing them. We are not trying to sell anything, and are collecting this information on a scientific and completely confidential basis.

	2014	2012
Old Kirkland	59%	59%
New Kirkland	41%	41%
1. Are you registered to vote at this address?		
Yes----->CONTINUE	100%	100%
No-----> TERMINATE	--	--
Don't know/NA -----> TERMINATE	--	--
2. Gender [RECORD BY OBSERVATION]		
Male	48%	48%
Female	52%	52%
3. How long have you lived in Kirkland? [IF LESS THAN 12 MONTHS RECORD AS 1 YEAR]		
1 year	4%	
2-5 years	19%	
6-10 years	18%	
11-25 years	35%	
25+ years	24%	
4. What neighborhood do you live in? [READ LIST IF NECESSARY]		
North Juanita (North of NE 124th)	19%	15%
Finn Hill	16%	14%
Kingsgate (also known as Evergreen Hill)	14%	9%
Central Houghton	6%	8%
North Rose Hill (North of NE 85TH)	6%	7%
Bridle Trails	5%	4%
Market	5%	3%
Norkirk	5%	4%
Highlands	3%	2%
Moss Bay	3%	3%
South Rose Hill (south of NE 85TH)	3%	6%
Everest	2%	<1%
Totem Lake	2%	5%
South Juanita (South of NE 124th)	<1%	8%
Other	9%	3%
Don't Know/NA	1%	4%

5. How would you rate Kirkland as a place to live? Would you say it is...?

	2014	2012
Excellent	40%	35%
Very Good	46%	50%
Satisfactory	11%	11%
Only Fair	2%	3%
Poor	1%	1%
Don't Know/NA	<1%	--

6. What do you like best about living in Kirkland? **[ONE RESPONSE-DON'T PROBE]**

Convenience (general location)	36%	23%
Small town feel/ Community/ Neighborhood	23%	19%
Safety	8%	7%
Access to water	7%	11%
Close to parks/ recreation	7%	6%
Downtown Kirkland	5%	--
Beautiful scenery/ Peaceful/ Clean	4%	8%
Nice place to live (general positive)	2%	5%
Family/ Raised here	1%	3%
Close to Seattle	--	4%
Other	4%	10%
Nothing	2%	1%
Don't Know	1%	3%

7. When you think about the way things are going in Kirkland, what if anything concerns you? **[ONE RESPONSE ONLY]**

Over development/Growth	21%	15%
Traffic/Infrastructure	16%	7%
Taxes	8%	4%
Police/Issues with Police	5%	5%
Leadership issues/Management	4%	3%
Housing	4%	2%
Education/Schools	3%	2%
Budget/Spending	2%	6%
Totem Lake Mall vacancy	2%	3%
More Businesses/Leaving	2%	2%
Other	7%	15%
No/None/Nothing	23%	27%
Don't Know	3%	8%

Please tell me how you think Kirkland City government is doing in each of the following areas. Use a scale of excellent, good, only fair, or poor. If you aren't sure one way or the other, please just say so.

[BEFORE EACH: How would you rate (Insert QX)?

[PROMPT IF NESESARRY: Would you say it is excellent, good, only fair, or poor]

	Excellent	Good	Only Fair	Poor	(Don't know)	(NA)	Positive	Negative
[RANDOMIZE]								
8. the job the City doing overall								
2014	9%	62%	21%	3%	5%	1%	71%	24%
2012	10%	58%	18%	5%	9%	--	68%	22%
9. the job the City is doing managing the public's money								
2014	5%	30%	24%	7%	32%	3%	35%	30%
2012	5%	28%	24%	8%	36%	--	33%	32%
10. the job the City does keeping citizens informed								
2014	13%	50%	23%	6%	7%	1%	63%	29%
2012	12%	50%	22%	7%	8%	--	62%	29%
11. the job the City does delivering services efficiently								
2014	13%	57%	15%	3%	11%	1%	70%	18%
2012	16%	53%	17%	5%	9%	--	69%	22%
12. the job the City does focusing on the priorities that matter most to residents								
2014	6%	40%	22%	7%	23%	1%	46%	29%
2012	5%	41%	20%	9%	24%	--	46%	29%
[END RANDOMIZE]								

13. I'm going to read you a list of services and functions provided by the city. For each one, please tell me how important that city function is to you and your household. Use a scale of 1 to 5, where 1 means that it is "not at all important" and 5 means it is "extremely important."

[BEFORE EACH IF NECESSARY: How important is (Insert QX)

[AFTER EACH IF NECESSARY- 1 is "not at all important" and 5 is "extremely important"]

	1	2	3	4	5	(Don't know)	Mean
	Not at all Important			Extremely Important			
[RANDOMIZE]							
A. Managing Traffic Flow							
2014	2%	3%	17%	35%	43%	<1%	4.14
2012	3%	5%	18%	38%	36%	--	4.01
B. Maintaining streets							
2014	1%	2%	17%	36%	43%	--	4.18
2012	1%	2%	15%	39%	43%	--	4.21
C. Recreation Programs and Classes							
2014	5%	12%	30%	33%	18%	2%	3.47
2012	8%	10%	30%	32%	18%	1%	3.44
D. City Parks							
2014	1%	3%	14%	35%	46%	<1%	4.21
2012	2%	2%	18%	35%	43%	1%	4.14
E. Fire and Emergency Medical Services							
2014	1%	1%	4%	19%	75%	1%	4.68
2012	1%	-	5%	16%	77%	--	4.68
F. Police Services							
2014	2%	2%	9%	31%	56%	--	4.37
2012	2%	3%	9%	24%	61%	1%	4.40
G. Support for Neighborhoods							
2014	2%	8%	27%	33%	25%	4%	3.74
2012	4%	9%	21%	36%	23%	6%	3.69
H. Attracting and Keeping Businesses in Kirkland							
2014	3%	5%	19%	34%	37%	2%	3.96
2012	4%	3%	15%	32%	45%	1%	4.13
I. Pedestrian safety							
2014	2%	4%	13%	32%	50%	<1%	4.26
2012	3%	4%	11%	32%	50%	--	4.22
J. Bike safety							
2014	8%	9%	25%	29%	28%	2%	3.61
2012	11%	11%	23%	27%	26%	2%	3.45
K. Availability of Sidewalks and Walking Paths							
2014	2%	6%	20%	37%	34%	<1%	3.94
2012	3%	7%	19%	36%	36%	--	3.94
L. Support for Arts in the community							
2014	8%	13%	32%	28%	18%	1%	3.35
2012	8%	14%	32%	30%	15%	1%	3.31

	1 Not at all Important	2	3	4	5 Extremely Important	(Don't know)	Mean
M. Community Events							
2014	7%	14%	36%	28%	12%	1%	3.25
2012	10%	14%	36%	32%	9%	--	3.17
N. Zoning and Land Use							
2014	5%	6%	25%	29%	31%	4%	3.79
2012	3%	6%	28%	29%	28%	6%	3.76
O. Recycling and Garbage Collection							
2014	1%	4%	15%	37%	43%	--	4.16
2012	1%	2%	13%	36%	48%	--	4.27
P. Emergency Preparedness							
2014	1%	3%	22%	31%	38%	4%	4.05
2012	2%	3%	18%	28%	46%	3%	4.16
Q. Protecting our natural environment							
2014	2%	3%	15%	32%	48%	<1%	4.22
2012	4%	2%	17%	34%	42%	1%	4.10
R. Services for People in Need							
2014	2%	5%	18%	35%	35%	5%	4.00
2012	3%	5%	19%	33%	35%	5%	3.96
[END RANDOMIZE]							

14. Using the same list, please tell me how well you think the city is doing in each area. Use an A thru F grading scale where A means Excellent, B means Above Average, C is Average, D is Below Average, and F is Failing.

[BEFORE EACH IF NECESSARY: How well do you think the city is doing (INSERT X)]

[AFTER EACH IF NECESSARY A is "Excellent and F is "Failing"]

	A- Excellent	B- Above Average	C- Average	D- Below Average	F- Failing	Don't Know	Grade
[RANDOMIZE]							
A. Managing Traffic Flow							
2014	6%	32%	39%	14%	6%	3%	2.17
2012	9%	46%	29%	9%	4%	3%	2.48
B. Maintaining streets							
2014	16%	45%	27%	9%	3%	2%	2.62
2012	13%	42%	34%	7%	2%	2%	2.58
C. Recreation Programs and Classes							
2014	24%	41%	19%	1%	<1%	15%	3.03
2012	17%	39%	16%	5%	1%	21%	2.84
D. City Parks							
2014	39%	43%	13%	2%	1%	3%	3.21
2012	28%	47%	16%	3%	1%	5%	3.04
E. Fire and Emergency Medical Services							
2014	51%	31%	6%	1%	<1%	10%	3.45
2012	47%	31%	8%	2%	1%	11%	3.36
F. Police Services							
2014	40%	36%	12%	3%	1%	7%	3.19
2012	39%	35%	11%	4%	3%	7%	3.12
G. Support for Neighborhoods							
2014	12%	39%	25%	5%	1%	18%	2.67
2012	11%	31%	28%	4%	3%	23%	2.56
H. Attracting and Keeping Businesses in Kirkland							
2014	10%	34%	29%	7%	4%	14%	2.47
2012	10%	27%	28%	14%	5%	17%	2.26
I. Pedestrian safety							
2014	29%	40%	20%	6%	1%	5%	2.95
2012	27%	44%	18%	4%	1%	6%	2.98
J. Bike safety							
2014	29%	40%	20%	6%	1%	5%	2.95
2012	27%	44%	18%	4%	1%	6%	2.65
K. Availability of Sidewalks and Walking Paths							
2014	22%	41%	25%	9%	1%	3%	2.75
2012	14%	47%	26%	6%	2%	4%	2.69
L. Support for Arts in the community							
2014	18%	43%	19%	4%	1%	15%	2.86
2012	17%	38%	22%	5%	1%	17%	2.81

	A- Excellent	B- Above Average	C- Average	D- Below Average	F- Failing	Don't Know	Grade
M. Community Events							
2014	20%	43%	23%	3%	1%	10%	2.89
2012	16%	41%	25%	4%	1%	15%	2.79
N. Zoning and Land Use							
2014	6%	28%	28%	12%	6%	20%	2.19
2012	4%	26%	25%	9%	6%	29%	2.20
O. Recycling and Garbage Collection							
2014	49%	36%	10%	3%	1%	2%	3.32
2012	45%	39%	10%	2%	2%	2%	3.27
P. Emergency Preparedness							
2014	14%	27%	21%	4%	1%	33%	2.73
2012	14%	29%	18%	5%	2%	32%	2.70
Q. Protecting our natural environment							
2014	19%	47%	21%	2%	1%	10%	2.89
2012	17%	43%	21%	4%	2%	13%	2.81
R. Services for People in Need							
2014	7%	30%	25%	4%	1%	34%	2.58
2012	9%	28%	20%	4%	1%	38%	2.64

[END RANDOMIZE]

15. Thinking about the types of stores, goods and services available in Kirkland... would you say that you are?

	2014	2012
Very satisfied with the availability of goods and services in Kirkland	21%	21%
Satisfied	59%	60%
Dissatisfied	17%	14%
Very dissatisfied with the availability of goods and services in Kirkland	3%	3%
Don't Know/NA	1%	2%

16. In general, how safe do you feel walking alone in your neighborhood during the day?

Very Safe	79%	71%
Safe	18%	27%
Somewhat Unsafe	2%	1%
Very Unsafe	<1%	--
Don't know/NA	<1%	--

17. And how safe do you feel walking alone in your neighborhood after dark?

Very Safe	40%	34%
Safe	43%	45%
Somewhat Unsafe	14%	16%
Very Unsafe	2%	4%
Don't know/NA	2%	2%

[IF Q17=3 or 4 ASK FOLLOW UP 18]18. **(IF UNSAFE)** Why do you feel unsafe? (*n*=79, *MoE*= ±11%) **[ACCPET TWO RESPONSES-DO NOT PROBE]**

Lack of streetlights/Dark	35%
Crime	26%
Night time is unsafe	14%
Strangers	12%
No sidewalks	7%
Other	7%

(RESUME ASKING EVERYONE)

19. In general, how satisfied are you with your neighborhood's infrastructure such as streets and sidewalks, and roadside landscaping?

Very satisfied	32%	27%
Somewhat satisfied	50%	55%
Somewhat dissatisfied	13%	14%
Very dissatisfied	5%	4%
Don't know/NA	<1%	2%

20. How familiar would you say you are with transit plans for the Cross Kirkland Corridor - very familiar, somewhat familiar, not that familiar, or not at all familiar?

Very Familiar	10%
Somewhat Familiar	31%
Not that Familiar	25%
Not at all Familiar	32%
Don't Know/Refused	1%

21. As you may know, the Cross Kirkland Corridor was recently acquired by the City and provides a connection from the South Kirkland Park and Ride to Totem Lake. Along with bike and pedestrian trails, the City is planning to make the corridor ready for potential future light rail or bus rapid transit to connect residents from South Kirkland to Totem Lake and link Kirkland to light rail and other transit in Bellevue and Seattle. Right now the City is considering two options for transit in the corridor:

Please tell me which option you prefer?

[ROTATE]

[Option 1:] Design the Cross Kirkland corridor for future high capacity transit, but wait for some years into the future until Sound Transit is ready to build and operate transit services as part of its regional investments.

OR

[Option 2:] Provide interim transit service on the Cross Kirkland corridor as soon as possible, funded by the City and other partners.

[END ROTATE]

(IF UNDECIDED/NOT SURE) Well which option do you lean towards?

Option 1	49%
(Lean option 1)	8%
Option 2	27%
(Lean option 2)	2%
Neither	5%
Both	1%
Don't know	7%

The following are things that some people have done to prepare their household for disasters or emergencies? As I read each one, just say yes if you have done that at your home. The first one is...

	Yes	No	(Don't Know)
[RANDOMIZE]			
22. Stored three days of food and water for use in the event of an emergency.			
2014	62%	37%	1%
2012	70%	29%	1%
23. Put together a kit for the car, with things like food, flashlight, blankets, & tire chains.			
2014	50%	50%	1%
2012	48%	52%	--
24. Established a plan to communicate with friends or relatives out of state.			
2014	48%	50%	2%
2012	51%	47%	2%
25. Have active, working smoke detectors in your home.			
2014	97%	2%	<1%
2012	96%	4%	1%

[END RANDOMIZE]

26. In general, how well-informed would you say you are about Kirkland City government? Would you say you are...?

	2014	2012
Well Informed	10%	11%
Somewhat informed	45%	46%
Not very informed	45%	43%
Don't know/NA	<1%	--

27. What is your primary source of information for finding out what is going on with Kirkland City government?
[ASK OPEN ENDED- CODE USING LIST]

City Web Page	13%	10%
Kirkland Reporter	31%	31%
City Newsletter	16%	16%
City Television Channel	5%	6%
Local Blogs	2%	3%
Twitter	1%	1%
Facebook	2%	1%
City email list	3%	6%
Neighborhood association meetings	5%	5%
None	4%	5%
Don't know/NA	4%	3%
Other	14%	3%

Finally, I'd like to ask you a few questions for statistical purposes only.

28. Which the following best describes you at this time? Are you. . .
- | | | |
|--|-----|-----|
| Self-employed or a business owner | 15% | 17% |
| Employed In The Public Sector, Like a Governmental Agency or Educational Institution | 13% | 10% |
| Employed In Private Business | 41% | 36% |
| Not Working Right Now | 10% | 14% |
| Retired | 20% | 21% |
| Don't know/NA | 1% | 2% |
29. Which of the following best describes your household?
- | | | |
|---------------------------------|-----|-----|
| Single with no children at home | 23% | 26% |
| Couple with no children at home | 35% | 29% |
| Single with children at home | 4% | 7% |
| Couple with children at home | 35% | 33% |
| Other | 2% | 1% |
| Don't know/Refused | 2% | 3% |

30. Which of the following best describes your race or ethnic background?

	2014	2012
African American	1%	1%
Asian / Pacific Islander	4%	4%
American Indian / Native American	1%	<1%
Caucasian	85%	85%
Hispanic / Latino	1%	2%
Other	4%	3%
Don't know/NA	4%	4%

31. Do you own or rent the place in which you live?

Own/(DNR: Buying)	82%	76%
Rent	15%	20%
Don't know/NA	3%	4%

32. Finally, I am going to list four broad categories. Just stop me when I get to the category that best describes your approximate household income - before taxes - for 2013. **[ROTATE TOP/BOTTOM]**

\$50,000 or less	14%	22%
Over \$50,000 to \$75,000	16%	14%
Over \$75,000 to \$100,000	14%	13%
\$100,000 to \$150,000	16%	21%
Over \$150,000	20%	12%
Don't know/NA	21%	18%

33. Do you have a cell phone or not?

Yes	92%	92%
No	7%	6%
Refused	1%	2%

[IF Q33=2 RESPONDENT DOES NOT HAVE CELLPHONE SKIP TO END]

34. How much do you rely on your cell phone? Would you say you rely on your cell phone... (n=458, MoE=±4.6%)

[READ RESPONSES]

All the time – it's your only phone	37%	33%
A great deal – it's your primary phone	28%	30%
Some – you use it occasionally	18%	22%
Very little – you mostly have it for emergencies	16%	14%
Don't know	<1%	
Refused	1%	

35. And for statistical purposes only, what year were you born? **[RECORD YEAR - VALID RANGE: 1900-1996: TERMINATE >= 1992]** IF "NA" ==> "Would you say you are age..." **[READ RESPONSES IN Q4]**

36. **[AGE - CODE AGE FROM PREVIOUS QUESTION]**

18 to 24	4%	6%
25 to 34	18%	16%
35 to 44	18%	18%
45 to 59	31%	31%
60 to 74	20%	
75+	10%	29%

THANK YOU!



CITY OF KIRKLAND
Department of Public Works
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www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracy Durnell, Environmental Education and Outreach Specialist
Jenna Higgins, Recycling Programs Coordinator
John MacGillivray, Solid Waste Programs Lead
Kathy Brown, Public Works Director

Date: April 5, 2016

Subject: Plastic Bag Reduction Policy Ordinance Fee Exemptions

RECOMMENDATION

Staff recommends that the City Council receive a presentation on potential interim exemption alternatives to the five cent paper bag fee requirement in the Plastic Bag Reduction Policy ordinance. If the Council selects any of the alternatives, the staff will return with an ordinance for the April 19 Council meeting. The Council also recommended that the Public Works, Parks, and Human Services Committee study any potential permanent changes in greater detail as the alternatives presented in this memorandum merit further research by staff and discussion.

BACKGROUND

At its February 17, 2015 meeting, the City Council passed an ordinance (Kirkland Municipal Code Chapter 16.05) banning retailers from providing disposable plastic carry-out bags to customers after March 1, 2016. Retailers now also must charge customers a minimum of five cents per large paper bag (1/8 barrel) to encourage customers to choose to use reusable bags instead of paper. The retailer retains the bag fees. *While the retailer is required to charge the fee and have it appear on the receipt, the ordinance does not require that the customer be asked if they wish to pay the fee.* No fee is required for smaller paper bags. Bags used by customers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy or small hardware items are still allowed, as are bags to wrap frozen foods, ice cream, meat or fish, flowers and other items where dampness is a problem. Newspaper and dry-cleaning bags are allowed as well. Further, retailers are restricted from providing thicker plastic bags that are not machine washable. This restriction was included to prevent retailers from circumventing the spirit of the ordinance by substituting thicker, disposable plastic bags for the restricted thinner bags.

At the March 14, 2016 Planning & Economic Development Committee meeting, committee members heard feedback from representatives of the Kirkland Downtown Association (KDA) and downtown merchants regarding the requirement for retailers to charge customers five cents for each large paper bag. The KDA indicated that it is not opposed to the plastic bag reduction policy; however, the KDA would like the City Council to reconsider the requirement that small

businesses be required to charge customers five cents for each paper bag. The KDA has asked the City Council to relax the bag fee requirements for small businesses before the Mother's Day weekend on May 8. Additional input was received during public comment at the City Council meeting on March 15, 2015 and Council directed staff to return with alternative interim solutions to address the following concerns raised by the KDA:

- The KDA believes that the paper bag fee is ineffective at motivating customers to bring their own bags particularly when patronizing small retail businesses. Many sales are made to people visiting Kirkland for reasons other than shopping and they are not carrying reusable bags.
- The paper bag fee is impacting merchants' ability to advertise their business with branded paper bags.
- The paper bag fee is offensive to some of their customers; and, according to the KDA, some customers are choosing to shop elsewhere because of the fee.

COMPARISON OF OTHER LOCAL PLASTIC BAG POLICIES

There are 14 plastic bag reduction policy ordinances in Washington State, including Kirkland. Nearly all require retailers to charge a fee for paper bags. Of the 14, only three (Edmonds, Mukilteo and Mercer Island) do not require retailers to charge customers a minimum of five cents for each large (1/8 barrel) paper bag.

In a cursory survey of the more than 100 plastic bag reduction policies in other states, about half do not include a charge on paper bags. Staff were not able to identify another plastic bag reduction policy that applies the plastic bag restrictions to a business but exempts them from the paper bag charge; where exemptions are granted, businesses are exempt from the entire policy (both the plastic bag restrictions and the paper bag fee).

EXAMPLES OF SMALL BUSINESS EXEMPTIONS

Some plastic bag reduction policies in other states and countries include exemptions for small businesses. California's statewide plastic bag policy, already adopted by many California cities, will exempt retail grocery stores with gross annual sales under \$2 million and pharmacies smaller than 10,000 square feet. Chicago's plastic bag policy exempts businesses under 10,000 square feet that are not part of a chain or franchise. The United Kingdom does not restrict plastic bags, but requires a charge for them; businesses with fewer than 250 full-time employees are exempt from the charge.

PLASTIC BAG POLICY EXEMPTION OPTIONS FOR KIRKLAND

There are 200 businesses in Kirkland which meet the definition of "Retail Establishment" per KMC 16.04.143 as referenced in KMC 16.05.020 Recycled Paper Bag Pass-through Charge. Retail businesses in Kirkland range greatly in terms of square footage, number of employees, and business type as coded in the North American Industry Classification System (NAICS). Additionally, many Kirkland businesses have small retail spaces and a small number of employees. This presents a challenge to select equitable criteria with the intended effect of only exempting a small group of businesses, such as the downtown merchants, without inadvertently

casting a wider net. For example, a square footage criterion could exempt small grocery stores or convenience stores with more daily transactions. The five cent fee is intended to encourage the patrons of the aforementioned stores to remember and use their reusable bags.

For the Council's consideration, staff has presented six options below. A list of all businesses affected by the policy, along with a list of the names and types of business that would be exempted from the bag fee for each option, is included in *Attachment A*.

Option 1: Take No Action

The City Council could elect to take no action and make no revisions or amendments to the existing plastic bag reduction policy ordinance. As is typical with plastic bag policies in other jurisdictions, there is often a short-term period of adjustment as affected business owners and residents become accustomed to the new regulations.

Option 2: Exemption by Square Footage

For the purposes of this alternative, staff arbitrarily selected 5,000 square feet or less as a reasonable definition of a Kirkland small business. In its plastic bag reduction policy ordinance, the City of Issaquah defined a small business as 7,500 square feet and allowed those business one additional year beyond the effective date to comply with the ordinance. The Towns of Brookline, Bridgewater, and Newton, MA, exempted businesses that are not chain stores and are under 2,500, 3,000, and 3,500 square feet, respectively. The City of Chicago exempted businesses with less than 10,000 square feet with three or fewer locations that are not a chain or franchise. If 5,000 square feet were to be used as the exemption threshold in Kirkland, 148 of the 200 (74%) businesses affected by the policy would be exempted from charging the five cent paper bag fee.

Some of the other issues and complications that arise with this method:

1. A business' exemption status could fluctuate if relocates to a smaller or larger retail space.
2. Does square footage include just retail space or does it include back of house office and storage space?
3. The 5,000 square foot threshold would exempt several small grocery stores, gas and convenience stores such as Jacksons or 7-Eleven, thrift stores, and seasonal market vendors from having to levy the five cent bag fee.

Option 3: Exemption by Number of Full Time Employees (FTE)

The United States Small Business Association (SBA) size standards define whether a business entity is small and, thus, eligible for Government programs and preferences reserved for "small business" concerns. Size standards have been established for types of economic activity, or industry, generally under the North American Industry Classification System (NAICS). One of the size standards used by the SBA is the number of FTE-equivalent employees but the definition of a small business under [Section 44-45 Retail Trade](#) uses gross retail sales as the filter, with annual sales ranging between \$7.5 million up to \$38.5 million depending on the

specific subsector code. Washington State RCW [39.26.010](#) defines a small business as having 50 or fewer employees or gross revenues of less than \$7 million per year. Since gross revenue data are protected by Washington State Law, staff does not have access to that information. No definition of small business could be found in the Kirkland Municipal Code. However, Per KMC 7.02.160, Kirkland does give businesses with ten or few employees a one year exemption from its Revenue Generating Regulatory License Fee.

If 50 or fewer employees were selected as the threshold, 187 of the 200 (94%) businesses affected by the policy would be exempted from the five cent fee requirement. Since the majority of the retailers affected by the policy are under fifty FTEs, staff selected ten employees and five employees as possible thresholds for a bag fee exemption. For the ten FTE or less standard, 161 businesses (81%) would be exempted. If five FTEs or less were selected, 136 (68%) businesses would not have to charge a paper bag fee.

Some of the complications that arise with this method:

1. Similar to the square footage threshold, this method casts a wide net and would exempt several small grocery stores, gas and convenience stores, thrift stores, and seasonal market vendors from having to charge the five cent bag fee.
2. As FTEs are added or subtracted, a business' status may fluctuate between having to charge a bag fee and being exempt from the fee.

Option 4: Exemption by Business Type (NAICS code)

Grocery stores, super centers, pharmacies, and convenience stores are the main targets for plastic bag reduction policies. California's statewide plastic bag ban applies only to retail establishments that sell at least some perishable items, pharmacies, and convenience stores. Staff identified the following NAICS codes to consider not exempting from the five cent fee requirement. These types of businesses tend to be destinations where the consumer plans to go in advance and thus can remember to bring their own reusable bag.

445110 - Supermarkets and Other Grocery (Except Convenience) Stores
 445120 - Convenience Stores
 446110 – Pharmacies and Drug Stores
 447110 – Gasoline Stations
 447190 – Other Gasoline Stations
 452910 – Warehouse Clubs and Supercenters

If the above NAICS codes for supermarkets, convenience stores, supercenters, and pharmacies were to be used as the non-exemption standard in Kirkland, 142 of the 200 businesses (71%) would be exempt.

Some of the complications that arise with this method:

1. Some large retailers currently in Kirkland do not fall under these NAICS codes and would be exempted, including clothing stores like Ross and Famous Footwear, office and craft supply stores like Office Max and Michael's, and secondhand stores such as Goodwill and Value Village. Other large retailers that would be exempted may locate at the upcoming

redevelopments of Totem Lake Mall and Kirkland Urban. Using the NAICS approach, it would not be possible to apply the paper bag charge to these stores without affecting small businesses in the same category.

Option 5: Exemption Hybrid by Square Footage and Business Type

The California statewide plastic bag policy combines sales numbers and square footage with business types to apply their restrictions more specifically. Combining Options 2 (Square Footage) and 4 (Business Type) could allow Kirkland to target the paper bag fee exemptions towards small businesses that are likely to give out a smaller number of bags. Exempting businesses that are under a square footage threshold and are not one of the selected NAICS codes would address the issue of small grocery stores and convenience stores. If 5,000 square feet were to be used as the exemption threshold, applied only to businesses that are not categorized by the NAICS codes for supermarkets, convenience stores, supercenters, and pharmacies listed in Option 4, 113 of the 200 (57%) businesses would be exempt.

Some of the complications that arise with this method:

1. The combination standards may be confusing for both businesses and customers.

Option 6: Eliminate the Five Cent Bag Fee Requirement

The simplest option would be to eliminate the five cent fee requirement for all businesses in Kirkland, and leave only the plastic bag restrictions in place. This would be more in keeping with other plastic bag reduction policies in Edmonds, Mercer Island, and Mukilteo.

Some of the complications that arise with this method:

1. Eliminating the fee entirely would remove the customer's incentive to reduce their use of paper bags. Where plastic bag reduction policies are not associated with a paper bag fee, bag use shifts to single-use paper bags instead of reusable bags or no bags. Ireland and Taiwan's plastic bag fees resulted in a shift to (free) single-use paper bags. An Australian study found that customers chose to use free single-use paper bags two-thirds of the time, versus less than one-third of the time when bags were not free. San Francisco's plastic bag policy did not originally include a fee on paper bags, and they amended the policy in 2012 to include a ten cent fee.

NEXT STEPS

If the City Council opts to amend the plastic bag reduction policy ordinance, staff will bring back an ordinance for the City Council's consideration at its April 19 meeting. Staff is prepared to implement a communication plan to ensure that any changes are communicated to the public and the business community. Although the Council described these potential changes as "interim", Staff recommends that the Council consider carefully adopting interim policy measures that will be tightened or reversed later and instead consider any actions as more long-term. Shifting and re-shifting policies would be confusing to both businesses and the public. The Council should avoid scenarios where a business might be exempted under interim measures but have to reinstate paper bag charges in the future if permanent exemptions were narrower.

Businesses Exempted From Paper Bag Fee: Six Exemption Options

Option 1: No Change

None of the 200 affected businesses would be exempted from the five cent paper bag charge.

Option 2: 5000 Square Feet or Less

- | | |
|---|---|
| 1. 76 STORE #5494 | 34. CORNER COMICS |
| 2. 7-ELEVEN #19911 | 35. CRAZY TIMMY GAMES |
| 3. 7-ELEVEN 2360-18146E | 36. CRUSH FOOTWEAR |
| 4. 7-ELEVEN STORE #27304B | 37. CSE FACTORY DIRECT OUTLET |
| 5. 7I-ELEVEN 2360-20477E | 38. D & S VARIETY |
| 6. ABSOLUTELY FABULOUS
CONSIGNMENT | 39. DANCEWEAR CENTER |
| 7. AGENT FASIONROOM BOUTIQUE | 40. DOOLEY'S DOG HOUSE |
| 8. ALL WALL EQUIPMENT CO INC | 41. EARTHLIGHT INC |
| 9. ALLELUIA! CATHOLIC STORE | 42. EASTSIDE AUDUBON SOCIETY |
| 10. AMAZING HEROES TOYS COMICS &
VIDEO GAMES | 43. EASTSIDE COMMUNITY AID THRIFT
SHOP |
| 11. AMES TAPING TOOLS | 44. ECO CARTRIDGE STORE |
| 12. AN ARTFUL TOUCH | 45. EPICUREAN EDGE |
| 13. ARBAT FOOD MARKET | 46. ESSENTIALS BOUTIQUE LLC |
| 14. ARCO AM/PM | 47. EVERYDAY ATHLETE LLC |
| 15. ARTS DANCE SHOP | 48. EXCLUSIVE SALON PRODUCTS |
| 16. ASHER GOODS | 49. EYE AND CONTACT LENS CENTER |
| 17. ASSURED PHARMACY | 50. EYE CANDY LLC |
| 18. BAYSIDE WIRELESS LLC | 51. FENA FLOWERS, INC. |
| 19. BEDROCK NORTHWEST | 52. FORGET-ME-NOT CONSIGNMENTS |
| 20. BEL-KIRK STAMP, COIN & COMIC | 53. FOUND INTERIORS |
| 21. BIKINI BEACH | 54. FRED MEYER #391 FUEL CENTER |
| 22. BOOBOO BARKERY & BOUTIQUE | 55. FRED MEYER JEWELERS #00391 |
| 23. BOOMERANG KIDS CONSIGNMENT | 56. FRESH VITAMINS |
| 24. BRIDLE TRAILS SHOE REPAIR | 57. FVC |
| 25. BRITTANY FLOWERS OF KIRKLAND | 58. GENERAL NUTRITION CENTER |
| 26. CANYON FLIGHT TRADING
COMPANY | 59. GEORGE'S EASTSIDE SHELL |
| 27. CG GEMS | 60. GNC |
| 28. CHAMPAGNE TASTE | 61. GO WIRELESS |
| 29. CIGAR USA | 62. GRAND REVE VINTNERS LLC |
| 30. CIRCA 15 FABRIC STUDIO LLC | 63. GREATER KIRKLAND CHAMBER OF
COMMERCE |
| 31. CLINICWEAR | 64. HALEY'S COTTAGE |
| 32. COLONIAL OPTICAL LLC | 65. HEPBURN |
| 33. COMMON FOLK LLC | 66. HERBAN WELLNESS LLC |

67. HIGHER LEAF MARIJUANA BOUTIQUE
68. HOMESCHOOL POTPOURRI
69. IN FOCUS OPTICAL
70. ISTINA INC
71. IVY
72. JACKSONS #619
73. JACKSONS #621
74. JANELL'S GLUTEN-FREE MARKET
75. JUANITA FIRS 76
76. JUANITA VISION CLINIC
77. KIRKLAND 76 INC.
78. KIRKLAND BICYCLE LLC
79. KIRKLAND SPORTS CARDS
80. KITANDA CO
81. LA PASTA LLC
82. LAKE STREET DIAMOND COMPANY LLC
83. LAKE WASH TECHNICAL BOOKSTORE
84. MARKET ON CENTRAL/SUBWAY #1647
85. MARY JANE
86. MB PHONES
87. MC SMOKE
88. METROPOLITAN MUSIC
89. MOSS BAY SHELL INC
90. MOUNTAIN HOMEBREW & WINE SUPPLY
91. MUCHO MAS GROCERY
92. MY GOODS MARKET #5494
93. NAM'S & HANNAH'S INC
94. NATURAL PET PANTRY
95. NATURE'S PET MARKET-KIRKLAND
96. NORTHWEST LIQUOR
97. NORTHWEST THRIFT STORE
98. OLYMPUS VAPOR
99. O'REILLY AUTO PARTS #3691
100. PACIFIC POWER BATTERIES OF KIRKLAND
101. PARK LANE GALLERY INC
102. PARTY FOR LESS
103. PIKE STREET PRESS
104. PLAY N TRADE
105. PUFFIN SMOKE
106. PURPOSE
107. QUALITY SEWING & VACUUM
108. RADIO SHACK #3341
109. RAGAMOFFYN'S INC
110. ROSEHILL CAR WASH
111. ROSEHILL SHELL
112. RUSSELL FASTENING INC
113. SAAGAR GROCERIES
114. SAHAND PERSAN GROCERY
115. SALLY BEAUTY SUPPLY 2920
116. SEATTLE THREAD COMPANY
117. SEDUCE BOUTIQUE
118. SERENDPITY
119. SERIAL KNITTERS YARN SHOP
120. SIMPLICITY ABC
121. SJT CELLARS LLC
122. SMOKE N CIGAR LLC
123. SMOKER'S CHOICE
124. SPOT SMOKE
125. SUPER 24
126. SUPER 24
127. SUPER FOOD STORE
128. TACOMA SCREW PRODUCTS
129. THE CAVE
130. THE GRAPE CHOICE
131. THE MINUS SHOP
132. THE PANZER DEPOT
133. TJ'S 99 CENTS PLUS
134. TOBACCO PATCH
135. TOTEM LAKE 76
136. TOTEM LAKE FOOD STORE
137. TOTEM LAKE SHOE REPAIR
138. TWISTED COUTURE INC
139. UNION 76
140. VIA LAGO
141. VILLAGE MART
142. VORTEX MUSIC & MOVIES
143. W.I.S.E.R. COMPANY
144. WARREN JEWELERS INC
145. WESCO AUTOBODY SUPPLY
146. WEST COAST PAINT SUPPLY
147. YARROW BAY 76
148. ZIP MAR

Option 3A: Ten or Fewer Full-Time Employees

1. 76 STORE #5494
2. 7-ELEVEN #19911
3. 7-ELEVEN 2360-18146E
4. 7-ELEVEN STORE #27304B
5. 7I-ELEVEN 2360-20477E
6. ABSOLUTELY FABULOUS
CONSIGNMENT
7. AGENT FASIONROOM BOUTIQUE
8. ALL WALL EQUIPMENT CO INC
9. ALLELUIA! CATHOLIC STORE
10. AMAZING HEROES TOYS COMICS &
VIDEO GAMES
11. AMES TAPING TOOLS
12. AN ARTFUL TOUCH
13. ARBAT FOOD MARKET
14. ARCO AM/PM
15. ARTS DANCE SHOP
16. ASHER GOODS
17. ASSURED PHARMACY
18. BAYSIDE WIRELESS LLC
19. BEDROCK NORTHWEST
20. BEL-KIRK STAMP, COIN & COMIC
21. BEST KEPT SECRET
22. BIKINI BEACH
23. BOOBOO BARKERY & BOUTIQUE
24. BOOMERANG KIDS CONSIGNMENT
25. BRIDLE TRAILS SHOE REPAIR
26. BRITTANY FLOWERS OF KIRKLAND
27. CANYON FLIGHT TRADING
COMPANY
28. CG GEMS
29. CHAMPAGNE TASTE
30. CIGAR USA
31. CIRCA 15 FABRIC STUDIO LLC
32. CLINICWEAR
33. COLONIAL OPTICAL LLC
34. COMMON FOLK LLC
35. CORNER COMICS
36. CRAZY TIMMY GAMES
37. CRUSH FOOTWEAR
38. CSE FACTORY DIRECT OUTLET
39. D & S VARIETY
40. DANCEWEAR CENTER
41. DOOLEY'S DOG HOUSE
42. EARTHLIGHT INC
43. EASTSIDE AUDUBON SOCIETY
44. EASTSIDE TRAINS, INC.
45. ECO CARTRIDGE STORE
46. EPICUREAN EDGE
47. ESSENTIALS BOUTIQUE LLC
48. EVERYDAY ATHLETE LLC
49. EXCLUSIVE SALON PRODUCTS
50. EYE AND CONTACT LENS CENTER
51. EYE CANDY LLC
52. FAMILY CHRISTIAN LLC
53. FAMOUS FOOTWEAR #2075
54. FENA FLOWERS, INC.
55. FINN HILL GAS STATION
56. FLEETPRIDE INC
57. FORGET-ME-NOT CONSIGNMENTS
58. FOUND INTERIORS
59. FRED MEYER #391 FUEL CENTER
60. FRED MEYER JEWELERS #00391
61. FRESH VITAMINS
62. FVC
63. GENERAL NUTRITION CENTER
64. GEORGE'S EASTSIDE SHELL
65. GNC
66. GO WIRELESS
67. GRAND REVE VINTNERS LLC
68. GREATER KIRKLAND CHAMBER OF
COMMERCE
69. HALEY'S COTTAGE
70. HANCOCK FABRICS #1302
71. HEPBURN
72. HERBAN WELLNESS LLC
73. HOMESCHOOL POTPOURRI
74. IN FOCUS OPTICAL
75. ISTINA INC
76. IVY
77. JACKSONS #619
78. JACKSONS #621
79. JANELL'S GLUTEN-FREE MARKET
80. JUANITA VISION CLINIC
81. KIRKLAND 76 INC.
82. KIRKLAND BICYCLE LLC

83. KIRKLAND FIREPLACE
84. KIRKLAND SPORTS CARDS
85. KITANDA CO
86. LA PASTA LLC
87. LAKE STREET DIAMOND COMPANY
LLC
88. LAKE WASH TECHNICAL
BOOKSTORE
89. LOVERS
90. MALLORY PAINT STORE INC
91. MARKET ON CENTRAL/SUBWAY
#1647
92. MARY JANE
93. MB PHONES
94. MC SMOKE
95. METROPOLITAN MUSIC
96. MILLER PAINT CO INC
97. MOSS BAY SHELL INC
98. MOUNTAIN HOMEBREW & WINE
SUPPLY
99. MUCHO MAS GROCERY
100. MY GOODS MARKET #5494
101. NAM'S & HANNAH'S INC
102. NATURAL PET PANTRY
103. NATURE'S PET MARKET-KIRKLAND
104. NORTHWEST LIQUOR
105. NORTHWEST THRIFT STORE
106. OLYMPUS VAPOR
107. O'REILLY AUTO PARTS #3691
108. PACIFIC POWER BATTERIES OF
KIRKLAND
109. PARK LANE GALLERY INC
110. PARTY FOR LESS
111. PIKE STREET PRESS
112. PLAY N TRADE
113. PNS
114. PUFFIN SMOKE
115. PURPOSE
116. QUALITY SEWING & VACUUM
117. RADIO SHACK #3341
118. RAGAMOFFYN'S INC
119. RISAN ATHLETICS
120. ROSEHILL SHELL
121. RUSSELL FASTENING INC
122. SAAGAR GROCERIES
123. SAHAND PERSAN GROCERY
124. SALLY BEAUTY SUPPLY 2920
125. SEATTLE THREAD COMPANY
126. SEDUCE BOUTIQUE
127. SERENDPITY
128. SERIAL KNITTERS YARN SHOP
129. SIMPLICITY ABC
130. SJT CELLARS LLC
131. SMOKE N CIGAR LLC
132. SMOKER'S CHOICE
133. SPIRIT HALLOWEEN SUPERSTORES
134. SPOT SMOKE
135. SUPER 24
136. SUPER 24
137. SUPER FOOD STORE
138. TACOMA SCREW PRODUCTS
139. THE CAVE
140. THE GRAPE CHOICE
141. THE MINUS SHOP
142. THE PANZER DEPOT
143. THE SHERWIN-WILLIAMS COMPANY
#8002
144. TJ'S 99 CENTS PLUS
145. TOBACCO PATCH
146. TOTEM LAKE 76
147. TOTEM LAKE FOOD STORE
148. TOTEM LAKE SHOE REPAIR
149. TUESDAY MORNING, INC. 534
150. TWISTED COUTURE INC
151. UNION 76
152. UNLEASHED BY PETCO #5207
153. VIA LAGO
154. VILLAGE MART
155. VORTEX MUSIC & MOVIES
156. W.I.S.E.R. COMPANY
157. WARREN JEWELERS INC
158. WESCO AUTOBODY SUPPLY
159. WEST COAST PAINT SUPPLY
160. YARROW BAY 76
161. ZIP MART

Option 3B: Five or Fewer Full-Time Employees

1. 76 STORE #5494
2. 7-ELEVEN 2360-18146E
3. ABSOLUTELY FABULOUS
CONSIGNMENT
4. AGENT FASIONROOM BOUTIQUE
5. ALL WALL EQUIPMENT CO INC
6. ALLELUIA! CATHOLIC STORE
7. AMAZING HEROES TOYS COMICS &
VIDEO GAMES
8. AMES TAPING TOOLS
9. AN ARTFUL TOUCH
10. ARBAT FOOD MARKET
11. ARCO AM/PM
12. ARTS DANCE SHOP
13. ASHER GOODS
14. ASSURED PHARMACY
15. BAYSIDE WIRELESS LLC
16. BEL-KIRK STAMP, COIN & COMIC
17. BEST KEPT SECRET
18. BIKINI BEACH
19. BOOBOO BARKERY & BOUTIQUE
20. BOOMERANG KIDS CONSIGNMENT
21. BRIDLE TRAILS SHOE REPAIR
22. BRITTANY FLOWERS OF KIRKLAND
23. CANYON FLIGHT TRADING
COMPANY
24. CG GEMS
25. CHAMPAGNE TASTE
26. CIGAR USA
27. CIRCA 15 FABRIC STUDIO LLC
28. CLINICWEAR
29. COLONIAL OPTICAL LLC
30. COMMON FOLK LLC
31. CORNER COMICS
32. CRAZY TIMMY GAMES
33. CRUSH FOOTWEAR
34. CSE FACTORY DIRECT OUTLET
35. D & S VARIETY
36. DANCEWEAR CENTER
37. DOOLEY'S DOG HOUSE
38. EARTHLIGHT INC
39. EASTSIDE AUDUBON SOCIETY
40. ECO CARTRIDGE STORE
41. EPICUREAN EDGE
42. EVERYDAY ATHLETE LLC
43. EXCLUSIVE SALON PRODUCTS
44. EYE AND CONTACT LENS CENTER
45. EYE CANDY LLC
46. FAMILY CHRISTIAN LLC
47. FAMOUS FOOTWEAR #2075
48. FLEETPRIDE INC
49. FORGET-ME-NOT CONSIGNMENTS
50. FOUND INTERIORS
51. FRED MEYER #391 FUEL CENTER
52. FRESH VITAMINS
53. FVC
54. GENERAL NUTRITION CENTER
55. GEORGE'S EASTSIDE SHELL
56. GNC
57. GO WIRELESS
58. GRAND REVE VINTNERS LLC
59. GREATER KIRKLAND CHAMBER OF
COMMERCE
60. HALEY'S COTTAGE
61. HEPBURN
62. HERBAN WELLNESS LLC
63. HOMESCHOOL POTPOURRI
64. ISTINA INC
65. IVY
66. JANELL'S GLUTEN-FREE MARKET
67. JUANITA VISION CLINIC
68. KIRKLAND 76 INC.
69. KIRKLAND FIREPLACE
70. KIRKLAND SPORTS CARDS
71. KITANDA CO
72. LA PASTA LLC
73. LAKE STREET DIAMOND COMPANY
LLC
74. LAKE WASH TECHNICAL
BOOKSTORE #845
75. LOVERS
76. MALLORY PAINT STORE INC
77. MARKET ON CENTRAL/SUBWAY
#1647
78. MARY JANE
79. MB PHONES

80. MC SMOKE
81. METROPOLITAN MUSIC
82. MILLER PAINT CO INC
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SUPPLY
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97. PUFFIN SMOKE
98. PURPOSE
99. RADIO SHACK #3341
100. RAGAMOFFYN'S INC
101. RUSSELL FASTENING INC
102. SAAGAR GROCERIES
103. SAHAND PERSAN GROCERY
104. SALLY BEAUTY SUPPLY 2920
105. SEATTLE THREAD COMPANY
106. SEDUCE BOUTIQUE
107. SERENDPITY
108. SERIAL KNITTERS YARN SHOP
109. SIMPLICITY ABC
110. SJT CELLARS LLC
111. SMOKE N CIGAR LLC
112. SMOKER'S CHOICE
113. SPIRIT HALLOWEEN SUPERSTORES
LLC
114. SPOT SMOKE
115. SUPER 24
116. SUPER 24
117. SUPER FOOD STORE
118. THE CAVE
119. THE GRAPE CHOICE
120. THE MINUS SHOP
121. THE PANZER DEPOT
122. TJ'S 99 CENTS PLUS
123. TOBACCO PATCH
124. TOTEM LAKE 76
125. TOTEM LAKE FOOD STORE
126. TOTEM LAKE SHOE REPAIR
127. UNION 76
128. UNLEASHED BY PETCO #5207
129. VIA LAGO
130. VILLAGE MART
131. VORTEX MUSIC & MOVIES
132. W.I.S.E.R. COMPANY
133. WARREN JEWELERS INC
134. WESCO AUTOBODY SUPPLY
135. WEST COAST PAINT SUPPLY, INC.
136. ZIP MART

Option 4: Business Type

1. ABSOLUTELY FABULOUS CONSIGNMENT
2. AGENT FASIONROOM BOUTIQUE
3. ALL WALL EQUIPMENT CO INC
4. ALLELUIA! CATHOLIC STORE
5. AMAZING HEROES TOYS COMICS & VIDEO GAMES
6. AMES TAPING TOOLS
7. AN ARTFUL TOUCH
8. ARTS DANCE SHOP
9. ASHER GOODS
10. BAYSIDE WIRELESS LLC
11. BEL-KIRK STAMP, COIN & COMIC
12. BEST KEPT SECRET
13. BIG 5 SPORTING GOODS #86
14. BIKINI BEACH
15. BOOBOO BARKERY & BOUTIQUE
16. BOOMERANG KIDS CONSIGNMENT
17. BRIDLE TRAILS ACE
18. BRIDLE TRAILS SHOE REPAIR
19. BRITTANY FLOWERS OF KIRKLAND
20. CANYON FLIGHT TRADING COMPANY
21. CAR TOYS INC
22. CG GEMS
23. CHAMPAGNE TASTE
24. CIGAR USA
25. CIRCA 15 FABRIC STUDIO LLC
26. CLINICWEAR
27. COLONIAL OPTICAL LLC
28. COMMON FOLK LLC
29. CORNER COMICS
30. CRAZY TIMMY GAMES
31. CRUSH FOOTWEAR
32. CSE FACTORY DIRECT OUTLET
33. D & S VARIETY
34. DANCEWEAR CENTER
35. DENNY'S PET WORLD
36. DOOLEY'S DOG HOUSE
37. DUNN LUMBER NORTHWEST, INC.
38. EARTHLIGHT INC
39. EASTSIDE AUDUBON SOCIETY
40. EASTSIDE COMMUNITY AID THRIFT SHOP
41. EASTSIDE TRAINS, INC.
42. ECO CARTRIDGE STORE
43. EPICUREAN EDGE
44. ESSENTIALS BOUTIQUE LLC
45. EVERYDAY ATHLETE LLC
46. EXCLUSIVE SALON PRODUCTS
47. EYE AND CONTACT LENS CENTER
48. EYE CANDY LLC
49. FAMILY CHRISTIAN LLC
50. FAMOUS FOOTWEAR #2075
51. FENA FLOWERS, INC.
52. FLEETPRIDE INC
53. FORGET-ME-NOT CONSIGNMENTS
54. FOUND INTERIORS
55. FRED MEYER JEWELERS #00391
56. FRESH VITAMINS
57. FVC
58. GENERAL NUTRITION CENTER
59. GNC
60. GO WIRELESS
61. GRAND REVE VINTNERS LLC
62. GREATER KIRKLAND CHAMBER OF COMMERCE
63. HALEY'S COTTAGE
64. HANCOCK FABRICS #1302
65. HEPBURN
66. HERBAN WELLNESS LLC
67. HIGHER LEAF MARIJUANA BOUTIQUE
68. HOMESCHOOL POTPOURRI
69. IN FOCUS OPTICAL
70. ISTINA INC
71. IVY
72. JUANITA VISION CLINIC
73. KIRKLAND BICYCLE LLC
74. KIRKLAND FIREPLACE
75. KIRKLAND SPORTS CARDS
76. KITANDA CO
77. LA PASTA LLC
78. LAKE STREET DIAMOND COMPANY LLC

79. LAKE WASH TECHNICAL
BOOKSTORE
80. LOVERS
81. MALLORY PAINT STORE INC
82. MARY JANE
83. MB PHONES
84. MC SMOKE
85. METROPOLITAN MUSIC
86. MICHAEL'S #8407
87. MILLER PAINT CO INC
88. MOUNTAIN HOMEBREW & WINE
SUPPLY
89. NATURAL PET PANTRY
90. NATURE'S PET MARKET-KIRKLAND
91. NORTHWEST LIQUOR
92. NORTHWEST THRIFT STORE
93. OFFICE MAX #392
94. OLYMPUS VAPOR
95. O'REILLY AUTO PARTS #2508
96. O'REILLY AUTO PARTS #3691
97. PACIFIC POWER BATTERIES OF
KIRKLAND
98. PARK LANE GALLERY INC
99. PARTY FOR LESS
100. PETCO #201
101. PIKE STREET PRESS
102. PLAY N TRADE
103. PNS
104. PUFFIN SMOKE
105. PURPOSE
106. QUALITY SEWING & VACUUM
107. RADIO SHACK #3341
108. RAGAMOFFYN'S INC
109. RISAN ATHLETICS
110. ROSS DRESS FOR LESS #462
111. RUSSELL FASTENING INC
112. SALLY BEAUTY SUPPLY 2920
113. SEATTLE GOODWILL
114. SEATTLE THREAD COMPANY
115. SEDUCE BOUTIQUE
116. SERENDPITY
117. SERIAL KNITTERS YARN SHOP
118. SIMPLICITY ABC
119. SJT CELLARS LLC
120. SMOKE N CIGAR LLC
121. SMOKER'S CHOICE
122. SPIRIT HALLOWEEN SUPERSTORES
LLC
123. SPOT SMOKE
124. SUR LA TABLE
125. TACOMA SCREW PRODUCTS INC.
126. THE GRAPE CHOICE
127. THE MINUS SHOP
128. THE PANZER DEPOT
129. THE SHERWIN-WILLIAMS COMPANY
#8002
130. TJ'S 99 CENTS PLUS
131. TOBACCO PATCH
132. TOTEM LAKE SHOE REPAIR
133. TUESDAY MORNING, INC. 534
134. TWISTED COUTURE INC
135. UNLEASHED BY PETCO #5207
136. VALUE VILLAGE
137. VIA LAGO
138. VORTEX MUSIC & MOVIES
139. W.I.S.E.R. COMPANY
140. WARREN JEWELERS INC
141. WESCO AUTOBODY SUPPLY
142. WEST COAST PAINT SUPPLY, INC.

Option 5: Combination Square Footage and Business Type

1. ABSOLUTELY FABULOUS CONSIGNMENT
2. AGENT FASIONROOM BOUTIQUE
3. ALL WALL EQUIPMENT CO INC
4. ALLELUIA! CATHOLIC STORE
5. AMAZING HEROES TOYS COMICS & VIDEO GAMES
6. AMES TAPING TOOLS
7. AN ARTFUL TOUCH
8. ARTS DANCE SHOP
9. ASHER GOODS
10. BAYSIDE WIRELESS LLC
11. BEL-KIRK STAMP, COIN & COMIC
12. BIKINI BEACH
13. BOOBOO BARKERY & BOUTIQUE
14. BOOMERANG KIDS CONSIGNMENT
15. BRIDLE TRAILS SHOE REPAIR
16. BRITTANY FLOWERS OF KIRKLAND
17. CANYON FLIGHT TRADING COMPANY
18. CG GEMS
19. CHAMPAGNE TASTE
20. CIGAR USA
21. CIRCA 15 FABRIC STUDIO LLC
22. CLINICWEAR
23. COLONIAL OPTICAL LLC
24. COMMON FOLK LLC
25. CORNER COMICS
26. CRAZY TIMMY GAMES
27. CRUSH FOOTWEAR
28. CSE FACTORY DIRECT OUTLET
29. D & S VARIETY
30. DANCEWEAR CENTER
31. DOOLEY'S DOG HOUSE
32. EARTHLIGHT INC
33. EASTSIDE AUDUBON SOCIETY
34. EASTSIDE COMMUNITY AID THRIFT SHOP
35. ECO CARTRIDGE STORE
36. EPICUREAN EDGE
37. ESSENTIALS BOUTIQUE LLC
38. EVERYDAY ATHLETE LLC
39. EXCLUSIVE SALON PRODUCTS
40. EYE AND CONTACT LENS CENTER
41. EYE CANDY LLC
42. FENA FLOWERS, INC.
43. FORGET-ME-NOT CONSIGNMENTS
44. FOUND INTERIORS
45. FRED MEYER JEWELERS #00391
46. FRESH VITAMINS
47. FVC
48. GENERAL NUTRITION CENTER
49. GNC
50. GO WIRELESS
51. GRAND REVE VINTNERS LLC
52. GREATER KIRKLAND CHAMBER OF COMMERCE
53. HALEY'S COTTAGE
54. HEPBURN
55. HERBAN WELLNESS LLC
56. HIGHER LEAF MARIJUANA BOUTIQUE
57. HOMESCHOOL POTPOURRI
58. IN FOCUS OPTICAL
59. ISTINA INC
60. IVY
61. JUANITA VISION CLINIC
62. KIRKLAND BICYCLE LLC
63. KIRKLAND SPORTS CARDS
64. KITANDA CO
65. LA PASTA LLC
66. LAKE STREET DIAMOND COMPANY LLC
67. LAKE WASH TECHNICAL BOOKSTORE
68. MARY JANE
69. MB PHONES
70. MC SMOKE
71. METROPOLITAN MUSIC
72. MOUNTAIN HOMEBREW & WINE SUPPLY
73. NATURAL PET PANTRY
74. NATURE'S PET MARKET-KIRKLAND
75. NORTHWEST LIQUOR
76. NORTHWEST THRIFT STORE
77. OLYMPUS VAPOR

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|--|------------------------------------|
| 78. O'REILLY AUTO PARTS #3691 | 96. SJT CELLARS LLC |
| 79. PACIFIC POWER BATTERIES OF
KIRKLAND | 97. SMOKE N CIGAR LLC |
| 80. PARK LANE GALLERY INC | 98. SMOKER'S CHOICE |
| 81. PARTY FOR LESS | 99. SPOT SMOKE |
| 82. PIKE STREET PRESS | 100. TACOMA SCREW PRODUCTS INC. |
| 83. PLAY N TRADE | 101. THE GRAPE CHOICE |
| 84. PUFFIN SMOKE | 102. THE MINUS SHOP |
| 85. PURPOSE | 103. THE PANZER DEPOT |
| 86. QUALITY SEWING & VACUUM | 104. TJ'S 99 CENTS PLUS |
| 87. RADIO SHACK #3341 | 105. TOBACCO PATCH |
| 88. RAGAMOFFYN'S INC | 106. TOTEM LAKE SHOE REPAIR |
| 89. RUSSELL FASTENING INC | 107. TWISTED COUTURE INC |
| 90. SALLY BEAUTY SUPPLY 2920 | 108. VIA LAGO |
| 91. SEATTLE THREAD COMPANY | 109. VORTEX MUSIC & MOVIES |
| 92. SEDUCE BOUTIQUE | 110. W.I.S.E.R. COMPANY |
| 93. SERENDPITY | 111. WARREN JEWELERS INC |
| 94. SERIAL KNITTERS YARN SHOP | 112. WESCO AUTOBODY SUPPLY |
| 95. SIMPLICITY ABC | 113. WEST COAST PAINT SUPPLY, INC. |

Option 6: Remove Paper Bag Charge from All Businesses

All 200 business affected by the plastic bag reduction policy would not be required to charge for paper bags.