



CITY OF KIRKLAND

CITY COUNCIL

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

Vision Statement

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

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

AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chamber

Tuesday, May 15, 2012

6:00 p.m. – Study Session – Peter Kirk Room

7:30 p.m. – Regular Meeting

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

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

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

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION, Peter Kirk Room*
 - a. Potential 2012 Ballot Measures
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:* May 1, 2012

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*

- (1) Phase I Slurry Seal Project Annual Street Preservation Program, Blackline, Inc., Spokane, Washington
- (2) 2012 Striping Project, Schedules A through J Except Schedule D, Road Runner Striping Company, Puyallup, Washington
- (3) Central Way Pedestrian Enhancement Phase II Project, Kamins Construction, Bothell, Washington
- (4) Maintenance Center Parking Addition Project, AGR Contracting, Monroe, Washington

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

- g. Approval of Agreements*

- (1) Resolution R-4920, Approving an Interlocal Agreement Between the City of Kirkland and Northshore Utility District for the Establishment of a New Emergency Water System Intertie

- h. Other Items of Business*

- (1) Report on Procurement Activities

- 9. PUBLIC HEARINGS*

- 10. UNFINISHED BUSINESS*

- a. Commercial Codes and Neighborhood Business (BN) Regulations – Planning Commission Briefing (continued)*
- b. Watercraft Regulations Informational Meeting Update*
- c. Cultural Council Recommendation*
- d. Resolution R-4921, Adopting the 2012–2014 Planning Work Program*

- 11. NEW BUSINESS*

- a. Preliminary 2013-2018 Capital Improvement Program*

- * *b.* Resolution R-4922, Approving the Issuance of a Process IIB Permit as Applied for in Department of Planning and Community Development File No. ZON12-00006 by the Lake Washington School District Being Within a Single-Family Residential (RS) 8.5 Zone, and Setting Forth Conditions of Approval
- c.* Green Kirkland Budget Adjustment Request
- d.* Association of Washington Cities Annual Meeting Delegates

12. REPORTS

a. City Council

- (1) Regional Issues

b. City Manager

- (1) City Council Special Meeting with the Moss Bay Neighborhood
- (2) Calendar Update

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT



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, Assistant City Manager
Date: May 8, 2012
Subject: POTENTIAL BALLOT MEASURES

RECOMMENDATION:

City Council provides direction to staff regarding potential 2012 ballot measures for parks and roads.

BACKGROUND DISCUSSION:

Staff presented background information on potential roads and parks measures at the 2012 City Council Retreat. The City Council requested additional information in the form of a survey to determine community priorities for these services.

The City engaged the firm of EMC Research to conduct a telephone survey specifically related to roads and parks as a follow-up to the community survey conducted earlier this year. The results of the survey became available on May 10 and the topline results have been included as a 5 page summary which is Attachment A. The key results are that 60% indicate support for a \$1M annual parks maintenance levy, 59% indicate support for a \$3M annual roads levy, but only 49% for the parks capital levy. The consultant and staff will present a more detailed version of the results of the survey at the study session. Staff included the Parks Funding Exploratory Committee (PFEC) recommended maintenance and capital levies in the survey. The Parks retreat memo and a summary of the PFEC recommendations are included as Attachment B. City staff from the City Manager's Office and Public Works developed a roads funding package that was included in the survey. More details on the roads ballot measure projects and amounts are included as Attachments C & D.

Following the presentation of the survey results, staff is requesting direction from the City Council regarding which, if any, ballot measures should be prepared for the November 2012 election. Following are key dates to consider:

July 17 – Deadline for Council approval of ballot title (last scheduled Council meeting prior to Aug. 7)

August 7 – Deadline for Filing Resolution with King County to place measure(s) on ballot

November 6 – General Election

Staff is suggesting the following questions as a starting point for the City Council's discussion:

1. Which (if any) ballot measures should be prepared for Council consideration for the November 2012 ballot?
 - a. Road maintenance and safety levy
 - b. Parks maintenance levy
 - c. Parks capital levy
 - d. Road maintenance and Parks maintenance levies together
 - e. Parks maintenance and Parks capital levies together
 - f. All three measures together

Council may also want to consider placing some of these measures on 2013 special election dates or the 2013 primary and general elections.

2. If the City Council intends to place a roads measure on the ballot, does the Council concur with the staff recommendation that it should be a property tax measure?
3. If the City Council intends to place a roads measure on the ballot, how much revenue should the measure attempt to raise (i.e. what is the desired amount of property tax revenue per year to be requested)? Does the Council concur with the staff recommendation of \$3 million annually?
4. Whether or not the City Council proceeds with a ballot measure for roads, direction is needed regarding the potential transportation benefit district revenue now assumed in the proposed Capital Improvement Program.
5. If the City Council intends to place parks measures on the ballot, should the Parks Funding Exploratory Committee prepare a final recommendation on the elements? If so, what policy direction does the City Council want to provide to the PFEC?

Based on Council's direction, staff will prepare a work plan for completing interim steps needed to meet the deadlines noted above for any potential ballot measures.

Telephone Survey for City of Kirkland
Conducted May 2-7, 2012
n=401; Margin of Error: ± 4.90 percentage points
EMC Research 12-4653

All numbers in this document represent percentage (%) values, unless otherwise noted. Please note that due to rounding, percentages may not add up to exactly 100.

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

Hello, my name is _____, and I'm conducting a survey for EMC Research 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.

1. Gender [RECORD BY OBSERVATION]

Male	48
Female	52

2. For statistical purposes only, what year were you born? [RECORD YEAR - VALID RANGE: 1900-1994: TERMINATE >= 1994] [IF "Refused" ==> "Would you say you are age..." READ RESPONSES IN Q3]

3. [AGE - CODE AGE FROM PREVIOUS QUESTION]

18 to 24	6
25 to 34	13
35 to 44	20
45 to 59	32
60+	29

4. What issue facing the City of Kirkland do you feel most needs to be addressed over the next two years? **[ONE RESPONSE ONLY]**

Traffic/Parking	17
Budget/Taxes/Funding	9
Building/Development	6
Growth/Population	5
Education/Schools	5
Roads/Sidewalks	5
Police	4
Parks/Trails	3
City Planning	3
Housing	2
Employment/Jobs	2
Keeping Downtown Clean	1
Other	9
Not Sure/No Opinion/None	13
Don't Know/Refused	16

The City of Kirkland is considering several local ballot measures and would like your input on how high a priority each one is for you. Three separate tax measures are being considered for this November: a measure to fund basic road maintenance & safety improvements, a measure to provide funding for parks renovation & improvements, and a measure to fund basic maintenance & operations at local parks. Combined, these three measures would increase the local property tax by 36 cents per \$1,000 of assessed home value. Thinking about each of these measures, in general, do you strongly support, somewhat support, somewhat oppose, strongly oppose:

[RANDOMIZE]	Strong Support	Some Support	Some Oppose	Strong Oppose	No opinion	Support	Oppose
5. a measure to fund basic road maintenance, pothole repair and repaving of neighborhood streets and arterials, safety improvements at intersections, sidewalks, and crosswalks near schools and community centers that would raise 3 million dollars per year by increasing the property tax by 20 cents per thousand dollars of assessed home value.	36	36	12	15	1	72%	27%
6. a measure to renovate existing community parks, upgrade school playfields and park restrooms, acquire land for neighborhood parks, begin development of a trail on the recently purchased rail corridor and improve public docks and park shorelines for safety and property protection that would raise 10 million dollars by increasing the property tax by 8 and a half cents per thousand dollars of assessed home value for nine years.	34	33	12	19	3	67%	31%
7. a measure to restore park operating funds that have been cut and provide ongoing funding for basic maintenance and operations of Kirkland City parks, including restrooms, irrigation, landscaping, and waterfront restoration and provide lifeguards at heavily used waterfront beaches that would raise 1.1 million dollars per year by increasing the property tax by 7 and a half cents per thousand dollars of assessed home value.	38	36	13	13	1	74%	26%

If all three measures were approved, it would cost the average Kirkland homeowner with a \$480,000 home an additional \$175 per year in property taxes or about \$15 per month. Knowing this, I'd like to ask you again about each of these three measures. Do you strongly support, somewhat support, somewhat oppose, strongly oppose.

[RANDOMIZE]	Strong Support	Some Support	Some Oppose	Strong Oppose	No opinion	Support	Oppose
8. a neighborhood streets, arterial preservation and safety measure that would cost the owner of a \$480,000 home \$98 per year?	37	31	14	16	1	68%	30%
9. a parks renovation, development and acquisition measure that would cost the owner of a \$480,000 home \$41 per year?	36	30	15	18	1	66%	33%
10. a parks maintenance and operations measure that would cost the owner of a \$480,000 home \$36 per year?	36	35	13	16	1	71%	29%

I'm going to read you a list of potential parks and roads projects and for each one I'd like you to tell me how high a priority that item is for you. Use a scale of 1 to 7, where 1 means you feel that item is the lowest priority and 7 means that you feel that item is the highest priority. You can use any number from 1 to 7. How high a priority should (QX) be.... [IF NECESSARY PROMPT: 1 is the lowest priority and 7 is the highest...] [RANDOMIZE]

(RANDOMIZE)	Very Low 1	2	3	4	5	6	Very High 7	DK/ Ref	Mean
11. Acquiring land for new neighborhood parks in parts of the city that don't have them	24	9	9	17	17	10	12	1	3.71
12. Renovating existing community parks to modernize facilities and improve safety	12	4	12	16	28	16	10	1	4.35
13. Improving community park facilities such as Edith Moulton Park and Waverly Beach Park	13	9	13	17	23	12	11	3	4.10
14. Modernizing restrooms, maintenance storage, and boating concessions at Juanita Beach Park	16	9	15	16	20	12	11	1	3.93
15. Investing in urban forest and habitat restoration, also known as Green Kirkland	15	8	13	17	21	8	17	1	4.18
16. Expanding use of the ballfield at Peter Kirk Park with new synthetic turf and new efficient lighting system to allow soccer and Lacrosse as well as baseball	21	12	15	16	18	7	10	1	3.58
17. Providing lifeguards at Houghton Beach Park, Waverly Beach Park and Juanita Beach Park	12	7	9	14	21	14	22	1	4.58
18. Upgrading school playfields for community afterschool use	14	6	11	11	23	19	15	1	4.43
19. Repairing and maintaining waterfront park shorelines and docks	10	7	14	15	26	14	14	0	4.40
20. Developing an interim trail along the recently purchased former BNSF Rail Corridor now called the Cross Kirkland Corridor	18	7	12	16	17	9	16	5	4.03
21. Maintaining parks landscaping and restroom facilities	8	4	11	14	29	18	16	0	4.71
22. Repairing potholes on local streets	6	2	7	12	22	21	29	1	5.26
23. Repairing and repaving major arterials throughout the city	6	4	8	15	23	18	25	0	5.00
24. Finishing sidewalks, bike lanes, & turn lanes	13	3	10	11	22	17	23	1	4.71
25. Repaving neighborhood streets and repairing damaged sidewalks	8	4	10	11	25	19	24	0	4.93
26. Making intersections and crosswalks safer for pedestrians and bicyclists	11	3	9	9	18	13	35	1	5.03
27. Restoring funding for neighborhood traffic calming and pedestrian safety projects	12	5	9	16	23	14	19	1	4.55

Please tell me if you strongly agree, somewhat agree, somewhat disagree or strongly disagree with each of the following statements. If you do not have an opinion one way or the other, please just say so. (AFTER EACH UNTIL UNDERSTOOD: Do you agree or disagree? IF AGREE: Would that be strongly or somewhat agree? IF DISAGREE: Would that be strongly or somewhat disagree?)

(RANDOMIZE)	Strong Agree	Some Agree	Some Disag	Strong Disag	No opinion	Agree	Dis-agree	Net Agree
28. the City <u>has enough tax revenue</u> to continue to keep our roads and streets safe and adequately maintained without raising taxes	23	26	21	9	20	49%	30%	+19
29. the City <u>has enough tax revenue</u> to continue to keep our parks safe and adequately maintained without raising taxes	24	25	22	9	20	49%	31%	+18
30. now is the <u>wrong time</u> to be spending tax dollars on creating new parks	31	22	23	20	3	53%	43%	+10

Now I am going to give you some more information about City parks and roads funding. For each statement, please tell me how important that information is to you. Use a scale of 1 to 7, where 1 means that information is not at all important and 7 means that information is extremely important. You can use any number from 1 to 7.

[REPEAT AFTER EACH UNTIL UNDERSTOOD: How important do you think that information is, with 1 being not at all important and 7 being extremely important?]

[RANDOMIZE]	Not at all 1	2	3	4	5	6	Extre mely 7	DK/ Ref	Mean
31. Kirkland’s parks system currently has \$35 million in major unfunded capital projects like park renovations, land acquisitions, and new parks and recreation facilities	14	9	11	13	25	13	9	6	4.09
32. Parks’ staff labor hours have been cut, while the number of parks in the City has actually increased since the annexation resulting in reduced maintenance for many parks.	11	8	9	13	24	15	14	6	4.41
33. There are some neighborhoods in Kirkland without any local parks within close walking distance. The parks measures would provide funds to acquire land for more neighborhood parks.	24	11	13	13	15	10	12	2	3.62
34. If we do not fund basic street maintenance now it will cost much more later. Roads that are not properly maintained degrade until they have to be replaced, and replacing a street costs 3½ times as much as repaving.	7	4	4	10	23	16	33	2	5.25
35. Kirkland currently has a road maintenance backlog of \$32 million in neighborhood street and arterial repair and improvement projects and that backlog is projected to grow to \$74 million in 10 years.	9	5	8	13	19	18	22	7	4.80

36. The City is trying to understand if all, some or none of these measures are a high priority for residents and would like your input. How likely are you to support all three ballot measures – would you say you are very likely, somewhat likely, not that likely, or not at all likely to support all three ballot measures?

very likely	29
somewhat likely	35
not that likely	15
not at all likely	19
(DNR: Don't know/refused)	2

(IF Q36=2-5, NOT "Very Likely", ASK Q37-Q39)

We'd like to know which, if any, of these measures is a high priority for you. In general, do you strongly support, somewhat support, somewhat oppose or strongly oppose...

[RANDOMIZE]	Strong Support	Some Support	Some Oppose	Strong Oppose	No opinion	Support	Oppose
37. a neighborhood streets, arterial preservation and safety measure that would cost the owner of a \$480,000 home \$98 per year?	22	37	17	20	4	59%	37%
38. a parks renovation, development and acquisition measure that would cost the owner of a \$480,000 home \$41 per year?	13	35	22	27	3	48%	49%
39. a parks maintenance and operations measure that would cost the owner of a \$480,000 home \$36 per year?	14	46	14	23	3	60%	37%

(RESUME ASKING EVERYONE)

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

40. Do you own or rent your apartment or home?

Own/buying	82
Rent	14
(DNR: Refused)	4

41. Do you have a cell phone or not?

Yes	90
No	8
(DNR: Refused)	1

[IF Q41=2, RESPONDENT DOES NOT HAVE CELLPHONE, SKIP TO END]

42. How much do you rely on your cell phone? Would you say you rely on your cell phone [READ RESPONSES]

All the time – it's your only phone	23
A great deal – it's your primary phone	32
Some – you use it occasionally	24
Very little – you mostly have it for emergencies	19
(DNR: Don't know)	0
(DNR: Refused)	1

THANK YOU

Attachment B



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Jennifer Schroder, Parks and Community Services Director

Date: March 16, 2012

Subject: 2012 Ballot Measure - Park Funding Exploratory Committee Recommendation

On March 6th the City Council received an overview of the Park Funding Exploratory Committee's (PFEC) recommendation for Council to evaluate going to the November 2012 ballot with two measures:

- ❖ A \$10 million 9-Year Levy Lid Lift for Capital Investments
- ❖ A \$1.095 million Permanent Levy for Maintenance and Operations.

To assist the Council in their discussion, attached is a copy of the full Park Funding Exploratory Committee report that was included in the March 6th Study Session agenda packet.

PFEC Recommended Ballot Measures
A 9-Year Levy Lid Lift for Capital and a Permanent Levy Lid Lift for M & O

Category/Project	Project Cost	Annual Cost to Homeowner	M&O Levy	Annual Cost to Homeowner	Annual Cost to Homeowner	Rate per \$1,000 AV	Additional Annual Cost to Homeowner
TIER 1							
Restore M & O	-	-	600,000	19.68	19.68	0.0410	
Denny Park Maintenance	-	-	137,500	4.51	4.51	0.0094	
Forest/Habitat Restoration	-	-	192,500	6.31	6.31	0.0132	
Waverly Beach Renovation	500,000	2.05	-	-	2.05	0.0043	
Dock and Shoreline Renovations	800,000	3.28	-	-	3.28	0.0068	
Moulton Park Renovation	1,000,000	4.10	27,500	0.90	5.00	0.0104	
City-School Partnership Projects	1,000,000	4.10	27,500	0.90	5.00	0.0104	
Neighborhood Park Land Acquisition	2,500,000	10.25	-	-	10.25	0.0214	
Develop Eastside Rail Corridor Trail	3,000,000	12.30	110,000	3.61	15.91	0.0331	
Juanita Beach Bathhouse	1,200,000	4.92	-	-	4.92	0.0103	
	-	-					
	10,000,000	41.00	1,095,000	35.92	76.92	0.1602	76.92
TIER 2							
Lee Johnson Field Turf & Lighting	1,500,000	6.15	-	-	6.15	0.0128	83.07

All costs noted are preliminary estimates subject to refinement
Note 1: Annual cost to a home with an assessed valuation of \$480,000
Note 2: Amounts Include 10% Inflationary Adjustment

Staff is seeking direction from Council at the retreat on whether additional information is needed and if the Council has potential changes to the capital projects list or the maintenance and operations list.

If the Council has continued interest in pursuing a November 2012 ballot measure, PFEC recommends that a next step should be to research the attitudes of residents through a statistically-valid random sample telephone survey. Preliminary work on a survey was initiated after the Council study session. If the Council provides direction to proceed at the retreat, a survey could be commissioned and conducted during the month of April, with results shared with the committee and Council in May/June. Funding for a survey could be included as part of the Parks Recreation and Open Space Plan project that is within the current year budget.

It is important to note, that should a ballot measure be placed on the November 6th, general election, the deadline to file with King County is August 7, 2012.



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Jennifer Schroder, Director
Michael Cogle, Deputy Director

Date: February 24, 2012

Subject: PARK FUNDING EXPLORATORY COMMITTEE RECOMMENDATION

RECOMMENDATION

Staff recommends that the City Council receives the attached report from the Park Funding Exploratory Committee and requests additional information as needed prior to the City Council retreat.

BACKGROUND

Since 2008 the Parks and Community Services Department has experienced a 20% reduction in park maintenance staffing. This has resulted in an unprecedented drop in the level of care for the community's extensive park system. The City has responded in a number of ways to minimize the effects of these budget cuts. For example, through its innovative contract with Waste Management the City has been able to return garbage service to neighborhood parks and thus alleviate wide-spread citizen complaints about this issue. Temporary funding from Real Estate Excise Tax (REET) has been used to help the Parks Department begin to respond to a backlog of preventative maintenance tasks and temporarily restore lifeguarding to swimming beaches. Volunteer activities by citizens and community groups to improve the appearance and safety of parks have been intensified to soften the impacts. But despite these efforts, residents continue to experience parks that are less attractive and less responsive to their needs, and there is increasing concern that the (thus far) hidden impacts of deferred maintenance will soon become more visible and, in long run, more costly to resolve.

Likewise, the City's capital investments in its park system have been negatively impacted by the economic downturn. The primary funding source for park capital improvements – REET – has declined to the extent that annual funding in the Parks CIP has dropped by over 38% in the past several years. Currently the City's adopted 2011-2016 CIP identifies nearly \$77 million in unfunded projects, not including new projects associated with the recent annexation. Historically the City's capital funding for park improvements and expansion has been supplemented by periodic voter-approved park funding ballot measures; however, the last park ballot measure approved by voters was nearly a decade ago, in 2002.

The City's recent annexation of the Juanita, Finn Hill, and Kingsgate neighborhoods brings these issues into even sharper focus. While some additional funding has been allocated to help the City manage five new parks inherited from King County, we have had to acknowledge to new residents that at this point in time the City is not able to provide the same level of service in these parks that we had intended when

the City chose to proceed with the annexation. There is pent up demand from new residents to see their neighborhood parks restored, improved, and even expanded. The annexation has also brought with it the dynamic of the Finn Hill Park and Recreation District, which was established by some (now) Kirkland residents to provide funding to care for O.O. Denny Park, an important civic asset on Lake Washington. The District's maintenance levy will expire at the end of 2014, with the future of a levy renewal, the District, and O.O. Denny Park itself in some doubt.

Counterbalancing these difficult issues are some exciting opportunities. The City's pending acquisition of the Kirkland segment of the Eastside Rail Corridor has spurred wide-spread community interest and the potential to finally realize the long-desired Cross Kirkland Trail. The Green Kirkland Partnership has been a tremendous success story in the community, with great potential to leverage current energy and interest into a lasting legacy of environmental sustainability. The Lake Washington School District's continued school modernization program has invested tens of millions of dollars in vital school properties, with more on the horizon, offering opportunities to expand the innovative and cost-effective City-School Partnership Program.

In response to these issues and opportunities, at their regular meeting of July 19, 2011 the City Council established a citizen committee to consider the possibility of a future park funding ballot measure. This initiative was responsive to the 2011 City Work Program adopted via Resolution R-4864 (i.e. "*9. Exploring new revenue options authorized by the State Legislature or requiring voter approval.*").

Termed the "Park Funding Exploratory Committee" (PFEC), the group was asked to consider and make recommendations regarding funding to help meet the capital, maintenance, and operational needs of the Kirkland's park, open space and recreation system. Nearly 50 stakeholders representing a broad array of key community interests were invited to participate, and the Council selected Councilmember Amy Walen to serve as chair. The committee began meeting in September of 2011 and met a total of 8 times, collectively contributing over 350 hours of volunteer effort to the project.

The Committee process involved gathering and interpreting information about the goals, issues, needs, and priorities of Kirkland's park, open space and recreation system; directing public outreach strategies such as citizen surveys and open houses; exploring funding alternatives such as a park bonds and levies; and preparing conclusions and recommendations for Council consideration.

Included with this staff memo is a report from the PFEC.

PFEC Recommendation

The PFEC recommendation is presented in detail in the PFEC report. In summary, their recommendation is to evaluate going to the November 2012 ballot with two measures. The first would be a nine year levy lid lift for approximately \$10 million in capital projects. There would also be a companion permanent levy lid lift with a little over \$1 million per year for maintenance and operations. The total recommended amount (average annual impact to the average homeowner) is \$76.92 per year (or about \$6.40 per month) for the average homeowner. The committee believes that this is a reasonable amount to put before the voters if the Council decides to proceed with a ballot measure in 2012.

The proposed nine year capital project levy would expire at about the same time that the 2002 park bond measure would expire and the City would then be in a position to pursue a larger bond measure towards a major investment such as an indoor recreation center and pool. The specific projects included in the PFEC recommendation were based on a staff recommendation requested by the PFEC.

Although a majority of committee members supported the 2012 ballot measures, there was a strong sense of caution among many members about the advisability of taking a measure to the voters in a time

of economic hardship and uncertainty. All agreed that more information was needed about likely community acceptance for any 2012 ballot measures and the number and type of competing measures that would be on the ballot in November.

The purpose of the March 6 study session is for the City Council to receive the PFEC's recommendation and ask any questions. At that time, the Council can identify any further information on any of the identified project proposals/components of the Committee's recommended funding package.

The City Council is scheduled to discuss the Committee recommendation in more detail at their upcoming March retreat. Following the retreat, staff will be requesting Council direction for the following:

- Should the Committee and staff continue to explore the viability of a November 2012 park funding ballot measure?
- Should the City proceed with research (specifically a random sample telephone survey) to determine citizen priorities for Kirkland's park, open space and recreation system?

Indoor Recreation Facility Issues

The PFEC identified an indoor recreation facility as an important community need, but it was agreed that absent further information, particularly regarding an identified site, the project is not "ballot ready" and it is not included in the PFEC preferred funding package. However, the PFEC is recommending that the City continue to actively pursue regional partners and a suitable site for a new indoor recreation facility to serve the community.

The Kirkland Indoor Recreation Facility plan was presented to the City Council in 2007. Working with a consultant team, development of the plan involved community and stakeholder input, market analysis, a financial analysis, and the creation of a prototype facility plan.

The prototype plan for a new facility indicated a 93,000 square foot multi-purpose recreation facility on a site of up to 8 acres. The plan provided for a number of amenities, including an indoor pool, two full court gymnasiums, elevated walking track, fitness/cardio areas, multi-purpose activity rooms, a community hall, and other related amenities. Based on the prototype, the estimated construction cost of the facility, in 2006 dollars, was \$36,566,000. This figure did not include costs for site acquisition if necessary.

In an effort to identify possible sites and partnerships for the facility, staff has engaged in discussions with a number of potential regional partners, including Evergreen Hospital, Bastyr University, Northwest University, Lake Washington Institute of Technology, Lake Washington School District, and the cities of Kenmore, Bothell, Woodinville and Redmond. Although each agency supported the merits of the project and expressed some degree of interest to partner, staff found that the lack of an identified site became a barrier to committing specific partnership opportunities.

Given that nearly five years have gone by since the 2007 plan was developed, staff would recommend that this issue be referred to the Park Board and staff for reconsideration, with a set of further recommendations and next steps presented to the City Council later in the year.

Possible Next Step: Survey

If the Council has continued interest in pursuing a November 2012 ballot measure, the PFEC recommends that a suitable next step would be to research the attitudes of residents through a statistically-valid random sample telephone survey. Such a survey was conducted as part of the process leading up to the

last Kirkland park ballot measure in 2002 and helped determine citizen priorities. Information gathered through the survey might include:

- Citizen willingness to consider a ballot measure for parks in 2012.
- Citizen priorities for recommended park levies at the recommended amounts;
- Citizen priorities for specific funding needs and projects proposed in the PFEC recommended package.

If directed by Council at the retreat, a survey could be commissioned and conducted during the month of April, with results shared with the committee and Council in May/June.

Summary and Conclusions

The March 6 study session will provide an opportunity to receive additional information and ask questions about the PFEC report and recommendation. The City Council will discuss whether or not to proceed with a ballot measure in 2012 at the City Council retreat. However, the study session provides an opportunity for Council to identify any additional information the Council would like to have about the PFEC recommendation for the retreat.

Staff would like to acknowledge the hard work and investment of time by the many committee members involved with this effort under the leadership of Councilmember Walen. Members of the committee will be present at the study session to answer questions.



City of Kirkland

Park Funding Exploratory Committee
Councilmember Amy Walen, Chair

Report to City Council

March 2012

Introduction

The Parks Funding Exploratory Committee (PFEC) was convened by the City Council to discuss and make recommendations about funding for parks and recreation facilities and maintenance. The PFEC was to consider the advisability and content of a possible future ballot measure. The purpose of this memo is to present the recommendations of the PFEC for further consideration by the City Council. Through the PFEC meeting process, the committee developed a consensus recommendation for a possible ballot measure. Equally important are a series of underlying principles and important considerations that the City Council should take into consideration in any future decisions about parks funding.

Committee Process

The PFEC met eight times between September of 2011 and February 2012. During that time, the PFEC received numerous presentations from staff about a variety of topics as background for the committee's discussions. Early in the process, the committee received presentations about the history of Kirkland's park ballot measures and learned about the goals and objectives of the park system as identified in the City's Park, Recreation, and Open Space Plan (PROS). The committee also received presentations on specific projects/issues identified by Council, including Totem Lake Park, the Kirkland Cannery Building, the Finn Hill Park and Recreation District, indoor recreation center, Green Kirkland, and the Eastside Rail Corridor.

In October an online survey and two public open houses were conducted to assist the committee in better understanding the park and recreation needs and interests of citizens (see Attachment A). As a follow up to the survey, the committee was polled to ascertain potential support for additional funding for specific projects (see Attachment B).

The committee was provided with a list of 45 projects identified for potential consideration (Attachment C). The list of projects was derived from those projects identified in the PROS Plan, CIP, and those projects suggested by the Committee.

In December, the PFEC was assisted by a facilitator to help the committee assimilate all of the information and to work toward a recommendation. One of the first steps was to adopt a framework for categorizing projects and for organizing the many potential projects that could be considered. Three categories were identified:

- Preserve – Renovating and maintaining the community's existing park system
- Enhance – Redeveloping and improving the community's existing park system
- Expand – Adding new facilities and purchasing new property to expand the system as envisioned in the Parks, Recreation and Open Space Plan.

It was agreed that a ballot measure could have projects from each category but that it would be important that preservation (taking care of what we have) be reflected as a high priority. The PFEC Project List was developed and organized into these categories as an inventory of possible projects to include in the recommendation.

Timing and Size of Ballot Measure

The committee was also reminded of the time frame and process for presenting a measure to the voters. Using the November 2012 general election as a potential target date, a list of activities and due dates were provided:

PFEC Recommendation to City Council	March 6
Project Definition, Outreach and Public Survey	March - May
Survey and Outreach Results and Development of Final PFEC recommendation	May - June
PFEC Report Complete	June 21
City Council Study Session	July 3
City Council Approval of Ballot Title	July 17
Deadline for Filing Resolution with King County	August 7
General Election	November 6

Given the compressed time frame, the PFEC was polled as to whether or not the committee should recommend that a ballot measure be presented to the voters in November 2012. If the consensus of the committee was to recommend the 2012 general election, timely development of a recommendation would be important.

The committee was also given three potential levels of tax impact (annual cost to the average homeowner). Members were asked to share their individual opinions about the amount of additional tax burden the public might be willing to approve. The results would be used as a starting point for developing a recommendation to the City Council.

The members were asked two questions:

1. Should the City Council present a park funding measure to voters in November 2012.
2. How much should the total impact to an average homeowner be? [Three levels were presented for consideration]:
 - a. \$12 per year (\$0.83 per month)
 - b. \$60 per year (\$ 5.00 per month)
 - c. \$120 per year (\$10.00 per month)

The majority of the group recommended a November 2012 ballot measure with an impact of approximately \$60 per year (see results in Attachment D). At the same time, some members of the committee were concerned about taking any measures to the voters in 2012 given the state of the economy and the number of people struggling financially. This was also a factor in the

sizing of the measure .The committee recommended that the City Council seek advice about how to take a successful ballot measure to the voters in 2012.

Principles

Throughout the meetings, the PFEC agreed to a number of key principles that they believed were important to communicate to the City Council. With each successive meeting, these principles were added to, edited and expanded upon. Some of the principles related more to general park planning principles. Others related specifically to a possible ballot measure. While there was general consensus on these key principles, there were also concerns and opinions expressed by individuals that were just as important in understanding the entire community's interests. The following principles are presented with a discussion of the range of perspectives offered by committee members.

Principles to consider in developing an updated Parks, Recreation and Open Space Plan (PROS):

- **Kirkland parks should be safe, clean, in good repair and reflect the values of environmental sustainability** – There was some discussion about whether parks should be “green” both in terms of sustainable practices and/or color. The committee was less concerned about having all lawns green all summer than using maintenance methods and products that are good for the environment.
- **Preservation of natural areas and parks through reforestation and removal of invasive species should be a component of the City's ongoing maintenance program.**
- **Parks and recreation facilities should be accessible and support healthy living for all citizens.**
- **Parks and open spaces are essential elements of vibrant neighborhoods and business districts.**
- **The City should pursue a balance of natural and active areas.**
- **Parks should be seen as community gathering places that everyone has a responsibility to help maintain** – Kirkland parks are and should continue to be a place where the community can come together, work together and take responsibility for their parks and open spaces.

Principles to consider in developing a ballot measure:

- **Providing stable funding for maintaining and repairing existing parks and facilities is a high priority** – Both the on-line survey and PFEC survey placed high importance on taking care of our existing parks. Approximately 50% of the levy lid lift recommendation provides for maintenance, repair and restoration of existing parks, recreation facilities and natural spaces in Kirkland. Similarly, the development of any new facilities recommended is accompanied by a companion maintenance levy.

- **Volunteers should continue to be used to sustain existing parks and open spaces** – The financial challenges experienced in recent years have highlighted the importance of volunteers for maintaining parks and open spaces. The recommendation to fund maintenance with the new levy is not intended to replace volunteer efforts but to maintain and enhance community involvement.
- **Open and honest communication will be critical to the success of this effort**
 - **Wise use of resources should be emphasized** – The public wants to be assured that the City is making the best use of the resources it has now before they approve new resources. The community needs to be assured that the Parks Department is making the best, most efficient, use of resources. Specific examples should be provided.
 - **The community should be reminded that we followed through on all projects in the last bond measure** – All of the projects approved on the previous park bond measure were completed and all of the bond proceeds were expended. It will be important to remind the community about the new and improved facilities that they now have as a result of the last park measure. At the same time, some members were concerned that we have many unfinished projects, such as development of McAuliffe Park and the north portion of Juanita Beach Park, which the public may want to pursue before any new facilities or purchases are made.
 - **Voter education will be a key to the success of programs such as Green Kirkland, maintenance of OO Denny Park and development of the Eastside Rail Corridor** – These projects are important but not well-understood by a majority of residents. There seems to be a great deal of confusion about the ERC purchase versus the proposed development. Careful and clear explanations will be important.
 - **Descriptions of principles, projects and written materials should use phrases and terms that are familiar to the average citizen and that speak to a need they can identify with** (e.g. use “parks” instead of “facilities” and “parks within walking distance” instead of “level of service”) – Communication materials should be couched in terms that most people can relate to and understand. They need to speak to a basic need or desire of the public. The Juanita Beach Bathhouse should also mention the boat house element to draw in another interest group.
 - **There should be an overall theme for the measure** – Messaging will be important and an overarching theme will be helpful.
 - **We are excited about the annexation area and want to see parks distributed throughout the new City** – It will be important to have projects in the new neighborhoods.

- **The public needs to be educated about property taxes** – The public should have a better understanding of how much of their property taxes go to the City.
- **The content of the ballot measure should be developed with thought to several underlying principles:**
 - **Proposed projects should reflect geographic distribution throughout the community** – The committee agreed that we need to consider Kirkland as one community as opposed to “the annexation area” and “old Kirkland.” Although an equal distribution between those two areas shouldn’t be a requirement, the committee agreed that it still an important consideration. There was an acknowledgement that the specific project locations (see Attachment E) in the recommendation do not cover all areas of the City. However, it was noted that geographic equity could be achieved through strategic application of the “Neighborhood Park Acquisition” and “City/School Partnership” projects. The Neighborhood Park Acquisition project should be large enough to make a real difference over as wide of an area as possible. The current real estate market presents an opportunity to purchase properties at a lower cost.
 - **New capital facilities should be accompanied by a companion operating levy that provides ongoing maintenance funding.**
 - **Projects should have a broad-based appeal and spark excitement and imagination** – Projects should not only represent a variety of locations in the City, but they should appeal to a variety of interests and needs. Also important was the notion of one or two projects could really excite the public. Some members believed that the development of the Eastside Rail Corridor could pique the interest of many residents.
 - **Projects should meet an important need or opportunity** – Projects should relate a sense of urgency to motivate the community. Again, the Eastside Rail Corridor, if presented correctly, could be seen as an urgent need as would the need to improve funding for parks maintenance. The community is aware of the recent reductions in parks maintenance and has reiterated this as a priority.
 - **Inclusion of Peter Kirk Park Artificial Turf and Lighting project could be a strong selling point or a detractor** -- The committee had several discussions about the installation of artificial turf at Peter Kirk Park. For some, natural turf is more traditional and conducive to baseball. They are concerned that some people would see the loss of natural grass as a downgrade for the field which is an icon for Kirkland parks. If individuals felt strongly about this issue, they may not vote for the package of projects.

For others, the advantages of a turf field could appeal to a broad base of the community and bring out more voters. The artificial turf would provide a longer playing season and allow other sports, such as soccer and lacrosse, to play on the field when the baseball season has ended. Artificial turf has a lower

maintenance needs.

The committee was also reminded that the lighting component of the project would be supported by nearby residents as it would reduce the impact of the lights on the surrounding area.

- **A nine-year levy is preferred over an excess bond measure**
 - **The 50% approval threshold is more realistic to attain this year** – Some committee members questioned the advisability of taking a measure to the voters in 2012 given the challenging economic environment. The measure should be sized to have a good chance of success.
 - **The nine-year levy will allow us to retire the 2002 outstanding debt and the 2012 debt at about the same time** – This presents the opportunity to do a larger, more ambitious measure in the future.
- **Indoor Recreation Facility** – The committee wanted to send a strong message to the City Council that they should continue to actively pursue regional partners for an indoor recreation facility. A long term plan is needed including identification of a location. The committee was cautioned to not assume that the school district would continue to fund an indoor pool at Juanita High School. More details about this project are included in the staff memo that accompanies this report.
- **A citizen survey should be conducted** – Messages and projects to test should include those identified in the committee's preferred funding package, the amount of taxes the public might be willing to consider for parks, public perception about artificial turf at Lee Johnson Field and public interest in an indoor recreation facility.

RECOMMENDED BALLOT MEASURES

Given the large number of potential projects and wide range of needs, the PFEC asked the Parks and Community Service staff to develop a few scenarios that generally reflected the principles expressed by the committee and that met some of the highest priority recommendations of the staff. The PFEC was provided a briefing by the City's Director of Finance and Administration about the options and implications of the available approaches to a ballot measure (see presentation slides in Attachment F for content). Staff developed two scenarios based on two different types of ballot measures – a bond measure with a companion operation levy and a levy lid lift with a bond and a companion maintenance component. The key differences are related to the approval threshold and limits with regard to uses. The sixty percent approval requirement of a bond measure is harder to achieve, but has greater potential for capital investment because of the ability to amortize costs over twenty years or more. A levy lid lift only requires a fifty percent approval but limits debt issuances to a nine year term, resulting in a smaller amount of capital investment for the same annual tax impact. The two scenarios presented to the PFEC by staff are labeled "Scenario A: Bond Measure with Companion Operating Levy" and "Scenario B: Levy Lid Lift" and are included as Attachment G.

Based on those scenarios, the PFEC worked in small groups to develop individual recommendations that were then consolidated into one consensus recommendation. The recommendation includes the proposed type of ballot measures, the projects to be included and the total amount. The following table summarizes the recommendation. More detailed descriptions of projects are included in Attachment H. The recommendation reflects a balance of maintenance and operations ("Preserve") and capital projects ("Enhance" and "Expand").

PFEC Recommended Ballot Measures
A 9-Year Levy Lid Lift for Capital and a Permanent Levy Lid Lift for M & O

Category/Project	Annual Cost to Homeowner		Annual Cost to Homeowner		Annual Cost to Homeowner	Rate per \$1,000 AV	Additional Annual Cost to Homeowner
	Project Cost	M&O Levy	Homeowner	Homeowner	Homeowner		
TIER 1							
Restore M & O	-	600,000	-	19.68	19.68	0.0410	
Denny Park Maintenance	-	137,500	-	4.51	4.51	0.0094	
Forest/Habitat Restoration	-	192,500	-	6.31	6.31	0.0132	
Waverly Beach Renovation	500,000	-	2.05	-	2.05	0.0043	
Dock and Shoreline Renovations	800,000	-	3.28	-	3.28	0.0068	
Moulton Park Renovation	1,000,000	27,500	4.10	0.90	5.00	0.0104	
City-School Partnership Projects	1,000,000	27,500	4.10	0.90	5.00	0.0104	
Neighborhood Park Land Acquisition	2,500,000	-	10.25	-	10.25	0.0214	
Develop Eastside Rail Corridor Trail	3,000,000	110,000	12.30	3.61	15.91	0.0331	
Juanita Beach Bathhouse	1,200,000	-	4.92	-	4.92	0.0103	
	-	-	-	-	-	-	
	10,000,000	1,095,000	41.00	35.92	76.92	0.1602	76.92
TIER 2							
Lee Johnson Field Turf & Lighting	1,500,000	-	6.15	-	6.15	0.0128	83.07

All costs noted are preliminary estimates subject to refinement
Note 1: Annual cost to a home with an assessed valuation of \$480,000
Note 2: Amounts Include 10% Inflationary Adjustment

Some of the key considerations and discussion points underlying the recommendation follow:

Type of Measures

The consensus of the PFEC was to recommend two separate levy lid lifts rather than a bond measure and companion maintenance levy. The rationale was based on the perceived mood of the public toward tax increases in a challenging economic environment. The sixty percent threshold of a bond measure was felt to be too difficult to attain and that a more modest proposal for a levy lid lift was more realistic even though it provides less capital investment. There was an emphasis on putting forth a ballot measure that had a good chance of success because of the cost and effort involved. Ultimately, the consensus of the PFEC was to recommend levy lid lift.

Tier One Projects

Most of the projects provided in the staff scenario are retained in the PFEC recommendation. In particular, there was a high degree of consensus on:

- **Restore parks maintenance** – Included within this project is restoration to historic maintenance standards including restroom operations in neighborhood parks and restoration of lifeguards at Houghton Beach and Waverly Beach parks. This project also restores lifeguards to Juanita Beach Park which have not been funded in the past by the City but were funded by King County prior to the City assuming responsibility for the park.
- **Assume maintenance of OO Denny Park** – This was felt to be important for Finn Hill area voters and because it was not clear what would happen to the Finn Hill Park District levy in the future.
- **Provide ongoing funding for natural area restoration (“Green Kirkland”)** – The majority of the committee believes this should continue to be primarily a volunteer-supported activity but that ongoing program coordination should be included in the Parks budget.
- **Waverly Beach Renovation** – This project was reduced from the staff recommendation and is intended to address needed repairs and shoreline restoration rather than any enhancement of the park at this time.
- **Dock and Shoreline Renovations** – This project was reduced from the staff recommendation to maintain the total measure to \$10 million. Staff believes that a meaningful amount of shoreline restoration can be accomplished with this level of funding.
- **Edith Moulton Park Renovation** – This park in north Juanita was felt to provide geographic balance. Edith Moulton Park is heavily used and has great potential.
- **City/School Partnerships** – This project is also thought to be of citywide interest, although specific locations have not been identified. More specifics about location and types of improvements would need to be identified.
- **Neighborhood Park Land Acquisition** – The amount of this project was based on a desire to provide enough funding to address neighborhood park needs in multiple, geographically-dispersed neighborhoods. It was important to have sufficient funds in this project to make meaningful investments.
- **Development of Eastside Rail Corridor (ERC)** -- This project was the topic of much discussion as committee members were also considering whether to place the ERC acquisition project on the ballot instead or in addition to the development. Another approach suggested placing both the acquisition and development projects on a 2014 ballot to allow time better understanding of the project. In the end, the committee was very positive about the ERC project and believed that the development of the corridor for basic pedestrian and bike access was a project that would appeal to a wide range of voters.

- **Juanita Beach Bathhouse** – The committee believes that this project will also be attractive to a wide range of park users, especially if the project description clearly calls out the boat house element.

Tier Two Projects

There was one project recommended for “Tier Two” which should be considered for addition to a ballot measure.

Lee Johnson Field Turf and Lighting Improvements – As noted in the earlier discussion under “principles,” there were two diverse lines of thinking about this project. On the one hand, the project was thought to be attractive to sports groups that would have access to the facility for more types of team sports and for a longer portion of the year. Others on the committee believe that replacing the natural turf with artificial turf would concern some long-standing members of the community and those that prefer natural turf. The committee believes that more input is needed through the survey to better understand community perceptions about this project.

Projects Not Recommended

Several projects that were included as potentials in the staff recommendation did not receive enough support from the PFEC to include as either Tier One or a Tier Two project. Those include:

Totem Lake Park – This project was believed to be less important until the Totem Lake retail area begins redevelopment.

Neighborhood Project Opportunity Fund – This project was similar to the Neighborhood Connections project that was eliminated due to budget constraints. This project would have provided for small neighborhood improvements that would be done in partnership with neighborhood associations.

Open Space Acquisition Opportunity Fund – This project would have an opportunity fund for unspecified open space purchases as they became available.

Amount

The total recommended amount (average annual impact to the average homeowner) is \$76.92 per year, or about \$6.40 per month for the average homeowner. The committee believes that this is a reasonable amount to put before the voters if the Council decides to proceed with a ballot measure in 2012.

SUMMARY

The PFEC represents a wide range of interests and expertise which were brought to bear in their meetings and that are reflected in their recommendation. Preservation of existing assets was a strong underlying theme as was the need to consider ongoing costs of new facilities. Although a majority of committee members supported a 2012 ballot measure, there was a

strong sense of caution among many members about the advisability of taking a measure to the voters in a time of economic hardship and uncertainty. All agreed that more information was needed about likely community acceptance for a 2012 ballot measure and the number and type of competing measures that would be on the ballot in November.

Kirkland Parks and Recreation Public Opinion Survey - October 2011**Conducted via City of Kirkland Website www.kirklandwa.gov**

The City of Kirkland Department of Parks and Community Services conducted an online open access poll on the City's website from October 17 to October 28, 2011. The questionnaire was promoted via a news release issued to local media, blogs, neighborhood leaders, and other community groups. The purpose of the opinion survey was to assist the City in its long-range planning for Kirkland's park and recreation system. Survey questions were developed with the assistance of the non-profit organization Trust for Public Land, the Kirkland Park Board, and the Park Funding Exploratory Committee, an ad-hoc group of citizens appointed by the City Council. The survey had a total of 725 responses.

The advantages of conducting an online opinion survey are that it is inexpensive and provides relatively quick feedback. However, the results of the survey are non-scientific. As a self-selected group, the opinions of survey respondents cannot be construed as being necessarily representative of those of the citizens of Kirkland.

Summary of Key Findings:

- Nearly 9 of every 10 respondents (89%) live within walking distance of a park in Kirkland;
- Over 4 out of every 5 respondents (85%) believe it is somewhat important or very important for Kirkland to have a park within a quarter-mile of every household;
- Two-thirds (67%) of respondents visit a park in Kirkland at least once a week, and 94% stated that they visit a park in Kirkland at least once per month;
- Nearly two-thirds (65%) of respondents state that they are mostly satisfied with the parks in Kirkland compared to the parks they have experienced in other cities, and only 5% said that they are not satisfied;
- 95% of survey participants believe that parks are important to the community's quality of life;
- 59% believe that Kirkland parks are very well maintained, while a lesser percentage (47%) believe that natural areas, including forests and wetlands, are very well maintained;
- Only 1% of respondents believe that Kirkland parks are poorly maintained;
- When asked about relative level of importance for adding more park facilities, survey participants placed a higher priority on bike and pedestrian trails as well as park amenities such as benches, tables, and restrooms;
- Slightly over half (55%) of respondents have participated in a Kirkland recreation program within the past year;
- Slightly over half (54%) of respondents stated that they are mostly satisfied with the recreation programs offered by the City, but only half as many (27%) stated that they

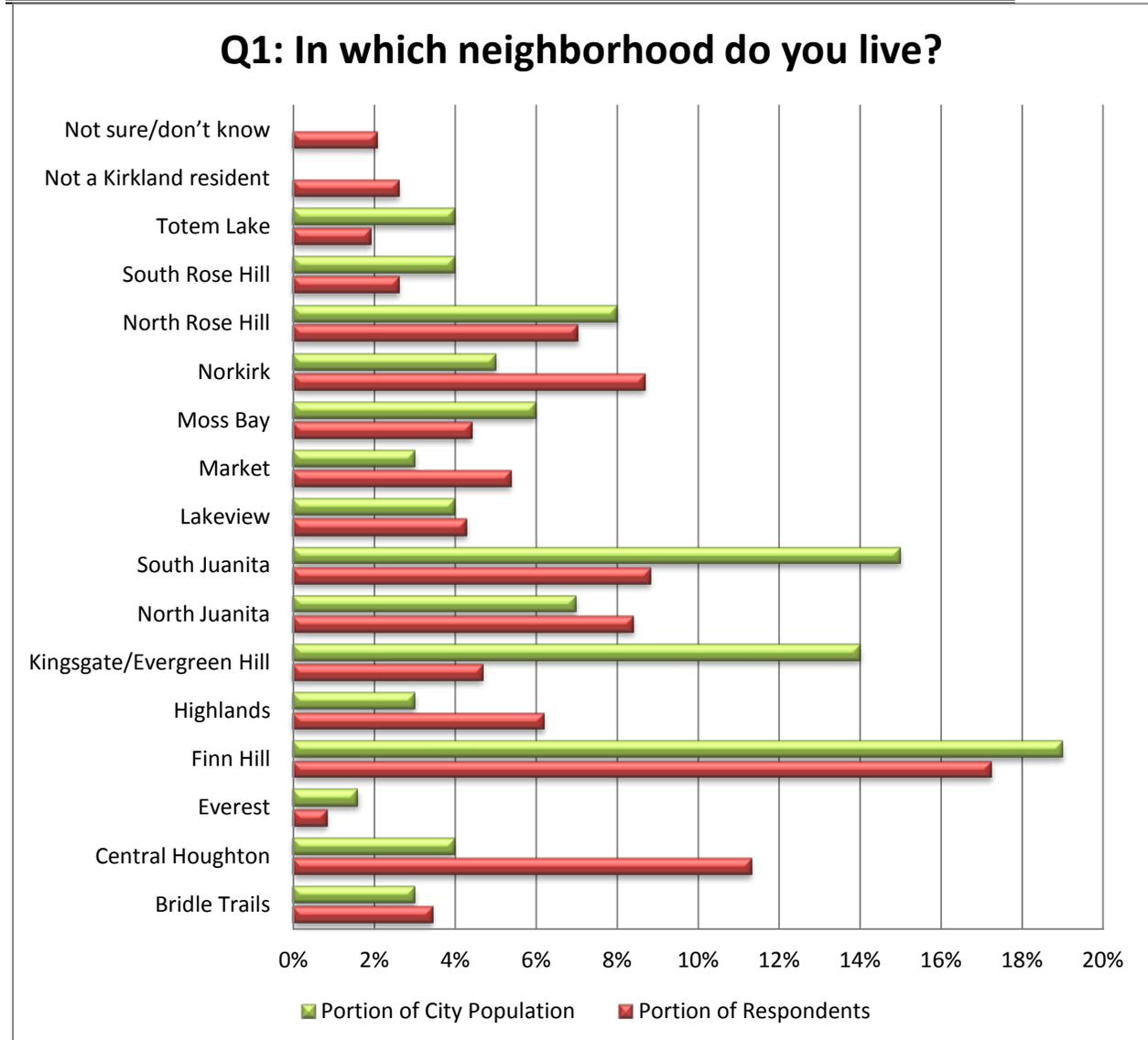
are mostly satisfied with Kirkland's public indoor recreation facilities;

- Only 1% of respondents expressed dissatisfaction with the City's recreation program offerings;
- 85% of survey participants believe that City indoor recreation facilities are important to the community's quality of life;
- When asked to select the types of indoor recreation facilities that are needed in Kirkland (if any), the most frequently selected option was one for an indoor pool/aquatic center.
- When asked about relative level of importance, survey participants placed a higher priority on maintenance and renovation of existing parks and facilities compared to acquisition and development of new parks or indoor facilities;
- When asked about whether they would support or oppose raising local taxes for various purposes, survey respondents expressed strongest support for (1) maintaining, renovating, and/or upgrading existing parks and facilities and (2) acquisition of the Eastside Rail Corridor and development of a portion of the corridor as a bike and pedestrian trail system.
- Survey participants expressed the least support in raising local taxes for (1) more parks in the newly-annexed neighborhoods, and (2) preservation of the historic Kirkland Cannery Building. A relatively high proportion of survey participants responded "don't know" regarding their support or opposition for raising local taxes for the purposes of (1) improving Totem Lake Park, (2) maintaining O.O. Denny Park, and (3) preservation of the Kirkland Cannery Building.

SURVEY QUESTIONNAIRE AND RESULTS

Q1: In which neighborhood do you live?

<u>Neighborhood</u>	<u>Total</u>	<u>Neighborhood</u>	<u>Total</u>
Bridle Trails	25	Market	39
Central Houghton	82	Moss Bay	32
Everest	6	Norkirk	63
Finn Hill	125	North Rose Hill	51
Highlands	45	South Rose Hill	19
Kingsgate/Evergreen Hill	34	Totem Lake	14
North Juanita	61	Not a Kirkland resident*	19
South Juanita	64	Not sure/don't know	15
Lakeview	31		
		TOTAL	725



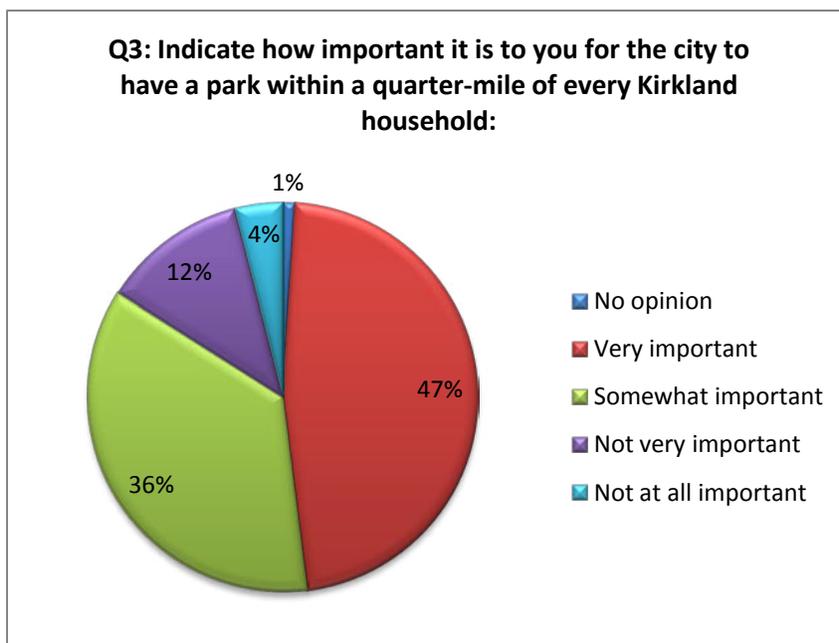
Q2: Do you live within walking distance of a park in Kirkland?

Response	#
Yes	641
No	68
Don't know	11



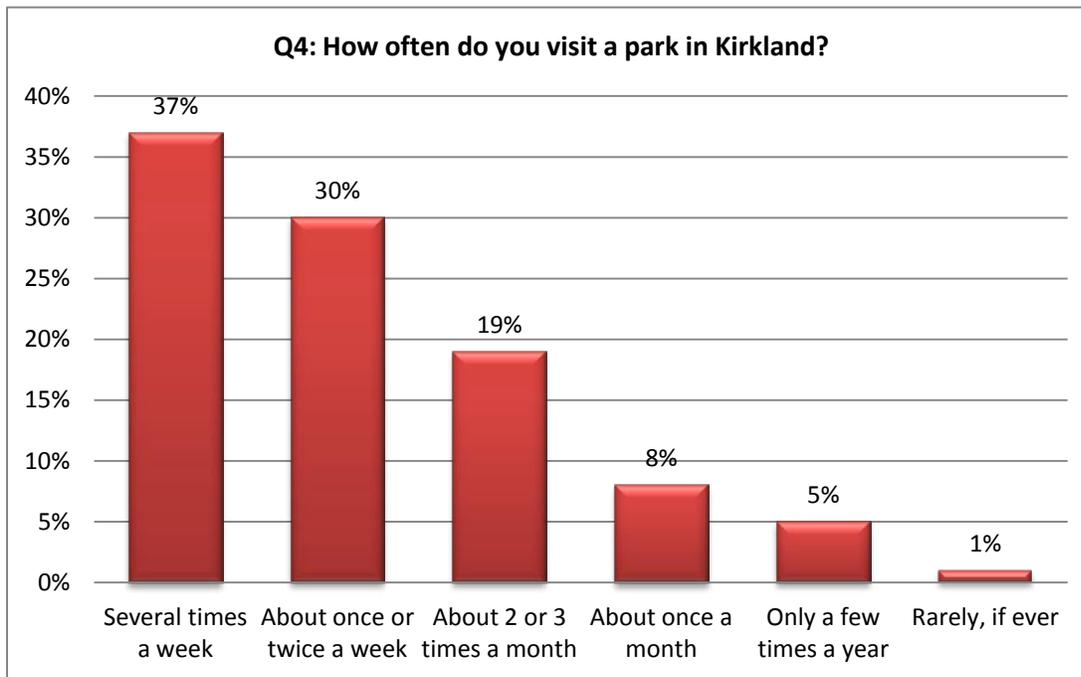
Q3: Please indicate how important it is to you for the city to have a park within a quarter-mile of every Kirkland household:

Response	#
No opinion	9
Very important	337
Somewhat important	261
Not very important	84
Not at all important	29



Q4: How often do you visit a park in Kirkland?

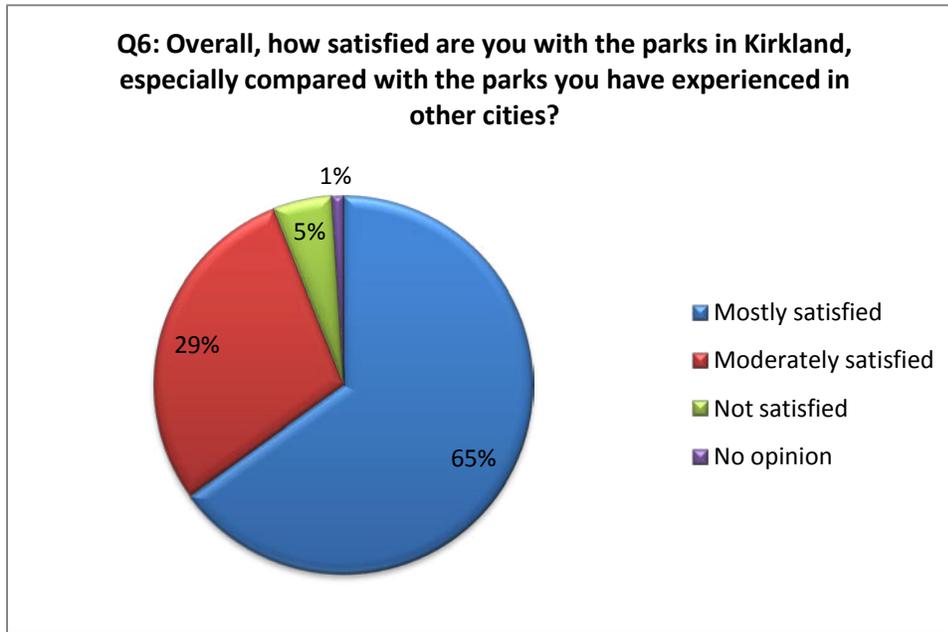
Response:	#
Several times a week	268
About once or twice a week	213
About 2 or 3 times a month	137
About once a month	58
Only a few times a year	39
Rarely, if ever	6

**Q5: What features and facilities do you appreciate most in the parks that you visit in Kirkland? (Please list up to 3)**

Please refer to Appendix A for a compilation of responses to this question.

Q6: Overall, how satisfied are you with the parks in Kirkland, especially compared with the parks you have experienced in other cities?

Response:	#
Mostly satisfied	469
Moderately satisfied	209
Not satisfied	37
Don't know	4



Q7: Which of the following statements comes closest to the way you feel about the parks in Kirkland?

Response:	#	%
Members of my household frequently use city parks, and I believe that these facilities are important to my community's quality of life.	533	75%
Although members of my household do not frequently use city parks, I believe that these facilities are important to my community's quality of life.	140	20%
Parks are nice, but they should be a lower priority for the city in tough economic times.	37	5%

Q8: Do you believe that parks maintained by the City of Kirkland are:

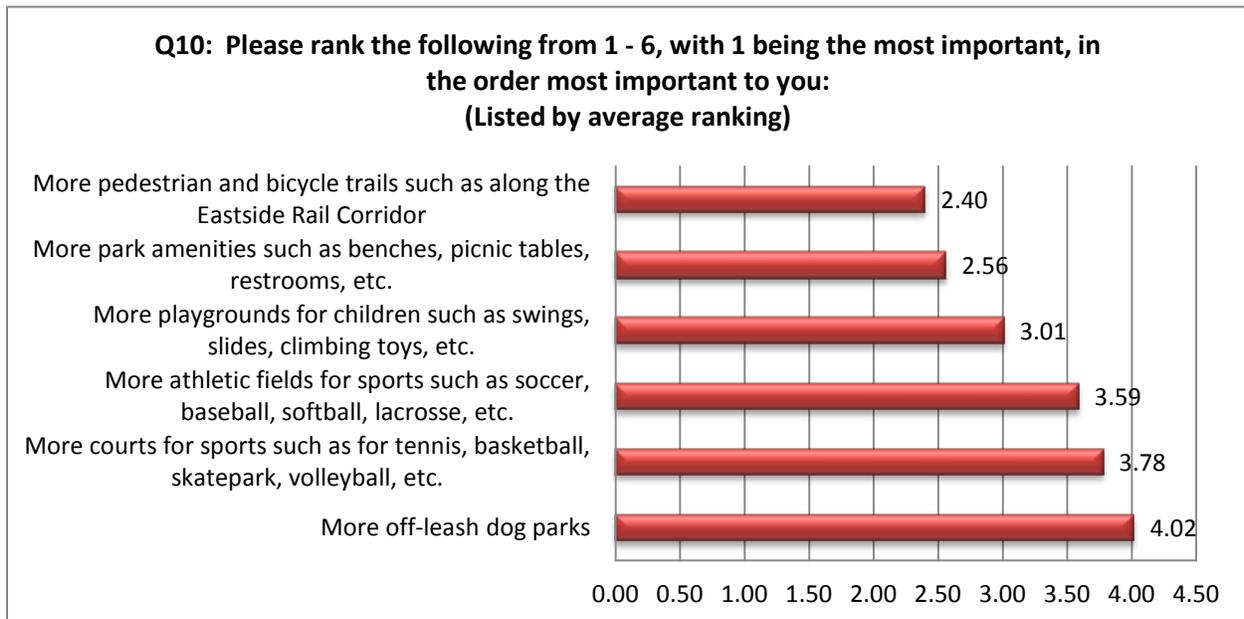
Response:	#	%
Very well maintained - keep doing what you're doing.	419	59%
Somewhat well maintained - some improvement is needed.	283	40%
Poorly maintained - significant improvement is needed.	10	1%

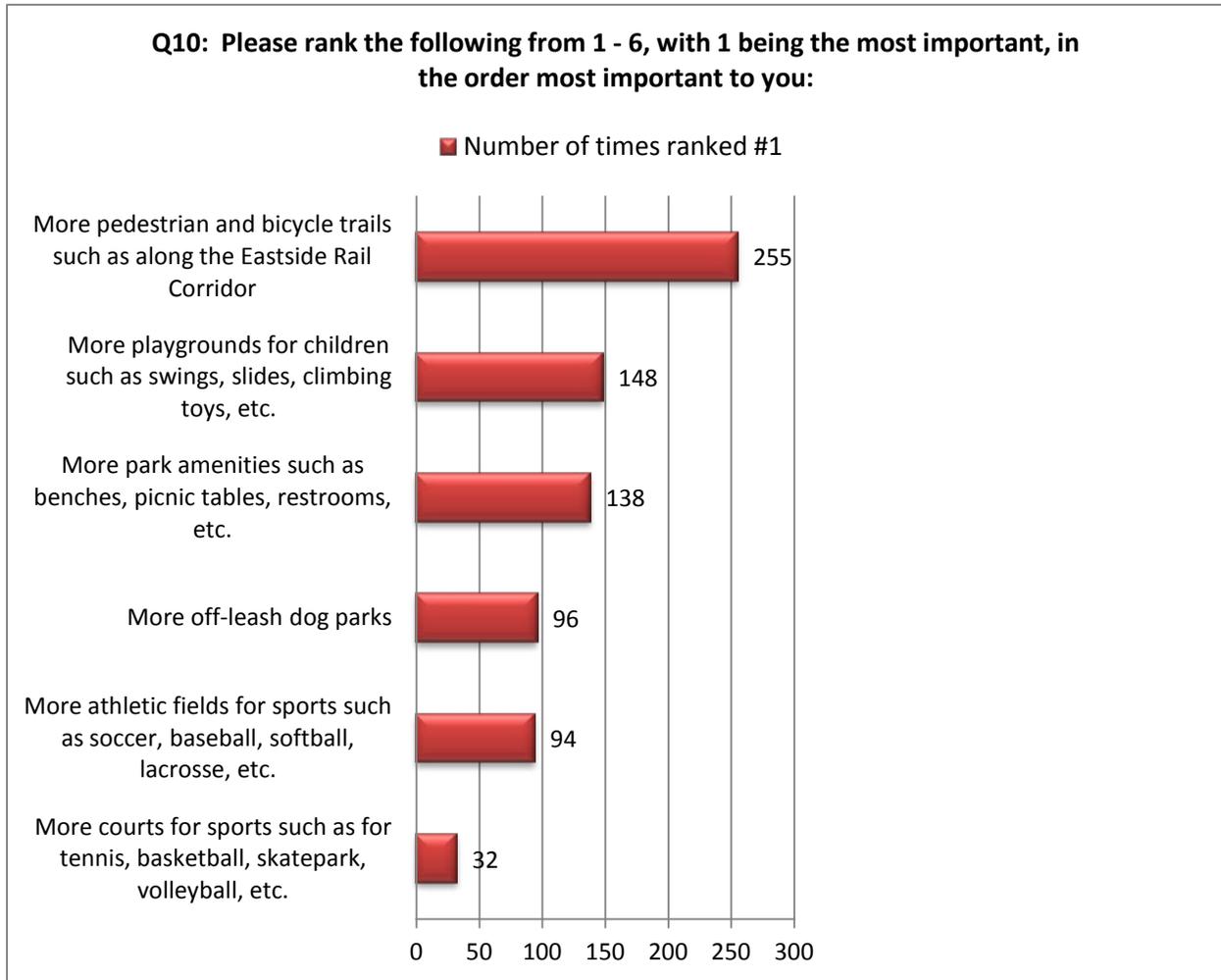
Q9: Do you believe that Kirkland’s natural areas, including undeveloped parklands, urban forests, and wetlands, are:

Response:	#	%
Very well maintained - keep doing what you're doing.	342	47%
Somewhat well maintained - some improvement is needed.	320	44%
Poorly maintained - significant improvement is needed.	23	3%
No response	40	6%

Q10: Please rank the following from 1 - 6, with 1 being the most important, in the order most important to you:

Item:	Average rank:
More playgrounds for children such as swings, slides, climbing toys, etc.	3.01
More athletic fields for sports such as soccer, baseball, softball, lacrosse, etc.	3.59
More courts for sports such as for tennis, basketball, skatepark, volleyball, etc.	3.78
More off-leash dog parks	4.02
More park amenities such as benches, picnic tables, restrooms, etc.	2.56
More pedestrian and bicycle trails such as along the Eastside Rail Corridor	2.40



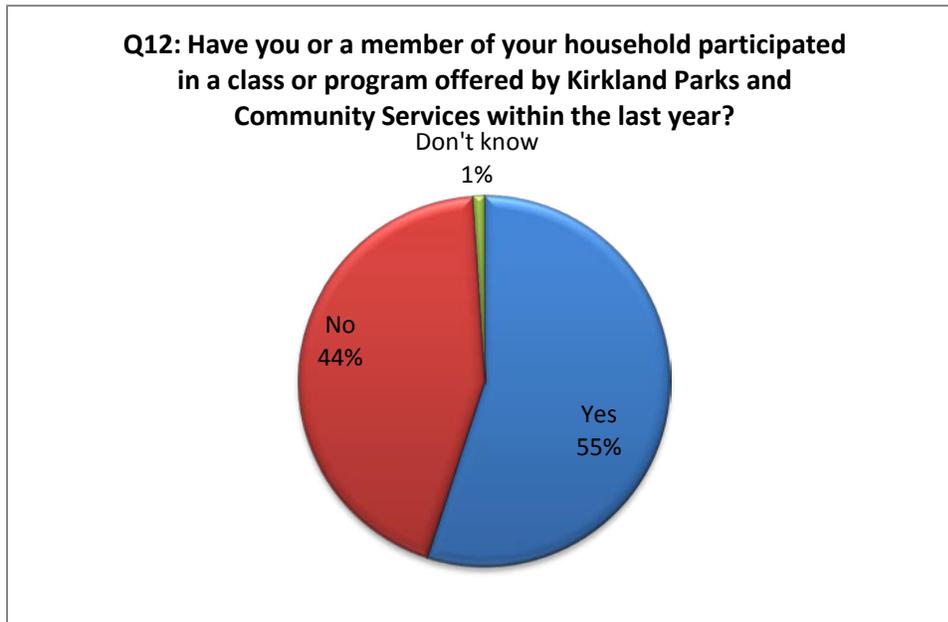


Q11: What types of additional outdoor park and recreation facilities are needed in Kirkland, if any?

Please refer to Appendix A for a compilation of responses to this question.

Q12: Have you or a member of your household participated in a class or program offered by Kirkland Parks and Community Services (preschool/youth programs, adult programs, senior programs/ family programs) within the last year?

Response	#
Yes	394
No	311
Don't know	7

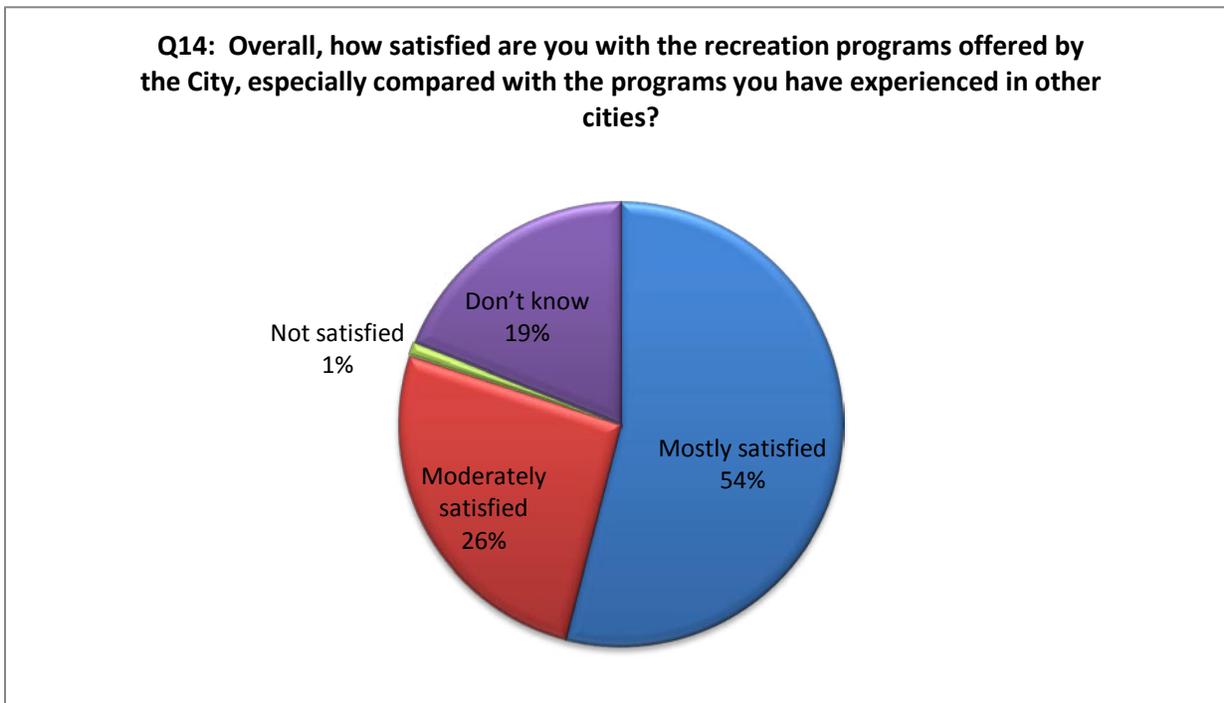


Q13: What programs, activities or classes provided by the City have you participated in? (please check all that apply)

# of Responses:	Program, activity, or class:
134	Parent-Child programs
122	Preschool programs
195	Youth sports programs
52	Youth/teen special interest programs
183	Swim lesson/aquatic programs
127	Adult fitness programs
39	Adult dance programs
41	Adult sports programs
112	Adult special interest programs
59	Programs for adults 50+
20	Other

Q14: Overall, how satisfied are you with the recreation programs offered by the City, especially compared with the programs you have experienced in other cities?

Response:	#
Mostly satisfied	372
Moderately satisfied	179
Not satisfied	9
Don't know	128



Q15: What new or improved classes, activities or programs are needed in Kirkland, if any? (Please list up to 3)

Please refer to Appendix A for a compilation of responses to this question.

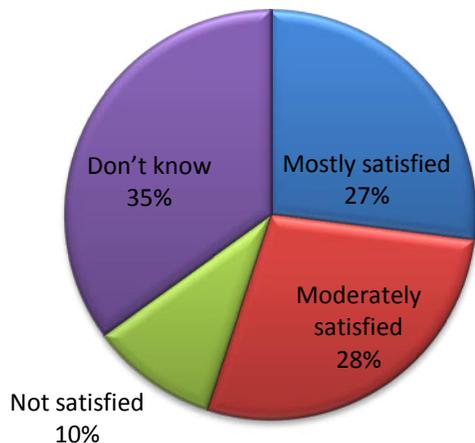
Q16: If you have not participated recently in a Kirkland Parks and Community Services recreation class or program, why not? (please check all that apply)

# of Responses:	Program, activity, or class:
73	I'm not aware or familiar with the programs/classes that are being offered by City
65	The City does not offer programs/classes of which I'm interested
114	Programs/classes are not scheduled at a convenient time for me
19	Programs/classes offered by the City are not affordable for me
14	Inadequate facilities
134	Other

Q17: Overall, how satisfied are you with Kirkland's public indoor recreation facilities, especially compared with the public facilities you have experienced in other cities?

Response:	#
Mostly satisfied	185
Moderately satisfied	196
Not satisfied	68
Don't know	240

Q17: Overall, how satisfied are you with Kirkland’s public indoor recreation facilities, especially compared with the public facilities you have experienced in other cities?



Q18: Which of the following statements comes closest to the way you feel about Kirkland’s public indoor recreation facilities?

Response:

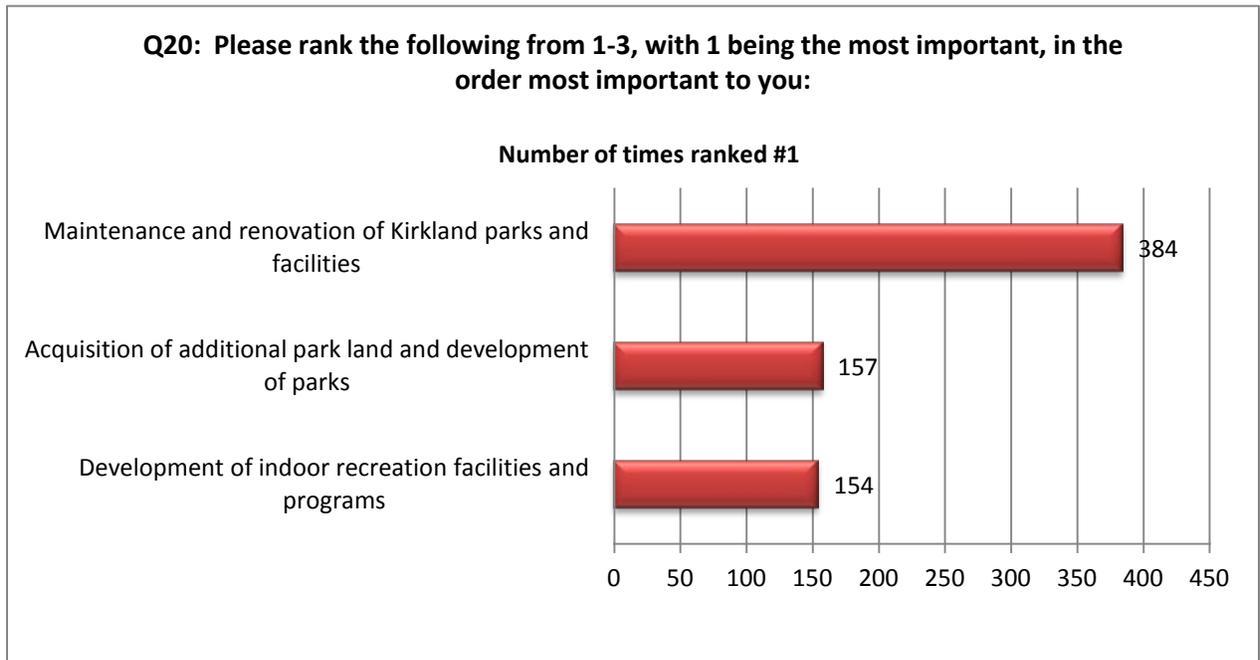
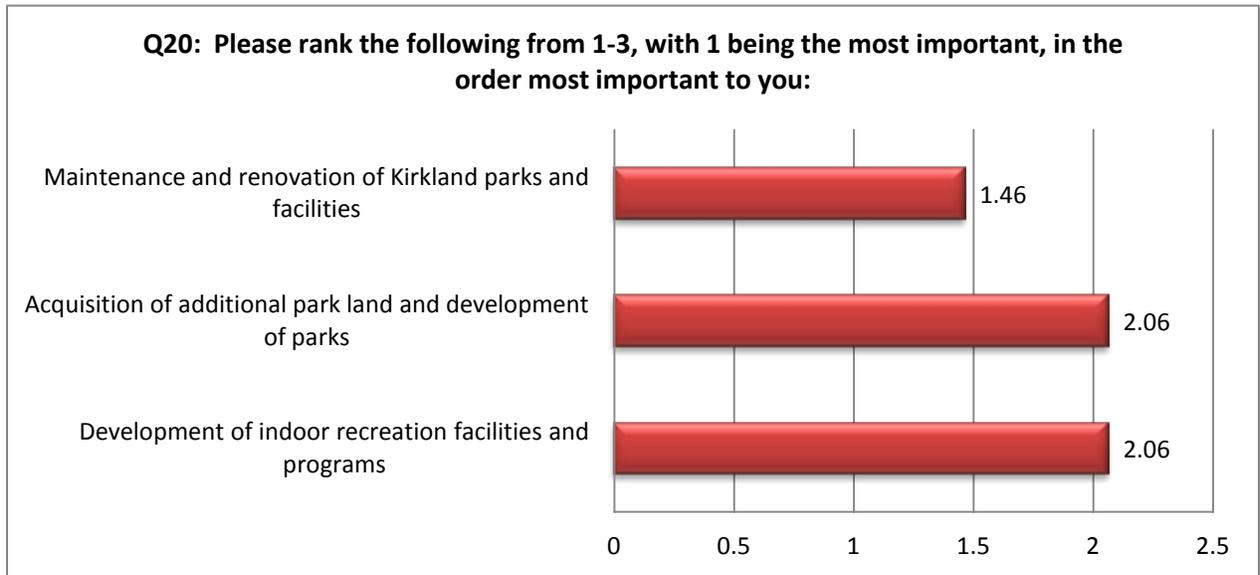
	#	%
Members of my household frequently use City indoor recreation facilities, and I believe that these facilities are important to my community’s quality of life.	144	22%
Although members of my household do not frequently use city indoor recreation facilities, I believe that these facilities are important to my community’s quality of life.	415	63%
Indoor recreation facilities are nice, but they should be a lower priority for the city in tough economic times.	103	15%

Q19: What types of additional public indoor recreation facilities are needed, if any? (please check all that apply)

# of Responses:	Facility type:
199	Multi-purpose community recreation center
171	Gymnasium/athletic space
208	Fitness facilities (cardio, strength-building, fitness classes, etc.)
110	Classrooms, meeting space, event space, etc.
375	Indoor pool/aquatics center
16	Other
123	No additional indoor recreation facilities are needed at this time

Q20: Please rank the following from 1-3, with 1 being the most important, in the order most important to you:

Item:	Average rank:
Maintenance and renovation of Kirkland parks and facilities	1.46
Development of indoor recreation facilities and programs	2.06
Acquisition of additional park land and development of parks	2.06



Q21: Would you support or oppose increasing local taxes for the following purposes?✓ **Maintenance of existing City parks and facilities**

Strongly Support	Support	Oppose	Strongly Oppose	Don't Know
193	319	80	50	52

✓ **More parks in the newly-annexed neighborhoods**

Strongly Support	Support	Oppose	Strongly Oppose	Don't Know
112	233	154	91	106

✓ **Sustainable funding for restoration of urban forests and wetlands, such as the Green Kirkland initiative**

Strongly Support	Support	Oppose	Strongly Oppose	Don't Know
143	272	108	77	88

✓ **Acquisition of the Eastside Rail Corridor and development of a portion of the corridor as a pedestrian and bicycle trail**

Strongly Support	Support	Oppose	Strongly Oppose	Don't Know
307	193	61	65	71

✓ **A community indoor recreation center**

Strongly Support	Support	Oppose	Strongly Oppose	Don't Know
146	256	121	51	115

✓ **Maintenance of O.O. Denny Park, currently operated by the Finn Hill Park and Recreation District**

Strongly Support	Support	Oppose	Strongly Oppose	Don't Know
96	218	122	57	192

Q21: Would you support or oppose increasing local taxes for the following purposes? (cont.)✓ **Preservation of the historic Kirkland Cannery Building**

Strongly Support	Support	Oppose	Strongly Oppose	Don't Know
49	163	143	71	259

✓ **Improving the Totem Lake Park property**

Strongly Support	Support	Oppose	Strongly Oppose	Don't Know
132	211	107	42	193

✓ **Renovating and repairing existing parks in Kirkland**

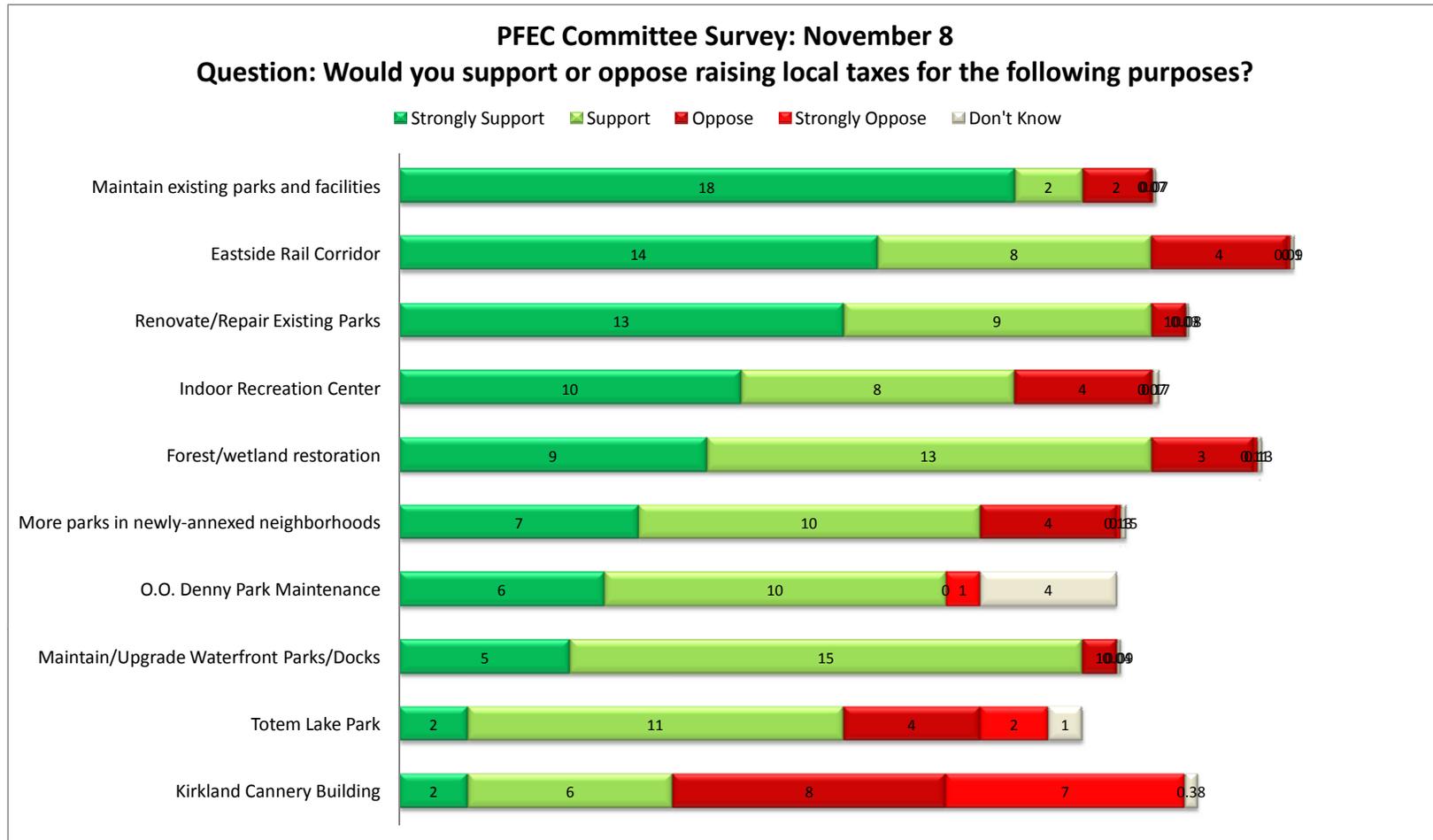
Strongly Support	Support	Oppose	Strongly Oppose	Don't Know
178	364	68	24	56

✓ **Maintaining and upgrading waterfront parks and docks in Kirkland**

Strongly Support	Support	Oppose	Strongly Oppose	Don't Know
205	318	76	29	64

Q21: Would you support or oppose raising local taxes for the following purposes?





ATTACHMENT C

PFEC Project List

Category: PRESERVE – Renovating and maintaining the community's existing park system.

<i>Note: projects not listed in priority order</i>				COSTS				Notes
#	Project Name	Project Description	Neighborhood	Capital Construction	Capital Acquisition	Maintenance & Operations One-time	Maintenance & Operations Ongoing	
1	Waverly Beach Park Renovation	Renovation may include: dock repair, shoreline restoration, drainage, irrigation, parking, playground and pedestrian safety	Market	\$745,000				Funded in CIP (2012); Up to \$500K of amount may be repurposed for Eastside Rail Corridor acquisition
2	Spinney Homestead Park Renovation	Renovation may include: drainage, irrigation, play area enhancement fencing, playfield	Highlands	\$400,000				Funded in CIP (2012); Up to \$350K of amount may be repurposed for Eastside Rail Corridor acquisition
3	Terrace Park Renovation	Renovation may include: drainage, irrigation, play area, fencing, playfield	Lakeview	\$400,000				Funded in CIP (2014)
4	Reservoir Park Renovation	Renovation may include: drainage, irrigation, play area	Norkirk	\$500,000				
5	Mark Twain Park Renovation	Renovation may include: drainage, irrigation, play area, playfield, parking, fencing	North Rose Hill	\$750,000				
6	David E. Brink Park Shoreline Restoration	Bulkhead repair, shoreline restoration	Moss Bay					
7	Everest Park Restroom Replacement	Replace restroom/storage building in same location	Everest					
8	Peter Kirk Park Restroom Renovation	Interior renovation of restroom serving Lee Johnson Field and park	Moss Bay	\$250,000				
9	Marsh Park Restroom Renovation	Renovation may include new mechanical/ventilation systems, lighting, fixtures, painting, etc.	Lakeview					

PFEC Project List

<i>Note: projects not listed in priority order</i>				COSTS				
#	Project Name	Project Description	Neighborhood	Capital		Maintenance & Operations		Notes
				Construction	Acquisition	One-time	Ongoing	
10	Houghton Beach Restroom Renovation	Renovation of existing building to include new mechanical/ventilation systems, lighting, fixtures, painting, etc.	Lakeview					
11	Juanita Beach Park Bathhouse Replacement	Replacement of existing structure to provide restrooms, concessions, storage	South Juanita					
12	Marina Park Bulkhead Repair	Repair of concrete bulkhead	Moss Bay					
13	Green Kirkland Forest Restoration Program	Restoration of urban forested areas in parks per 20-year action plan	Various	\$50,000 annually				Funded in CIP (annual)
14	Playground Replacement Program	Replacement of playground equipment to ensure safety, accessibility, usability and attractiveness	Various	\$50,000 annually				Funded in CIP (annual)
15	O.O. Denny Park Maintenance and Operations	Assumption of maintenance and operations from Finn Hill Park District	Finn Hill				\$125,000	Preliminary M&O budget
16	Renovation of select parks in newly-annexed neighborhoods	Renovation of parks in newly-annexed neighborhoods (scope to be determined)	Various					Parks could include 132 nd Square, Kingsgate, Edith Moulton, Windsor Vista, and/or Juanita Heights
17	Dock Renovations	Repair and renovate docks at various parks. Structural assessments, replace decking, beams, lighting, etc.	Various	\$250,000				Parks include

PFEC Project List

Category: ENHANCE – Redeveloping and improving the community's existing park system.

<i>Note: projects not listed in priority order</i>				COSTS				
#	Project	Project	Neighborhood	Capital		Maintenance & Operations		Notes
	Name	Description		Construction	Acquisition	One-time	Ongoing	
18	Juanita Beach Park Redevelopment Phase 2	Improvements to north side of park selected from among parking, skate park, landscaping, playfields, restroom	South Juanita	\$561,000				Funded in CIP, intended to serve as matching funds for potential grants; improvements identified in 2005 park master plan
19	Snyder's Corner Park Site Development	Improvements to be determined based on community planning process	Bridle Trails	\$443,000			\$55,400	Funded in CIP (2014)
20	Heritage Park Redevelopment Phases 3 and 4	Improvements to include restroom, parking, street improvements, stairway to Lake Ave. W.	Market	\$2,500,000			\$50,000	Master plan completed in 2003
21	Ohde Avenue Park Development	Improvements include landscaping, pea patch program, play area, parking, irrigation, drainage, utilities	Everest	\$250,000			\$7,000	
22	McAuliffe Park Development	Improvements include renovation of structures for meeting/rental/concession space, parking, traffic/pedestrian circulation, landscaping, irrigation, site utilities	South Juanita	\$7,000,000			\$100,000	Master plan completed in 2005
23	Peter Kirk Park Lee Johnson Field Synthetic Turf and Lighting	Installation of synthetic turf and improved field lighting for year-round multi-purpose sports activities	Moss Bay	\$1,500,000				
24	Lake Avenue West Park Site Development	Shoreline restoration, landscaping, installation of benches, viewing features	Market	\$100,000			\$5,000	
25	Kiwanis Park Development	Shoreline restoration, trails, interpretive features, parking, landscaping, irrigation	Market	\$1,100,000				Master plan required

PFEC Project List

<i>Note: projects not listed in priority order</i>				COSTS				
#	Project Name	Project Description	Neighborhood	Capital		Maintenance & Operations		Notes
				Construction	Acquisition	One-time	Ongoing	
26	Yarrow Bay Wetlands Development	Shoreline restoration, trails and boardwalks, interpretive features, parking	Lakeview	\$1,600,000				Master plan required
27	Heronfield Wetlands Development	Wetland restoration, trails and boardwalks, interpretive features, parking	South Juanita	\$1,600,000				Master plan required
28	Watershed Park Development	Parking, trails, interpretive features, landscaping, forest restoration	Central Houghton	\$1,100,000				Master plan required
29	Forbes Lake Park Development	New trails/boardwalks, interpretive features, wetland restoration, parking	North Rose Hill	\$1,800,000			\$25,000	Funded in CIP (\$950,000) for 1 st phase (2012); Up to \$200K of amount funded may be repurposed for Eastside Rail Corridor acquisition
30	Redevelopment of select parks in newly-annexed neighborhoods	Redevelopment of parks in newly-annexed neighborhoods (scope to be determined)	Various					Parks could include 132 nd Square, Kingsgate, Edith Moulton, Windsor Vista, and/or Juanita Heights

PFEC Project List

Category: EXPAND – Meeting Level of Service commitments and pursuing important new opportunities

<i>Note: projects not listed in priority order</i>				COSTS				
#	Project	Project	Neighborhood	Capital		Maintenance & Operations		Notes
	Name	Description		Construction	Acquisition	One-time	Ongoing	
31	Indoor multi-purpose community recreation center	Development of new multi-purpose recreation facility to include aquatics, gymnasium, fitness, classroom and meeting space	Unknown	\$42,000,000				Does not include land acquisition; net ongoing M&O costs to be determined based on facility operational model and revenue projections
32	Eastside Rail Corridor (Cross Kirkland Trail)	Acquisition and development of a portion of corridor for pedestrian/bikes	Various	\$420,000 - \$20,000,000	\$5,000,000			Includes segment between S. Kirkland Park/Ride and Totem Lake; Construction ranges from gravel trail to paved trail with transit way
33	Kirkland Cannery Building	Acquisition, preservation, and re-use of historic structure	Norkirk	\$2,400,000	\$750,000			Construction costs from 2006 study; acquisition cost estimated from KC Assessor appraisal
34	Totem Lake Park Development	Improvements to include trail/boardwalk, interpretive features, wetland restoration, flood control, habitat enhancements, parking	Totem Lake					Master plan process in 2012 proposed by Park Board
35	New Neighborhood Park: North Juanita (east of Juanita High School)	Acquisition and development of land for neighborhood park to meet ¼-mile LOS	North Juanita	\$500,000	\$2,000,000		\$50,000	Costs are estimated; no properties identified
36	New Neighborhood Park: North Juanita (north of Juanita Beach)	Acquisition and development of land for neighborhood park to meet ¼-mile LOS	North Juanita	\$500,000	\$2,000,000		\$50,000	Costs are estimated; no properties identified
37	New Neighborhood Park: Totem Lake neighborhood	Acquisition and development of land for neighborhood park to meet ¼-mile LOS	Totem Lake	\$500,000	\$2,000,000		\$50,000	Costs are estimated; no properties identified
38	New Neighborhood Park: North Rose Hill (north part of neighborhood)	Acquisition and development of land for neighborhood park to meet ¼-mile LOS	North Rose Hill	\$500,000	\$2,000,000		\$50,000	Costs are estimated; no properties identified

PFEC Project List #

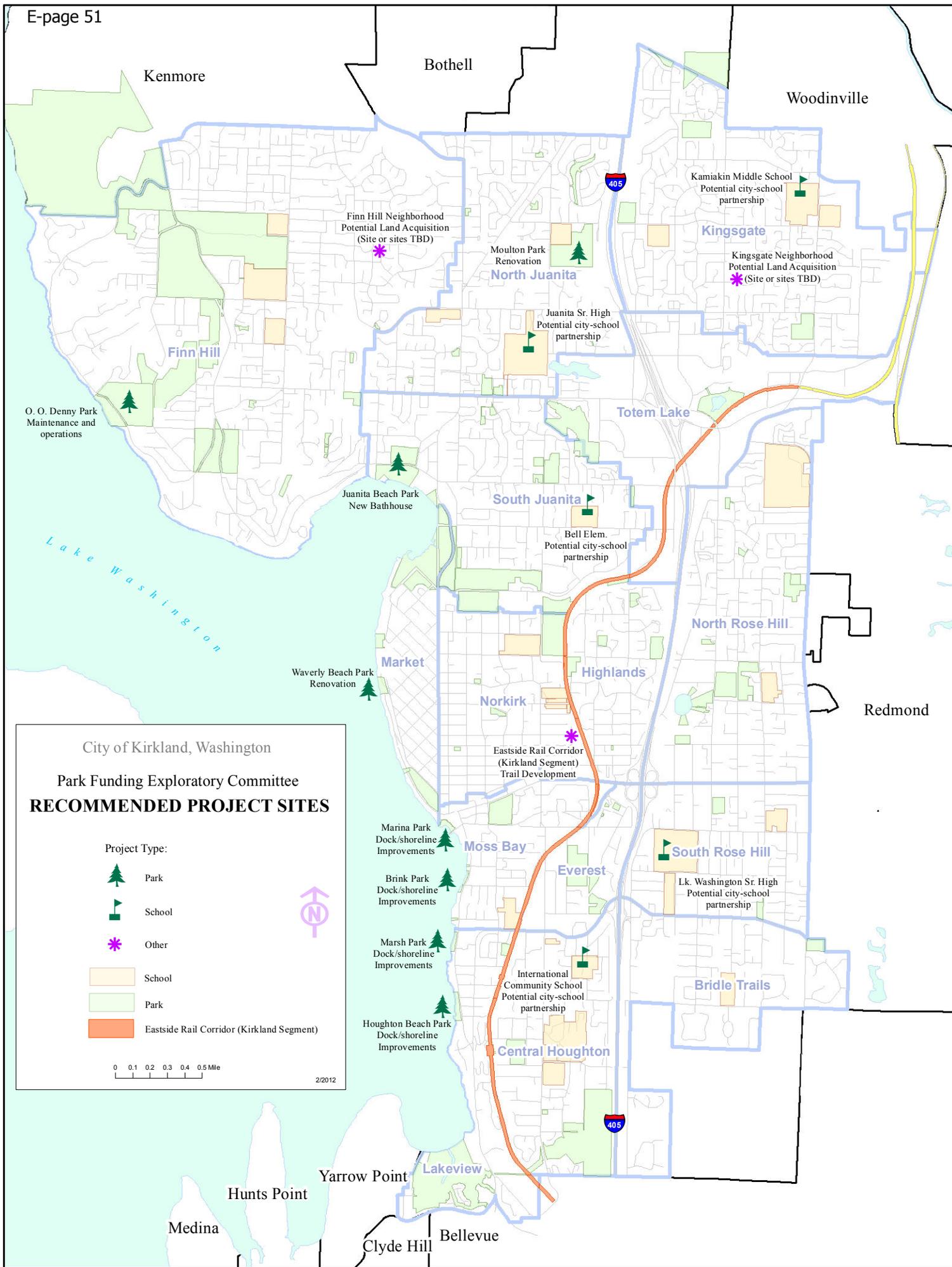
<i>Note: projects not listed in priority order</i>				COSTS				
#	Project Name	Project Description	Neighborhood	Capital		Maintenance & Operations		Notes
				Construction	Acquisition	One-time	Ongoing	
39	New Neighborhood Park: Market Neighborhood (north part of neighborhood)	Acquisition and development of land for neighborhood park to meet ¼-mile LOS	Market	\$500,000	\$2,000,000		\$50,000	Costs are estimated; no properties identified
40	New Neighborhood Parks: Newly-annexed neighborhoods	Acquisition and development of land for neighborhood parks to meet ¼-mile LOS in newly-annexed neighborhoods	Various					
41	McAuliffe Park Expansion	Acquisition of land to support parking and provide residential buffer from active uses	South Juanita					
42	Waterfront park land acquisition	Acquisition of waterfront on Lake Washington as opportunities arise	Various					
43	Bell Elementary School Playfield Improvements	Renovation and/or expansion of school playfields to improve safety and performance	South Juanita	\$200,000			\$50,000	
44	ICS School Playfield Improvements	Renovation and/or expansion of school playfields to improve safety and performance	Central Houghton	\$300,000			\$50,000	
45	Dog Off-Leash Areas	Development of new areas for dog off-leash activity	Various					

**Parks Funding Exploratory Committee -- Ballot Results
Tuesday, January 10, 2012**

ATTACHMENT D

	Yes	No	Total Votes
Based on what you know now, should the City Council present a parks funding measure to Kirkland voters on the November 6, 2012 ballot?	21	5	26
	80.8%	19.2%	

If yes, how much do you believe voters would be willing to pay for the right projects?								
Estimated Increase to Property Tax Bill	Yes	No	Total Votes	Yes	No	Annual Revenue Generated	Project Bonding Potential (9-year)	Project Bonding Potential (20-year)
\$10 per year (\$0.83 per month)	12	2	14	85.7%	14.3%	\$ 305,000	\$ 2,400,000	\$ 4,400,000
\$60 per year (\$5.00 per month)	15	5	20	75.0%	25.0%	\$ 1,830,000	\$ 14,400,000	\$ 26,400,000
\$120 per year (\$10.00 per month)	2	12	14	14.3%	85.7%	\$ 3,660,000	\$ 28,800,000	\$ 52,800,000



City of Kirkland, Washington

Park Funding Exploratory Committee

RECOMMENDED PROJECT SITES

Project Type:



Park



School



Other



School



Park



Eastside Rail Corridor (Kirkland Segment)

0 0.1 0.2 0.3 0.4 0.5 Mile

2/2012



ATTACHMENT F

Parks Funding Exploratory Committee
Funding Options

January 10, 2012
Presented by Tracey Dunlap

Agenda

- ▶ Overview of Property Taxes
- ▶ Property Tax Funding Options
 - ▶ “Original Flavor” Levy Lid Lift
 - ▶ Multiyear Levy Lid Lift
 - ▶ Excess Levy
 - ▶ Metropolitan Park District (MPD)
- ▶ Applicability to Parks Needs
- ▶ Potential Impacts on Average Household

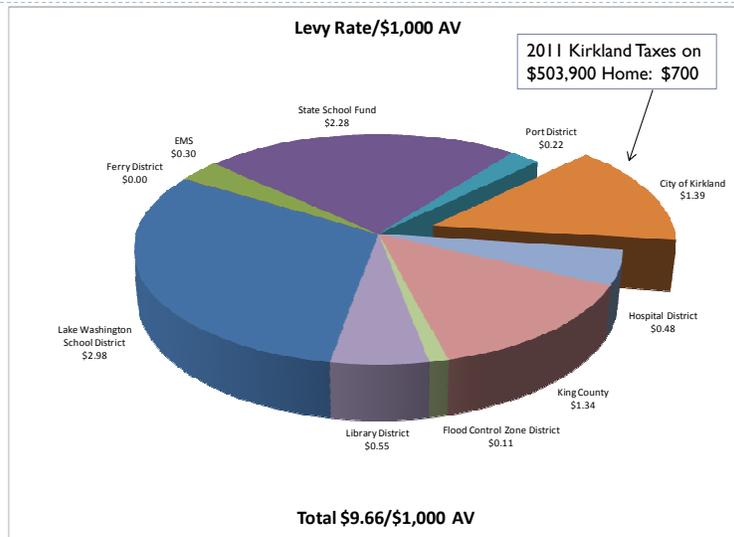


Overview of Property Taxes

- ▶ Annual tax levied on real and personal property
- ▶ How it works:
 - ▶ County Assessor establishes the assessed value (AV) of real and personal property at fair market value annually
 - ▶ Taxing districts set annual levy to be collected (in dollars)
 - ▶ Rate is result of dividing the levy by AV/\$1,000
 - ▶ County collects property taxes and distributes to City and other taxing districts

3

2011 Property Tax Distribution



4

Types of Property Tax Levies

- ▶ **Regular Levy:**
 - ▶ Ongoing resource for annual operating and maintenance costs (and any other general government costs, including debt service)
 - ▶ Annual increase limited to new construction and optional increase (lesser of 1% or the implicit price deflator)
 - ▶ Subject to statutory maximum of \$3.10 per \$1,000 AV
 - ▶ Voter approval required for increases above annual limit – **Levy Lid Lift**
- ▶ **Excess Levy:**
 - ▶ Funds voter-approved debt payments for capital projects and expires when debt is repaid
 - ▶ Based on annual debt service payments and in place for the life of the bonds

5

Components of 2011 Kirkland Rate

REGULAR LEVY		
Operating Fund	Levy	Rate per \$1,000 AV
General Fund and Street Operating	\$13,121,800	\$1.22520
Parks Maintenance Fund (approved Nov. 2002)	\$840,687	\$0.07850
Total 2011 Regular Levy	\$13,962,487	\$1.30370
EXCESS LEVY		
Unlimited General Obligation Bond Issue	Levy	Rate per \$1,000 AV
1995 Unlimited G.O. (Public Safety)	\$87,528	\$0.00817
2001 Unlimited G.O. Refunding (Public Safety)	\$186,253	\$0.01739
2003 Unlimited G.O. (Parks)	\$640,205	\$0.05978
Total 2011 Excess Levy	\$913,986	\$0.08534
TOTAL LEVY		
	Levy	Rate per \$1,000 AV
Total 2011 Levy	\$14,876,473	\$1.38904

6

Property Tax Funding Options

- ▶ **“Original Flavor” Levy Lid Lift**
 - ▶ Can be for any purpose
 - ▶ Can be for any amount of time or permanent
 - ▶ Unless proceeds used for debt service on bonds, which has maximum period of nine years
 - ▶ Initial “lift” occurs in first year, with annual increases in subsequent years limited to 1%
 - ▶ Simple majority vote on any election date
 - ▶ Example: November 2002 Parks Maintenance Levy



7

Property Tax Funding Options

- ▶ **Multiyear Levy Lid Lift**
 - ▶ Purpose must be stated in ballot measure title
 - ▶ If used for debt service on bonds, maximum period of nine years applies
 - ▶ New funds raised cannot supplant existing funds
 - ▶ Lid can increase each year for up to six years
 - ▶ After first year, lift can increase by a percentage specified for each year
 - ▶ If final year is designated as the base amount after six years on ballot, increase is limited to 1% thereafter
 - ▶ Simple majority vote at primary or general election



8

Property Tax Funding Options

- ▶ **Excess Levy**
 - ▶ For capital purposes only
 - ▶ Term is determined by the life of the proposed bonds
 - ▶ Requires a supermajority (60% approval)
 - ▶ Plus minimum 40% turnout based on last general election (validation)
 - ▶ Election can occur on any election date
 - ▶ Example: 2003 Park Bond (ends in 2022)

9

Property Tax Funding Options

- ▶ **Metropolitan Parks District (MPD)**
 - ▶ Separate taxing authority formed by:
 - ▶ Simple majority vote or
 - ▶ Petition signed by 15% of registered voters in proposed area
 - ▶ Governing body can be:
 - ▶ Five elected commissioners or
 - ▶ Governing body if contained within city
 - ▶ Maximum tax rate is \$0.75 per \$1,000 AV (up to \$11 million annually)
 - ▶ Subject to 1% levy increase limit
 - ▶ Junior taxing district, which can be limited to less than maximum if statutory limits are reached by senior districts
 - ▶ Can issue non-voted or voted debt (subject to supermajority) within set limits

10

Applicability to Parks Needs

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

11

Potential Impacts on Average Homeowner

- ▶ Estimated average assessed valuation of single family home (2011 value reduced by 4.1% AV decline): \$483,000
- ▶ 2012 total levy rate: \$1.456 per \$1,000 AV (regular levy of \$1.367 plus excess levy of \$0.089)
- ▶ Current total property tax bill paid to Kirkland for \$483,000 household is about \$704 per year
- ▶ For simplicity, examples are based on \$480,000 average household

12

Potential Impacts on Average Homeowner

- ▶ 2012 regular levy rate: \$1.367 per \$1,000 AV
- ▶ Each 1% increase to regular levy:
 - ▶ Equates to \$0.01367 per \$1,000 AV
 - ▶ Generates \$200,000 in additional annual revenue which can support:
 - ▶ 2-3 staff positions or
 - ▶ \$1.6 million in debt (9 years at 2.0%) or
 - ▶ \$2.9 million in debt (20 years at 3.25%) – *if excess levy*
 - ▶ Impact on \$480,000 household: \$6.56 per year

13

Operations and Maintenance Example

OO Denny Park Maintenance	
Ongoing Operating Cost	\$125,000
Multi-year Levy Lid Lift (0.63%)	\$0.0085 per \$1,000 AV
Annual Cost for a \$480,000 Home	\$4.10

Notes:

- Would need to evaluate supplanting issue

Capital Only - "Preserve"

Waverly Beach Park Renovation	
Capital Cost	\$745,000
Multi-year Levy Lid Lift (3.73%)	\$.0509 per \$1,000 AV
Annual Cost for a \$480,000 Home	\$24.45

Notes:

- Assumes cost is covered by levy funds versus debt



Capital Only - "Enhance"

Peter Kirk Park Field Synthetic Turf	Option I – Lid Lift
Capital Cost	\$1,500,000
Multi-year Levy Lid Lift (0.94%)	\$.0128 per \$1,000 AV
Annual Cost for a \$480,000 Home	\$6.15

Notes:

- Assumes 9-year bond funded by multi-year levy lid lift at 2.0%
- Annual debt service of \$187,500



Capital Only - "Enhance"

Peter Kirk Park Field Synthetic Turf	Option 2 – Excess Levy
Capital Cost	\$1,500,000
Excess Levy	\$.0071 per \$1,000 AV
Annual Cost for a \$480,000 Home	\$3.40

Notes:

- Assumes 20-year bond funded by excess levy at 3.25%
- Annual debt service of \$103,500



Combined Capital & Operating - "Expand"

		New Neighborhood Park	
Capital	{	Capital Cost	\$2,500,000
		Excess Levy	\$.0118 per \$1,000 AV
		Annual Cost for a \$480,000 Home	\$5.66
Operating	{	Ongoing Operating Costs (annual)	\$50,000
		Levy Lid Lift (0.25%)	\$.0034 per \$1,000 AV
		Annual Cost for a \$480,000 Home	\$1.64
		TOTAL ANNUAL IMPACT	\$7.30

Notes:

- Assumes 20-year capital bond funded by excess levy
- Annual debt service of \$172,500
- Similar structure to 2002 Election Process (\$8.4 million 20-year bond funded with excess levy plus \$0.10/\$1,000 AV maintenance levy)



Rules of Thumb for Evaluating Projects

Each \$10 per year for a \$480,000 household supports:

Annual Funding for O&M or Pay-as-you-go Capital		\$305,000
	OR	
9-year Bond for Capital		\$2.4 million
	OR	
20-year Bond for Capital		\$4.4 million

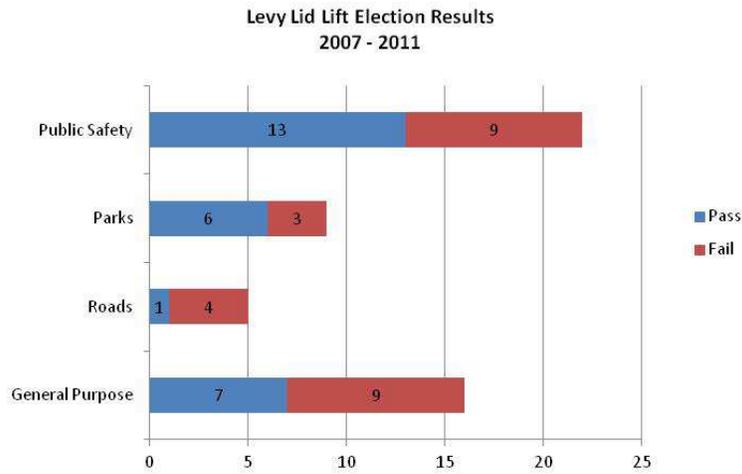
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Other Considerations

- ▶ Relationship to Finn Hill Park District Levy and existing Kirkland Parks Maintenance Levy
- ▶ Voted tax measures on the ballot for other jurisdictions
- ▶ Recent results for levy lid lifts for other jurisdictions

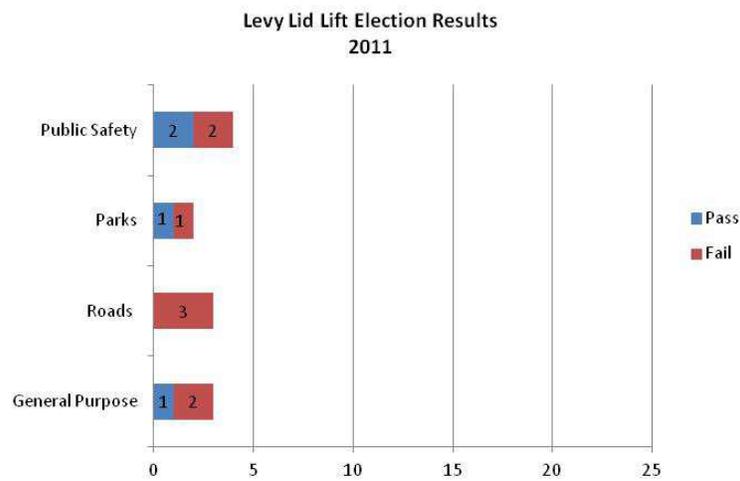
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Results for Other Jurisdictions



21

Results for Other Jurisdictions



22

Other Issues/Questions

- ▶ Final configuration dependent on types and scale of projects selected
- ▶ Questions?



SCENARIO A: Park Bond and Companion Maintenance Levy
 Two Ballot Measures: Excess Levy 20-Year Bond (Requires 60% Approval) AND Permanent Levy Lid Lift (Requires 50% Approval)

A	B	C	D	E	F	G	H
Category/Project	Description	20-Year Bond Project Amount	Annual Cost to \$480,000 home	Levy M&O Amount	Annual Cost to \$480,000 home	Total Annual Cost to \$480,000 home	Total Annual Cost per \$1000 AV
PRESERVE - Maintaining and renovating the community's existing park system							
1	RESTORE PARK MAINTENANCE AND OPERATIONS LEVEL OF SERVICE	\$0	\$0.00	\$500,000	\$16.40	\$16.40	\$0.0342
2	O. O. DENNY PARK MAINTENANCE	\$0	\$0.00	\$125,000	\$4.10	\$4.10	\$0.0085
3	URBAN FOREST AND HABITAT RESTORATION	\$0	\$0.00	\$175,000	\$5.74	\$5.74	\$0.0120
4	WAVERLY BEACH PARK	\$1,000,000	\$2.26	\$0	\$0.00	\$2.26	\$0.0047
5	WATERFRONT DOCKS AND SHORELINE RENOVATIONS	\$1,000,000	\$2.26	\$0	\$0.00	\$2.26	\$0.0047
ENHANCE - Redeveloping and enhancing the community's existing park system							
6	EDITH MOULTON PARK	\$1,000,000	\$2.26	\$25,000	\$0.82	\$3.08	\$0.0064
7	CITY-SCHOOL PARTNERSHIP PROJECTS	\$1,000,000	\$2.26	\$25,000	\$0.82	\$3.08	\$0.0064
EXPAND - Meeting facility level of service commitments and pursuing important new opportunities							
8	EASTSIDE RAIL CORRIDOR	\$3,000,000	\$6.78	\$100,000	\$3.28	\$10.06	\$0.0210
9	NEIGHBORHOOD PARK ACQUISITION AND DEVELOPMENT	\$2,000,000	\$4.52	\$50,000	\$1.64	\$6.16	\$0.0128
10	TOTEM LAKE PARK	\$2,500,000	\$5.65	\$50,000	\$1.64	\$7.29	\$0.0152
	SUBTOTAL:	\$11,500,000	\$25.99	\$1,050,000	\$34.44		
11	MAINTENANCE AND OPERATIONS INFLATIONARY ADJUSTMENT			\$105,000	\$3.44	\$3.44	\$0.0072
	***** TOTAL:	\$11,500,000	\$25.99	\$1,155,000.00	\$37.88	\$63.87	\$0.13
ADDITIONAL INVESTMENT OPTIONS:							
12	LEE JOHNSON FIELD SYNTHETIC TURF AND LIGHTING	\$1,500,000	\$3.39	\$0	\$0.00	\$3.39	\$0.0071
13	NEIGHBORHOOD PROJECT OPPORTUNITY FUND	\$0	\$0.00	\$200,000	\$6.56	\$6.56	\$0.0137
14	OPEN SPACE ACQUISITION OPPORTUNITY FUND	\$1,000,000	\$2.28	\$0	\$0.00	\$2.28	\$0.0048
15	JUANITA BEACH PARK BATHHOUSE	\$1,200,000	\$2.71	\$0	\$0.00	\$2.71	\$0.0057
16	JUANITA BEACH LIFEGUARDS	\$0	\$0.00	\$35,000	\$1.15	\$1.15	\$0.0024

SCENARIO B: Capital Levy and Companion Maintenance Levy
Two Ballot Measures: 9-Year Levy Lid Lift (Requires 50% Approval) AND Permanent Levy Lid Lift (Requires 50% Approval)

A	B	C	D	E	F	G	H
Category/Project	Description	9-Year Levy Project Amount	Annual Cost to \$480,000 home	Levy M&O Amount	Annual Cost to \$480,000 home	Total Annual Cost to \$480,000 home	Total Annual Cost per \$1000 AV
PRESERVE - Maintaining and renovating the community's existing park system							
1	RESTORE PARK MAINTENANCE AND OPERATIONS LEVEL OF SERVICE	\$0	\$0.00	\$500,000	\$16.40	\$16.40	\$0.0342
2	O. O. DENNY PARK MAINTENANCE	\$0	\$0.00	\$125,000	\$4.10	\$4.10	\$0.0085
3	URBAN FOREST AND HABITAT RESTORATION	\$0	\$0.00	\$175,000	\$5.74	\$5.74	\$0.0120
4	WAVERLY BEACH PARK	\$1,000,000	\$4.10	\$0	\$0.00	\$4.10	\$0.0085
5	WATERFRONT DOCKS AND SHORELINE RENOVATIONS	\$1,000,000	\$4.10	\$0	\$0.00	\$4.10	\$0.0085
ENHANCE - Redeveloping and enhancing the community's existing park system							
6	EDITH MOULTON PARK	\$1,000,000	\$4.10	\$25,000	\$0.82	\$4.92	\$0.0103
7	CITY-SCHOOL PARTNERSHIP PROJECTS	\$500,000	\$2.05	\$25,000	\$0.82	\$2.87	\$0.0060
EXPAND - Meeting facility level of service commitments and pursuing important new opportunities							
8	EASTSIDE RAIL CORRIDOR	\$3,000,000	\$12.30	\$100,000	\$3.28	\$15.58	\$0.0325
9	NEIGHBORHOOD PARK LAND ACQUISITION	\$500,000	\$2.05	\$0	\$0.00	\$2.05	\$0.0043
	SUBTOTAL:	\$7,000,000	\$28.70	\$950,000	\$31.16		
10	MAINTENANCE AND OPERATIONS INFLATIONARY ADJUSTMENT			\$95,000	\$3.12	\$3.12	\$0.0065
	***** TOTAL:	\$7,000,000	\$28.70	\$1,045,000.00	\$34.28	\$62.98	\$0.13
ADDITIONAL INVESTMENT OPTIONS:							
11	TOTEM LAKE PARK	\$2,500,000	\$10.25	\$50,000	\$1.64	\$11.89	\$0.0248
12	LEE JOHNSON FIELD SYNTHETIC TURF AND LIGHTING	\$1,500,000	\$3.39	\$0	\$0.00	\$3.39	\$0.0071
13	NEIGHBORHOOD PROJECT OPPORTUNITY FUND	\$0	\$0.00	\$200,000	\$6.56	\$6.56	\$0.0137
14	OPEN SPACE ACQUISITION OPPORTUNITY FUND	\$1,000,000	\$2.28	\$0	\$0.00	\$2.28	\$0.0048
15	JUANITA BEACH PARK BATHHOUSE	\$1,200,000	\$2.71	\$0	\$0.00	\$2.71	\$0.0057
16	JUANITA BEACH LIFEGUARDS	\$0	\$0.00	\$35,000	\$1.15	\$1.15	\$0.0024

PFEC Recommended Funding Package

Category/Project	Project Cost	Annual Cost to Homeowner	M&O Levy	Annual Cost to Homeowner	Annual Cost to Homeowner
TIER 1					
Restore M & O	-	-	600,000	19.68	19.68
Denny Park Maintenance	-	-	137,500	4.51	4.51
Forest/Habitat Restoration	-	-	192,500	6.31	6.31
Waverly Beach Renovation	500,000	2.05	-	-	2.05
Dock and Shoreline Renovations	800,000	3.28	-	-	3.28
Moulton Park Renovation	1,000,000	4.10	27,500	0.90	5.00
City-School Partnership Projects	1,000,000	4.10	27,500	0.90	5.00
Neighborhood Park Land Acquisition	2,500,000	10.25	-	-	10.25
Develop Eastside Rail Corridor Trail	3,000,000	12.30	110,000	3.61	15.91
Juanita Beach Bathhouse	1,200,000	4.92	-	-	4.92
	-	-			
	10,000,000	41.00	1,095,000	35.92	76.92
TIER 2					
Lee Johnson Field Turf & Lighting	1,500,000	6.15	-	-	6.15

All costs noted are preliminary estimates subject to refinement
 Note 1: Annual cost to a home with an assessed valuation of \$480,000
 Note 2: Amounts Include 10% Inflationary Adjustment

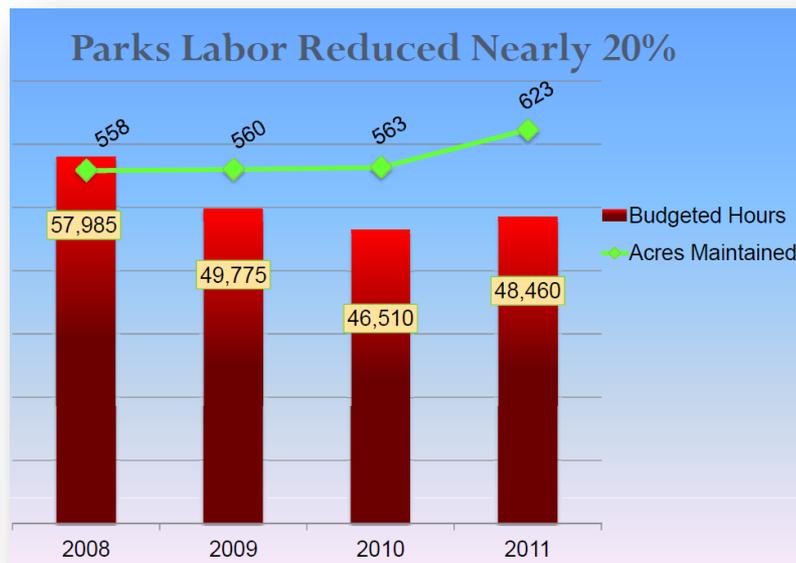
PFEC Recommended Funding Package

Restore Maintenance and Operations

Amount: \$600,000

Provides annually for:

- ✓ 2.5 FTE Maintenance Staff
- ✓ 7 Seasonal Maintenance Staff
- ✓ Lifeguards at Houghton, Waverly and Juanita Beaches
- ✓ Reopen restrooms at neighborhood parks
- ✓ Restore preventative maintenance tasks
- ✓ Restore landscape and tree maintenance
- ✓ Restore irrigation at high-use community/neighborhood parks
- ✓ Restore responsiveness to citizen requests/complaints



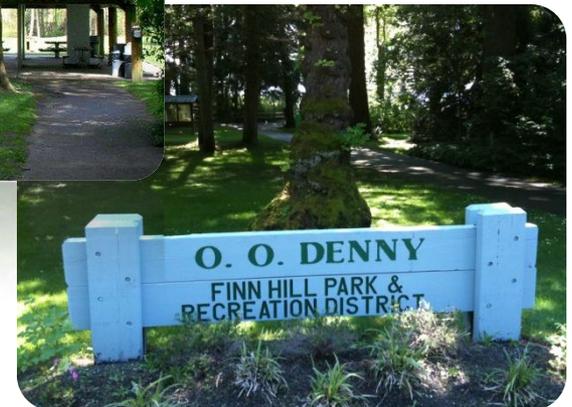
PFEC Recommended Funding Package Maintain O. O. Denny Park

Amount: \$137,500

Provides annually for:

- ✓ 2.25 FTE Maintenance Staff
- ✓ Daily maintenance of park amenities and features including restrooms, picnic areas, garbage, landscaping, lawns, parking lots, trails, and waterfront.
- ✓ Park is 46 acres and is owned by City of Seattle

The Finn Hill Park District maintenance levy will expire in 33 months (end of 2014). Approximately 19% of Kirkland's population lives within the District's boundaries.



PFEC Recommended Funding Package Forest and Habitat Restoration

Amount: \$192,500

Provides annually for:

- ✓ 2.25 FTE Staff
- ✓ Stable, on-going funding to support Green Kirkland Partnership's 20-year forest restoration plan
- ✓ Expanding volunteer stewardship to 1 new site per year (6 currently in restoration)
- ✓ Protecting and gradually expanding community investment of over 8,000 hours of volunteer restoration activities



PFEC Recommended Funding Package

Waverly Beach Park Renovation

Capital Investment:
\$500,000

Funding for:

- ✓ Developing a long-range renovation and phasing plan with community input
- ✓ Implementing first phase of renovation tasks
- ✓ Priorities include:
 - Shoreline restoration
 - Drainage/irrigation upgrades
 - Pedestrian safety
 - Parking improvements
 - Landscape upgrades

“I can best describe this beach as Juanita Beach's gorgeous little step-sister... Even when it's crowded, you still feel like you're enjoying a hidden little gem.”

- Park user comment from Yelp.com



PFEC Recommended Funding Package

Shoreline and Dock Renovations

Capital Investment:
\$800,000

Funding for:

- ✓ Structural engineering assessments of City docks and piers
- ✓ Re-decking of dock surfaces at Marina, Marsh, Brink, and Houghton Beach Parks
- ✓ Soft shoreline enhancements at Brink Park

Kirkland Shoreline Master Program

Policy SA-20.1: Incorporate salmon friendly dock design for new or renovated docks and environmentally friendly methods of maintaining docks in its shoreline parks.

Policy SA-20.7: Reduce or modify existing shoreline armoring within Kirkland's shoreline parks to improve and restore the aquatic environment.



PFEC Recommended Funding Package Edith Moulton Park Renovation

Capital Investment:

\$1,000,000

Annual maintenance:

\$27,500

Funding for:

- ✓ Developing a long-range park master plan and phasing plan with community input
- ✓ Implementing first phase of renovation tasks
- ✓ Priorities include:
 - Parking improvements
 - Drainage/irrigation upgrades
 - Creek restoration and protection
 - Trail improvements
 - Other improvements as identified through community process
 - Landscape upgrades

In the 1960s, [Edith Moulton] donated her land to the county for a park, wanting to "save some nature spots for posterity before it is too late," so that "small children could have a place to play other than the street."

- Seattle Times Article January 2000



PFEC Recommended Funding Package City-School Partnership Projects

**Capital Investment:
\$1,000,000**

**Annual maintenance:
\$27,500**

Funding for:

- ✓ Expanding City-School partnership activities by investing in school playfields as LWSD schools are renovated
- ✓ Sites to be determined but may include Bell Elementary, Kamiakin Middle School, International Community School, and Juanita and Lake Washington High Schools

"A cooperative effort on the part of the School District and the City to renovate existing playing fields on school sites should be continued as a step to providing additional needed playfield space for soccer, softball, and baseball. Independent sports organizations are experiencing a shortage of practice times and space. With facility upgrades and ongoing maintenance, facilities can be more playable and safer to use."

Kirkland Park, Recreation, and Open Space Plan 2010



PFEC Recommended Funding Package

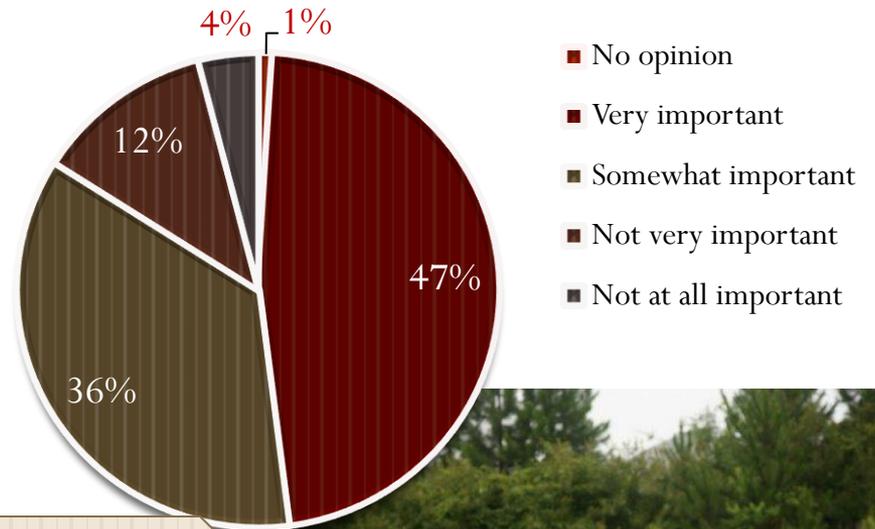
Neighborhood Park Land Acquisition Fund

Capital Investment:
\$2,500,000

Funding for:

- ✓ Land acquisition to help Kirkland move closer to the goal of providing a park within walking distance of every household
- ✓ Priority locations include Finn Hill and Kingsgate neighborhoods
- ✓ Specific properties have not been identified

Q3: Indicate how important it is to you for the city to have a park within a quarter-mile of every Kirkland household:



Over 4 out of every 5 respondents (83%) believe it is somewhat important or very important for Kirkland to have a park within a quarter-mile of every household (2011 Online Survey)



PFEC Recommended Funding Package

Develop Eastside Rail Corridor Trail

Capital Investment:
\$3,000,000

Annual maintenance:
\$110,000

Funding for:

- ✓ Removal of existing rails and construction of continuous gravel trail for hiking and mountain biking
- ✓ On-going maintenance of trail corridor

“For a city that touts pedestrian-friendly with yellow flags at many crosswalks, the trail would also improve the city’s pedestrian landscape. And in a community as active as Kirkland, a new dedicated biking/hiking trail would provide more safety for many bicyclists and pedestrians.”

- Kirkland Reporter Editorial December 2011



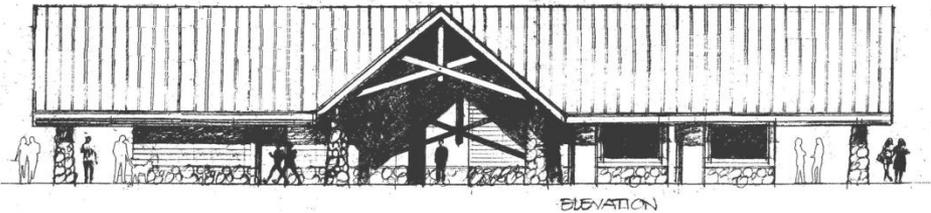
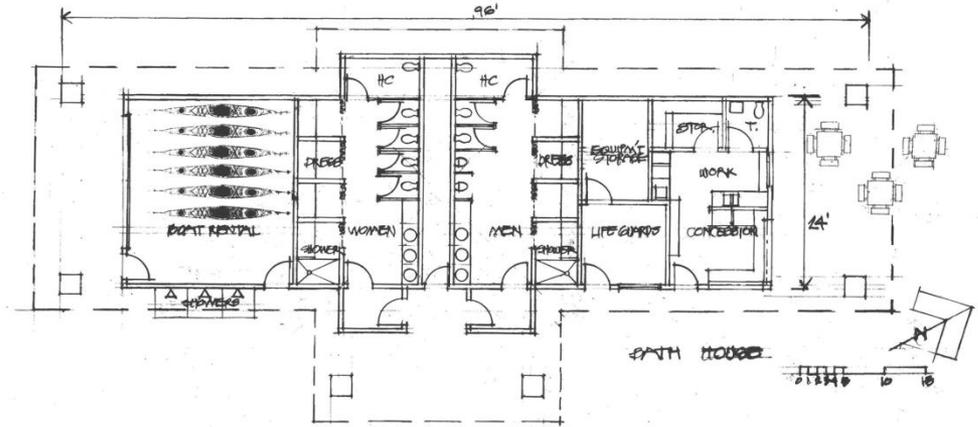
PFEC Recommended Funding Package

Juanita Beach Bathhouse Replacement

Capital Investment:
\$1,200,000

Funding for:

- ✓ Replacement of existing structure at Juanita Beach Park as identified in park master plan
- ✓ New 2,800 – 3,000 sq. ft. building with restrooms, showers, lifeguard and maintenance space, and concession space for non-motorized boating concession
- ✓ Facility prototype shown in park master plan



BATHHOUSE PLAN AND ELEVATION

JUANITA BEACH PARK MASTER PLAN
CITY OF KIRKLAND PARKS AND COMMUNITY SERVICES



Park Funding Exploratory Committee Roster

Board/Advisory Group

Name	Organization Represented
Amy Walen, Chair	City Council
Bhaj Townsend	Cultural Council
Nona Ganz	Green Kirkland Partnership
Robert Kamuda	Park Board
Barbara Ramey	Park Board
Jay Arnold	Planning Commission
Lauren Bolen	Senior Council
Sandeep Singhal	Transportation Commission
Chris Norwood	Youth Council

Institution/Business Group

Laurene Burton	Evergreen Hospital Medical Center
Rick Smith	Finn Hill Park & Recreation District
Vince Armfield	First Baptist Church of Kirkland
Val Gurin	Greater Kirkland Chamber of Commerce
Loita Hawkinson	Kirkland Heritage Society
Don Jury	Kirkland Kiwanis Club
Rick Ostrander	Kirkland Rotary Club
Jackie Pendergrass	Lake Washington School District
Paul Banas	Northwest University

Neighborhood Group

Lisa McConnell	Central Houghton Neighborhood Association
Scott Morris	Denny Creek Neighborhood Alliance
Jill Keeney	Everest Neighborhood Association
Kathy Schuler	Finn Hill Neighborhood Association
Mary Shular	Highlands Neighborhood Association
Mark Dunphy	Juanita Neighborhood Association
Kevin Hanefeld	Juanita Neighborhood Association
Craig Dulis	Kingsgate Neighborhood Association
Georgine Foster	Lakeview Neighborhood Association
Tom Reichert	Market Neighborhood Association
Bonnie McLeod	Moss Bay Neighborhood Association
Don Schmitz	North Rose Hill Neighborhood Association

Attachment I

Neighborhood Group (cont.)**Name****Organization Represented**

Suzanne Kagen

South Rose Hill/Bridle Trails Neighborhood Association

Anne Anderson

South Rose Hill/Bridle Trails Neighborhood Association

Lynda Haneman

Totem Lake Neighborhood Association

Park User/Advocate Group

Sants Contreras

Citizen at-large

Lynn Stokesbary

Citizen at-large

Laura Caron

Citizen at-large

Cindy Balbuena

Eastside Audubon

John Rudolph

Kirkland American Little League

Chuck Bartlett

Kirkland Dog Off-Leash Group

Steve Lytle

Kirkland Lacrosse

Ken McCumber

Kirkland National Little League

Curt Bateman

Lake Washington Youth Soccer Association

City Staff

Kurt Triplett

City Manager

Marilynne Beard

Assistant City Manager

Jennifer Schroder

Director of Parks & Community Services

Tracey Dunlap

Director of Finance & Administration

Michael Cogle

Deputy Director

Linda Murphy

Recreation Manager

Jason Filan

Park Operations Manager

Cheryl Harmon

Administrative Assistant



MEMORANDUM

To: Kurt Triplett, City Manager
From: Ray Steiger, P.E., Public Works Director
Date: March 20, 2012
Subject: CONSIDERATION OF A TRANSPORTATION BENEFIT DISTRICT OR A STREET PRESERVATION BALLOT MEASURE

The purpose of this memo is to provide an update on potential state changes to the Transportation Benefit District (TBD) and to summarize options for the Council to consider in discussions regarding potential new revenue for the Street Preservation Program.

During the current special session of the State legislature, consideration is being given to allow local agencies to raise the limit on the Councilmanic option TBD funding from \$20 per license fee to \$40 per license fee to increase the ability of local jurisdictions to address local needs. Many Washington cities have implemented TBD funding for transportation funds. As of March, 2012, 15 cities have implemented \$20 car tab TBD's, one has implemented \$10 fees, one a special gas tax, and nine have implemented a 0.2% sales tax fee (Attachment A).

Staff estimate that a \$40 car tab would generate approximately \$2.4 M for Kirkland were it enacted and would allow the City to attain its currently adopted level of service of a PCI of 70 for arterials and exceed the adopted level of service of a PCI of 65 for non-arterials by approximately 2021 (Figure 1).

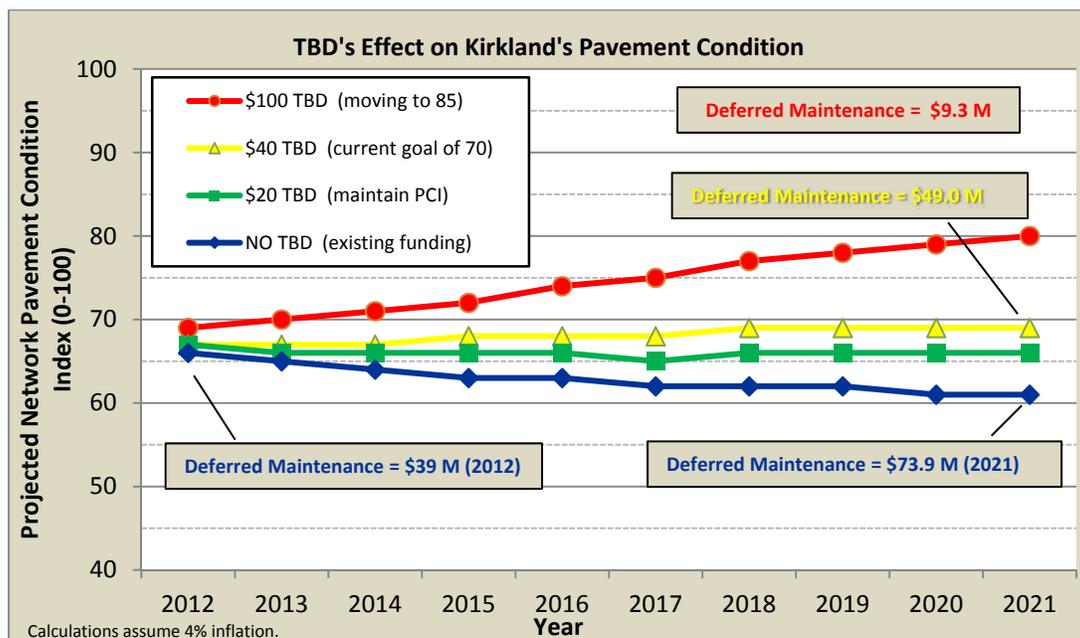


Figure 1: \$40 TBD's effect on Kirkland's Pavement Condition

The existing \$20 Councilmanic limit, if applied to the arterial system first as recommended by staff at the Council's January 17, 2012 meeting, would allow the City to attain its PCI goal of 70 on the arterials, but be significantly below the PCI goal of 65 on the non-arterials (Figure 2).

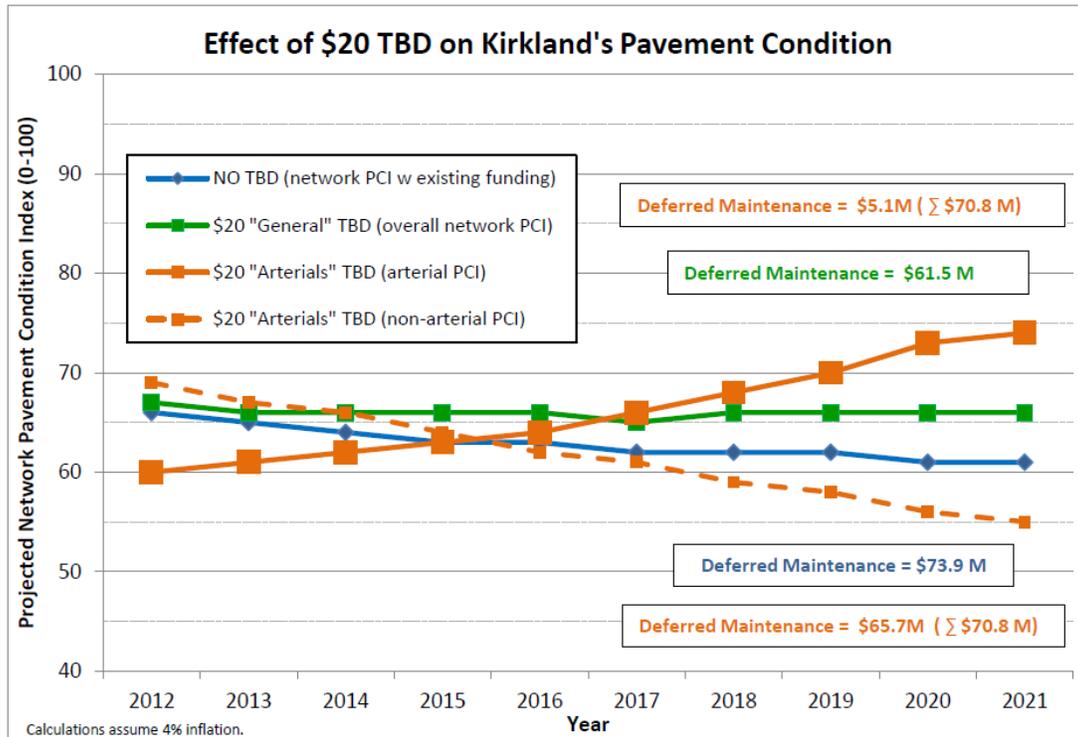


Figure 2. Effect of \$20 TBD on Kirkland's Pavement Condition

At the January 17, 2012, Council meeting staff presented a summary of the TBD public outreach process that was undertaken in the summer and fall of 2011 (Attachment B). From the community feedback that was received, citizens continue to hold street maintenance as an important service to be provided by the City. This was again substantiated by the 2012 community survey just recently completed. The survey concludes that street maintenance is highly important and yet the observations are that performance is lagging. To that end, the recent outreach to the community has centered on measuring the support for added revenue for street maintenance. City Council asked that staff return with additional information regarding other Cities and their revenue make up, particularly Bellevue and Redmond where Pavement Condition Indexes tend to be higher than in Kirkland (Attachment C). This information is being prepared by City staff and will be distributed at the City Council retreat.

2012 Street Preservation Ballot Measure

If the Council elects not to implement a Council-approved TBD \$20 or \$40 car tab fee, there are several ballot options available for 2012. The TBD itself contains different voter approved options. The Council can place any amount of car tab license fee on the ballot up to \$100. The Council could also place a \$.002 sales tax on the ballot.

As an alternative to the potential TBD ballot measures, the Council could also place a property tax bond or levy measure on the ballot. Staff has not done a great deal of work on a potential roads property tax measure but wanted to provide some basic information and assumptions to inform the Council retreat discussion.

Using the Park Funding Exploratory Committee (PFEC) recommendations as a starting point, a potential 2012 ballot measure should be a levy request which requires a 50% voter approval rather than a bond measure which requires 60% approval. The maximum time allowed for a capital levy is 9 years.

Assuming the goal of a property tax ballot measure would be to eliminate the maintenance backlog; staff is using the \$39,000,000 backlog as the levy amount. In the first scenario of the chart below the ballot measure would be a \$39,000,000 debt-financed levy lid lift for 9 years. Overall costs are higher, but more work would be done sooner since all the money would be available upfront. In the second scenario the measure would be a "pay as you go" \$4,300,000 annual levy lid lift. Costs are lower but the projects would take longer to complete. The rate per thousand AV, the annual cost, and the 9-year cost to a Kirkland home of \$480,000 are also included in the chart.

Project	Debt 9-year	Annual Levy Lid Lift	Cost to \$480,000 Home	Rate per \$1,000 AV	Cost to \$480,000 Home (9-Year)
\$39 million Funded with 9-year Levy Lid Lift Bond (50% Approval)	\$39,000,000		\$ 159.90	\$0.3331	\$ 1,439
OR					
\$4.3 million per year Funded with 9-year Levy Lid Lift (50% Approval)		\$ 4,300,000	\$ 141.04	\$0.2938	\$ 1,269

If the Council wishes to pursue a property tax measure, staff could develop several other scenarios such as a two-phased measure over 18 years, less money per year, a shorter time frame for the levy, or a permanent levy option. Corresponding capital and operating project lists could be developed reasonably quickly.

Questions to be considered at the Council Retreat

- Does the Council have comments or input on the "arterials first" strategy?
- Are there other projects or programs the Council would like to see included in a \$20 car tab proposal?
- Is the Council willing to consider a \$40 car tab fee if authorized by the legislature?
- If so, are there specific projects or programs the Council would like to see included?
- Does the Council want to see options developed for a street preservation ballot measure?
- If so, does the Council have a preference as to the size, duration or type of measure?
- What additional information does the Council need to be able to provide final direction regarding street preservation in April so that staff may develop the CIP for the 2013-2014 budget?

Jurisdiction	Vehicle License Fee	Sales Tax
TBDs Passed in 2011		
Ferndale		\$0.002 sales tax (passed, election 02/14/2012)
Grandview	\$20 (02/01/2012)	
Mabton	\$20 (12/01/2011)	
Mountlake Terrace	\$20 (passed 12/05/2011)	
North Bend		\$0.002 sales tax (passed, election 11/08/2011)
Snohomish County		\$0.002 sales tax (passed 08/16/2011)
Spokane	\$20 (09/01/2011)	
Walla Walla		\$0.002 sales tax (passed, election 02/14/2012)
Wenatchee	\$20 (passed 01/26/2012)	
TBDs Passed in 2010		
Bellingham		\$0.002 sales tax on car dealers and leasing companies (04/01/2011)
King County		
Leavenworth		\$0.002 sales tax (04/01/2011)
Lynnwood	\$20 (07/01/2011)	
Seattle	\$20 (05/01/2011)	
Snohomish		\$0.002 sales tax (01/01/2012)
Snoqualmie	\$20 (03/01/2011)	
TBDs Passed in 2009		
Bremerton	\$20 (12/07/2011 res. passed)	
Burien	\$10 (02/01/2010)	
Prosser	\$20 (11/01/2009)	
Shoreline	\$20 (02/01/2010)	
University Place		
TBDs Passed in 2008		
Des Moines	\$20 (09/01/2009)	
Edmonds	\$20 (09/01/2009)	
Lake Forest Park	\$20 (09/01/2009)	
Olympia	\$20 (10/01/2009)	
Ridgefield		\$0.002 sales tax (04/01/2009)
Sequim		\$0.002 sales tax (04/01/2010)
TBDs Passed Prior to 2008		
Liberty Lake (2002)		
Point Roberts , Whatcom County (1992)		Special gas tax \$0.01/gallon (1992)



CITY OF KIRKLAND
Public Works Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Ray Steiger, P.E., Public Works Director
Date: January 6, 2012
Subject: Transportation Benefit District Update

RECOMMENDATION:

It is recommended that the City Council:

- Reviews the public input received regarding the formation of a Transportation Benefit District (TBD);
- Receives a briefing and provides feedback on a focused "arterials first" proposal for a \$20/vehicle TBD;
- Concurs with the staff recommendation that formation and implementation of a TBD be a significant element of the March Council retreat agenda;
- Provides final direction to staff regarding the formation of a TBD or an alternative street preservation funding strategy in April of 2012.

BACKGROUND DISCUSSION:

The issue of additional street preservation funding has been an on-going one for the past three years. As the 2013/2014 budget is developed, a final decision on whether to proceed with a Transportation Benefit District or some other voter-authorized funding option is necessary. What follows is a brief history of the discussion to set the stage for the current decisions facing the Council.

On February 14, 2009, Public Works staff presented the 2008 State of the Streets report to the City Council outlining the funding deficiencies in the Street Preservation Program and recommending several options to provide additional funding; one option was a TBD (Attachment A). After reviewing and discussing the Report, Council recommended that staff develop the options more fully and bring back more information regarding the various proposed fees and other options; follow up was presented to Council on February 16, 2010 and is summarized in the following narrative.

2009 Follow-up

Staff worked on developing the Street Preservation Program options throughout 2009, and in addition, presented draft proposals at three Transportation Commission meetings during 2009; each time staff was provided with useful feedback and direction. In July 2009, staff updated the City Council Finance Committee with information on the components and requirements of a TBD. At that time, the Finance Committee asked that staff wait and present the TBD option to the full Council in context of the full array of funding options. Staff was asked to continue to work with the Transportation Commission on developing the options.

The options were presented to the full Council at their February 2010 meeting. There were several recommendations the Transportation Commission noted which were incorporated into the report to Council including recommendations aligned with the Commission's 'Transportation Conversations' document and consideration of the Council goals of Financial Stability and Dependable Infrastructure.

Staff follow-up was summarized in tabular form with a number of discrete elements identified to increase the street preservation program to higher investment levels (Investment Alternatives). The following narrative is most easily understood read alongside Attachment B – Street Maintenance Strategy.

- The Annual revenue required to attain and sustain a PCI of 70, Council's adopted LOS since approximately 2006, is highly dependent upon the prevailing inflation rate. In general terms, staff estimates approximately \$5-7 M/year, depending on the rate of inflation. Given the long-term nature of investment in the street network, the inflation rates dramatically change the annual cost requirements.
- Currently the City has \$2.8 M available in annual preservation funds. This includes \$2.0 M for the Annual Preservation Program, \$400 K for the Street Maintenance Division's pavement program, and an estimated \$400 from other various roadway restoration projects (i.e. grant projects).
- The funding gap, therefore, is between \$2.2 M and \$4.2 M/yr.
- It was assumed there will be no single source of revenue in the near future to close that gap.
- Staff developed a four-tiered strategy for increasing funding levels. The details of each tier are included in the attached spreadsheet. The Tiers are:
 - Efficiencies
 - Regulatory and Policy Changes
 - Partnerships
 - New Revenue Sources
- In addition, staff reviewed each of the strategies and placed them in four somewhat additive alternatives based on their relative ease of implementation. These are color-coded on the attached spreadsheet. The alternatives are:
 - Base Program (existing 2009-2014 CIP in the beige column)
 - Administrative Changes made with Council knowledge (recommended in the 2011-2016 CIP in the green column)
 - Changes requiring Council decisions and/or financial impacts to third parties (in the yellow column)

- Changes requiring State Legislative Action or third party agreements (red column)
- At the February 2010 meeting, Staff recommended and Council approved proceeding with the administrative changes identified in Alternative 1 and of developing a community outreach/involvement strategy for pursuing Alternative 2 – namely the TBD. Input gained from the community outreach could also be applicable in the event legislation is passed for the Street Utility.

In June of 2010, after detailed information regarding the TBD and a recommended community outreach process was developed, staff presented the following proposal to Council.

Community outreach for the Transportation Benefit District

Kirkland City Councils have historically supported the preservation and maintenance of existing infrastructure with periodic increases in funding for the street preservation program. These values are reflected by the community in surveys and in various public forums. What had not yet been discussed directly with the Kirkland community however was the need for additional funding toward the preservation of the existing street system. As the decision to implement a TBD was being contemplated by the Kirkland City Council, informing the Community of this need was imperative for their understanding.

Staff proposed the following approach consistent with the “consult” level of Public Participation. This level would afford opportunities for the Community to engage, learn about the importance of the various street maintenance programs and the consequences of not investing in robust maintenance funding levels. It would also provide a sense of the level to which the Community was financially willing to participate in the maintenance of that infrastructure in the event a voted TBD was in Kirkland’s future or in the event that state-wide legislation was approved to create Street Utilities. The recommended participation was as follows:

- Staff was to develop a community web page with information on the City’s street preservation program:
 - Identify current funding strategies and history
 - Describe the nature of pavement degradation and its long term impacts to the community
 - Outline community surveys and feedback regarding street maintenance priorities
 - Describe the TBD mechanism and anticipated outcomes
- Address various stakeholders including neighborhood associations, Chamber of Commerce, others with public meetings/open house
- Assemble a public service message for the Kirkland TV channel
- Solicit additional feedback through list serve survey feedback

This outreach was to be undertaken with a goal of returning to the Council in the Fall of 2010 with recommendations on a funding level for the TBD. In the fall of 2010, during the final 2011-2012 Budget deliberations based on feedback from a struggling business community, concerns of a “tax weary” public, and the uncertainties associated with the upcoming annexation, the City Council concluded that proceeding with a Transportation Benefit District (TBD) was not appropriate at the

time. The Council removed the assumption of TBD revenues from 2010 and eventually 2011 but requested that staff return after annexation in order to allow them to reconsider the option of a TBD for supplemental transportation funding. Recall that the City Council may adopt a \$20/vehicle license fee without a public vote; any amount over that, up to the statute authorized \$100 license fee limit or 0.2% local sales tax option, requires a public vote. The TBD outreach was limited to a City web-page development; the presentation and survey were delayed until after the annexation results.

2011 Post Annexation

In July 2011, the City Council approved staff moving forward with remaining elements of the Community outreach, specifically addressing various stakeholders including neighborhood associations, the Chamber, and the general public. Staff presented to a number of groups and has received significant feedback as a result of a survey that was provided to those attending the meetings and for those visiting the City web-site (Attachment C). Due to scheduling conflicts, not all neighborhoods were able to participate in the presentation, however survey results have now been received and tabulated for nearly 90 participants. Additionally, editorial and specific comments collected from the stakeholders are now available and have been incorporated into Staff's recommendation to the City Council. In the fall of 2011, the Council also removed the assumption of TBD revenues from the 2012 budget.

Conclusions

Survey results indicate the respondents put a very high level of importance on maintaining the Street network; this confirms previous community surveys. Additionally, the feedback suggests that there is a high level of importance to seek new revenue dedicated to the Street Preservation Program. Many of the stakeholders were not convinced that the City had fully considered other efficiencies and utilization of existing funding prior to seeking additional "taxes" from the community; feedback suggests that, to some degree, priorities of the City should be reevaluated such that existing funds be spent on maintenance of existing facilities.

An additional theme that was raised (in particular by business groups) was to also consider maximum "bang for the buck" and show specific outcomes in any proposal. The concern expressed was that a \$20 car tab spread throughout the entire city might be perceived to provide little real impact to the backlog and it would be more difficult to demonstrate what residents received for the money invested. The suggestion was to develop a specific project list with a sunset date that served the largest number of people.

Although a variety of responses were received, all 84 respondents provided responses to their level of support for various options. A \$20 TBD received nearly 55% support when the survey was completed (Question 5 of the survey):

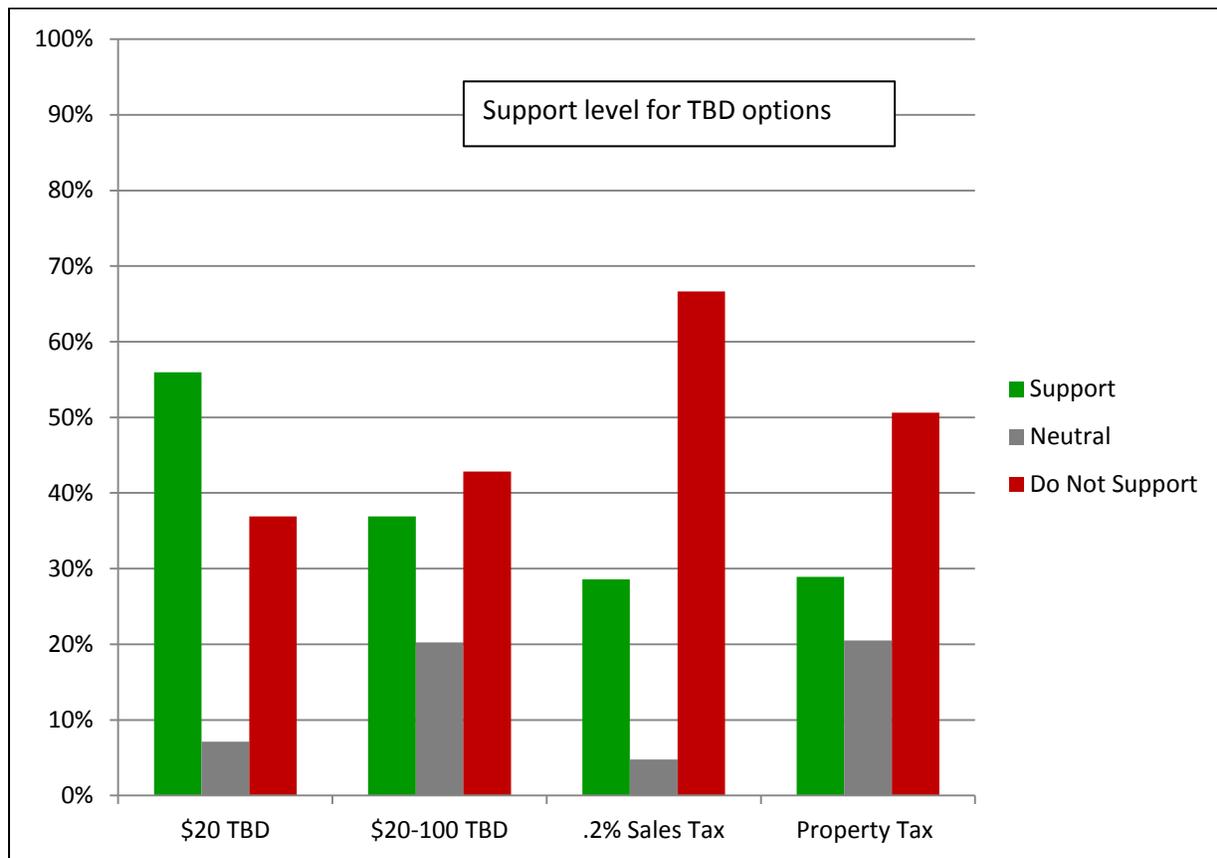


Figure A – TBD funding level support comparison

Support for increasing revenue levels beyond \$20 fell appreciably, and correspondingly, the number of those that “do not support” the revenue grew.

When applied to the entirety of the “new” City, a \$20 TBD is estimated to generate \$1.1 million annually in revenue as it becomes fully implemented. Application of this revenue to the entire City roadway network is projected to maintain the overall PCI, however the deferred maintenance (the backlog) would grow from its current approximately \$39 million to approximately \$62 million (Figure B).

“Arterials First” Strategy

As a result of the public feedback and additional analysis, staff is proposing that if the Council proceeds with a \$20 car tab, the additional \$1.1 million should be focused on the arterials in Kirkland as part of a “restore and protect” strategy. The arterials currently have the lowest PCI in the “old” city and are the most heavily used roadways in both the old and new neighborhoods. Dedicating this new money to the arterials would dramatically increase the current PCI in the old city, protect and preserve the high PCI in the new neighborhoods and provide benefit to the largest number of users. Projects would be specific and residents and businesses could see the direct benefit of their fees. Local streets would continue to receive repair and replacement, but measures such as slurry seal would be more widely utilized. The

chart below shows the PCI impact on this investment for both arterials and local roads. Note that with an "arterials first" strategy, local roads would see a degradation in their overall condition. But success with an arterials strategy could set the stage for a second round of TBD investment in local roads.

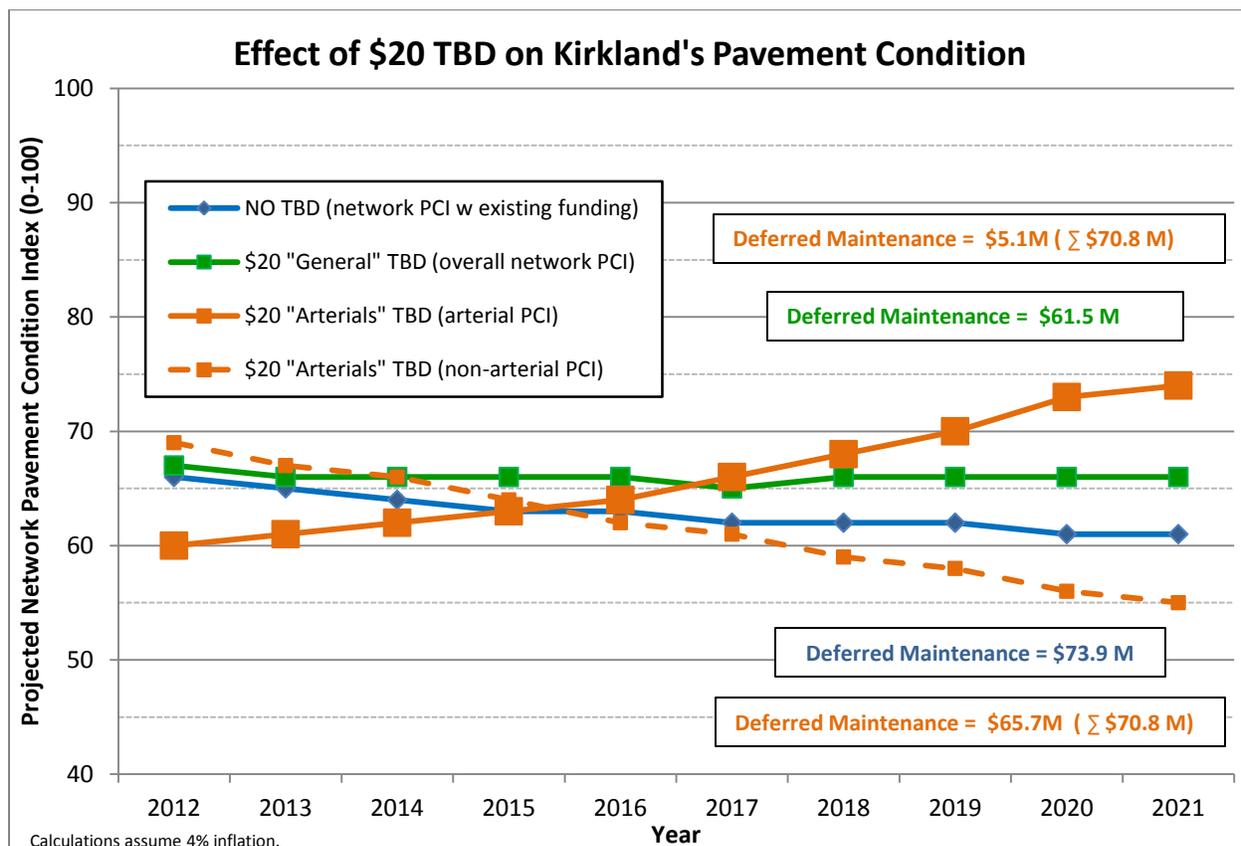


Figure B – Effect of \$20 TBD

New revenues alone are not the only option. Based on feedback received from the community that includes maintaining the existing system, limiting the increased taxes to \$20 (or not increasing them at all), and providing benefit for the largest number of users, a focus on Kirkland’s arterial network over the next few years could be accomplished with several different options:

1. Reduce non-motorized funding (currently programmed at \$750K annually) and reprioritize those funds to arterial street preservation;
2. Implement a \$20 TBD and dedicate the funds for arterials only;
3. Implement up to a \$20 TBD plus reprioritize funding for non-motorized improvements for a set period of time with all funds would be dedicated to arterials. This would allow the arterial strategy to be accomplished in a shorter period of time, but at the expense of sidewalks and other non-motorized projects.

These options would all generate somewhat different revenues, however under Option 2 it is likely that a 10-year Arterial TBD would provide sufficient funds to address many critical Kirkland arterials (Attachment D) while still preserving the non-motorized investments. Using King County pavement assessment data from 2009, likely JFK arterials that would be completed (not yet shown on Attachment D) are: 100th Ave from NE 132nd Street north to Juanita-Woodinville Road, Simonds Road NE, portions of 132nd Ave NE in Kingsgate, and Juanita-Woodinville Road north of NE 139th Place. The final scope of arterial improvements will be cost estimated and finalized before the final creation of the TBD.

Staff recommendation for a \$20 car tab

Staff recommends proceeding with Option 2 if the Council chooses to implement a \$20 car tab TBD. Under this scenario, in order to begin generation of revenue in 2013 (Attachment E), staff would begin the process needed to create the TBD as outlined below:

- Define the boundaries of the TBD; staff is proposing that the boundary be defined as the entire Kirkland City Limits;
- Define the transportation improvements; staff will develop language consistent with the RCW's and that used by other local Cities retaining flexibility within the City's current identified programs but focusing on the arterials;
- Define the sources of revenue that will be utilized to fund the improvements;
- By resolution, establish a date for a public hearing for the adoption of a TBD;
- Prepare notification at least 15 days in advance of the hearing;
- Conduct the public hearing;
- Adopt an ordinance creating the TBD;
- File notice with the Washington State DOL (collections will not start for 6 months after this notice and will then be monthly to the City);
- Amend the Municipal Code regarding creation of the TBD;

Street Preservation and the TBD at the Council Retreat

In addition to the \$20 Council-enacted car tab TBD option, there are also several voter approved options under a TBD. Some members of the public and some Councilmembers have advocated that it is better to bring a larger package to the voters that fixes the entire roads maintenance problem, rather than only portions of it. Staff suggests that the Council should debate the merits of both the \$20 car tab and the voter-approved options at the Council retreat in late March. This decision should be evaluated in the context of other potential 2012 ballot measures and the financial environment facing the City after the legislature adjourns.

Final Street Preservation Decision Timeline

Whether or not the Council takes up the issue of the TBD at the Council retreat, the 2013/2014 budget process and the implementation timeline for a TBD both require that a decision about whether to proceed with a TBD or a ballot measure be made sometime in April of 2012.

Under the 2013/2014 budget process, April is when the initial capital project list development occurs with the goal of finalizing the CIP in May to bring to the Council in the summer.

Currently there is still an assumption of car tab revenues in the CIP budget for 2013 and beyond. It will be important to know whether to confirm those revenues or remove them in order to properly prioritize the street maintenance projects with the revenue available.

In addition, the TBD Vehicle License fee is administered by the Washington State Department of Licensing (DOL) and cannot be collected until 6 months after the fee is authorized by the TBD governing board (Council). The fee is collected by DOL on vehicle renewals, remitted to the State Treasurer who will then remit the proceeds to the City (TBD) monthly. Therefore, in order to begin collecting revenues by January of 2013, the TBD would need to be established by June of 2012. Even with Council authorization in April it will be difficult to create and implement a TBD by June.

If a 2012 ballot measure is selected as the preferred path, staff would remove the revenue assumptions from the 2013/2014 CIP and would revise the CIP budget in December or January if the measure passes. If the measure were a property tax measure, revenue could be collected starting in 2013. If the ballot measure was for the creation of a TBD, implementation would not occur until mid-2013 and revenue would most likely not be collected until late 2013 or January of 2014.

Feedback and Direction from Council

- Does the Council have comments or input on the "arterials first" strategy?
- Does the Council need more information regarding the strategy?
- Should staff continue to refine the arterials strategy as the preferred option for a \$20 car tab should the Council elect that option?
- Are there other projects or programs the Council would like to see evaluated in a \$20 car tab proposal?
- Does the Council concur with the proposal to make street preservation a Council retreat topic?
- Does the Council concur with the April timeline for a final decision on street preservation revenues?

Figure 45.1

Pavement Condition Rating for King County Arterials						
Jurisdiction	2006 Arterial Centerline Miles	2006 Weighted Overall PCI Score	Pavement Condition Categories			
			Good/Exc (PCI 71-100)	Fair (PCI 50-70)	Poor (PCI 25-49)	Very Poor (PCI <25)
Algona	6.0	63	45%	45%	10%	0%
Auburn	82.8	60	53%	13%	13%	21%
Beaux Arts	0.3	80	64%	0%	36%	0%
Bellevue	124.1	79	66%	13%	18%	3%
Black Diamond	5.0	63	90%	10%	0%	0%
Bothell	28.0	72	59%	25%	12%	4%
Burien	29.3	69	40%	51%	7%	2%
Clyde Hill	4.2	72	56%	33%	11%	0%
Covington	8.0	61	22%	55%	23%	0%
Des Moines	19.4	70	60%	21%	10%	9%
Duvall	1.5	88	100%	0%	0%	0%
Enumclaw	11.5	59	27%	40%	33%	0%
Federal Way	43.6	83	83%	13%	4%	0%
Hunts Point	1.1	95	100%	0%	0%	0%
Issaquah	21.0	68	53%	28%	12%	7%
Kenmore	12.4	78	70%	28%	2%	0%
Kent	119.0	84	80%	10%	6%	4%
Kirkland	54.7	64	40%	39%	17%	4%
Lake Forest Park	5.3	64	41%	37%	22%	0%
Maple Valley	4.1	70	64%	25%	11%	0%
Medina	5.8	79	66%	34%	0%	0%
Mercer Island	24.3	79	76%	23%	1%	0%
Milton	6.5	46	10%	55%	3%	32%
Newcastle	9.2	59	26%	42%	32%	0%
Normandy Park	8.1	64	36%	34%	30%	0%
North Bend	5.0	50	28%	25%	32%	15%
Pacific	7.1	53	15%	35%	50%	0%
Redmond	50.0	81	74%	13%	9%	4%
Renton	81.7	73	61%	16%	11%	12%
Sammamish	na	na	na	na	na	na
SeaTac	18.6	76	51%	22%	16%	11%
Seattle	480.0	67	51%	26%	18%	5%
Shoreline	33.5	72	64%	16%	11%	9%
Skykomish	1.0	26	10%	0%	13%	77%
Snoqualmie	1.8	49	30%	47%	18%	5%
Tukwila	30.3	63	30%	47%	18%	5%
Woodinville	12.0	56	30%	33%	19%	18%
Yarrow Point	1.2	60	30%	51%	19%	0%
Unincorporated KC	541.0	83	82%	8%	3%	7%
King County Total	1,898.4	74	64%	19%	11%	6%

source: King County Department of Transportation

**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: Ray Steiger, P.E., Public Works Director
Date: May 9, 2012
Subject: Potential Revenue for Street Preservation Program

RECOMMENDATION:

It is recommended that City Council review the following new scenarios and accompanying information regarding a proposed property tax measure to provide funding for street preservation.

BACKGROUND DISCUSSION:

At the City Council retreat in March of this year, Council requested that staff evaluate potential roads maintenance ballot measures for 2012. The Council asked for proposals that "solved the problem" of our street maintenance backlog and raised the Pavement Condition Index (PCI) for Kirkland's streets back to the "optimum" PCI of 80-85. The Council also requested that a potential street ballot measure be included in a public survey along with potential park measures to see whether Kirkland residents might be interested in some or all of the potential measures. Based on this feedback from the Council at the retreat, staff examined additional funding scenarios beyond the Transportation Benefit District (TBD) work that had been done to date, and the impacts of these scenarios on the City's street preservation system. In the examination, key questions were posed:

- Over a longer period, 18-20 year time frame vs. 10 years used in previous scenarios, what annual level of investment would be required to optimize the Kirkland roadway system. If money "were no object", what consistent investment would eventually eliminate the backlog of roadway repairs?
- When would this optimum level be achieved, and what total revenue would be needed to achieve the optimum result?
- Assuming current funding level remains intact over this period, what is the additional revenue amount from a TBD needed to attain the optimum result?
- What would be the comparable annual property tax amount that equates to the "optimum" car tab?

A brief reminder of key elements of the City's pavement preservation:

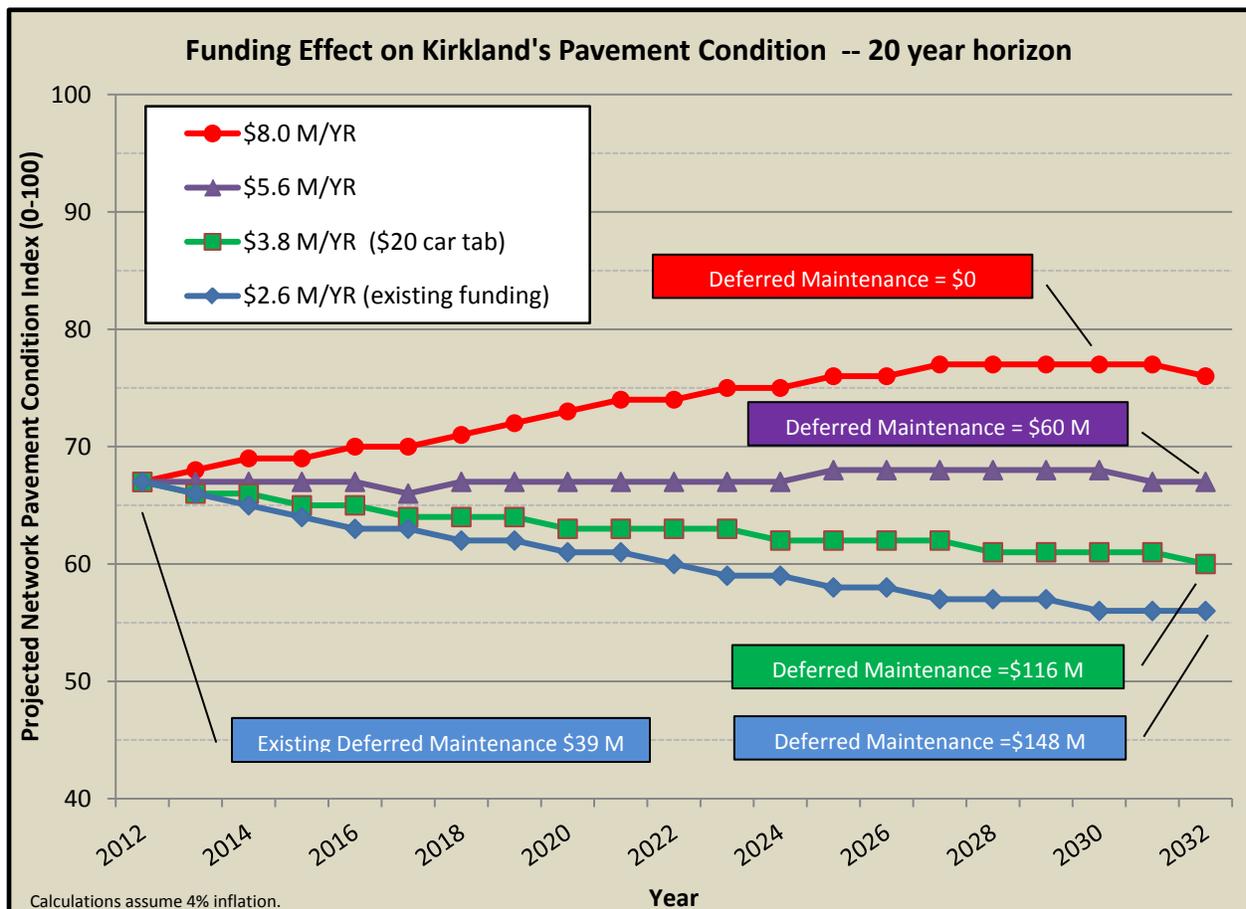
- Kirkland's current overall Pavement Condition Index (PCI) is approximately 66; deferred maintenance (our "backlog") is approximately \$39 Million;

- The City's current annual street preservation funding level is:
 - \$1,750,000 (current revenue identified in the 2013-2018 CIP)
 - \$ 400,000 (current revenue identified in 117 street operating fund)
 - \$ 450,000 (average grants and other external sources)

\$2,600,000 (total of all sources used in street preservation)
- The City has a goal of PCI of 70 for arterials and 65 for collectors and below
- The City has not established a goal for the deferred maintenance of the system, but the "optimum" level is to reduce the backlog to zero.

Using these questions and key elements to reanalyze the City's street system, staff presents the following:

Current funding levels will provide a 20-year investment of \$52 million (M). However this level of effort does not keep up with the need and would result in a \$148 M backlog of repairs at the end of the 20 years. The system PCI would also fall to approximately 56. Under the "optimum" scenario, the City could completely eliminate the backlog by approximately 2030 with an annual investment of \$8 M (\$5.4 M annually above existing funding levels). At the end of this period, deferred maintenance would be zero, and the system PCI would be approximately 77. These scenarios are depicted graphically below.



Once attained, maintaining the system at zero deferred maintenance would require a continued level of investment at or near \$8 M annually, however considering that a 4% inflation rate has been included in all of the scenarios, this would equate to approximately \$3.7 M (in 2012 dollars); in other words, \$8 M will purchase a lot less street preservation in 2030.

In order to generate an additional \$5.4 M annually, thus allowing the \$8 M annual investment, using current estimates for Kirkland car ownership and population, a \$90 car tab would be required. \$90 represents for the City of Kirkland street system the "optimum" car tab value. Recall that this car tab amount is above the current "council-manic" approval level of a \$20 car tab (shown in green on the preceding graph) and would require a community vote. For comparison, if a property tax were utilized to generate the \$5.4 M, using a home with an assessed value of \$480,000, approximately \$180/year/household would be required. This too would provide sufficient funding to reduce the deferred maintenance backlog to zero by approximately 2030.

In recognition of the current competing interests for local citizen funding and the current economic downturn, staff concluded that asking the public for the full \$180/year was too much. Therefore staff considered several different levels of funding that would make major progress towards removing the backlog and increasing the PCI while still being considered "affordable" to the public. After modeling several different options, staff concluded that a recommendation for \$3 M of additional annual revenue strikes the best balance between effectiveness and affordability.

\$3 M of additional annual revenue equates to a \$50/year car tab, or a property tax level of \$98 per year on a \$480,000 house, and would bring the total annual street preservation revenue to \$5.6 M. This amount accomplishes much by itself, but also complements potential future transportation funding tools that may come from the State legislature. In the 2012 Special Session, the legislature nearly authorized a \$40 local option car tab as well as a voter approved Motor Vehicle Excise Tax (MVET) for King County. While neither tool was passed in 2012, there are strong indications that the tools will be taken up again in 2013 and have a realistic chance of passage. As an example, if a future Council chose to implement a \$40 car tab, it would generate approximately \$2.4 M per year would bring the total street funding up to the "optimum" investment of \$8 M annually.

Neighborhood Street and Arterial Improvements

In the \$5.6 M scenario, between 2012 and 2032 nearly 2/3 of Kirkland streets would be either resurfaced with overlay or reconstruction, or preserved with treatment, and all neighborhoods would significantly benefit. In addition to overlays and reconstruction, slurry seal & micro-surfacing would be utilized on the City's residential & collector streets, and increased crack sealing will be utilized throughout the City. Due to the importance of the arterial system, however, overlay from this new revenue would still be focused initially on all major and minor arterials as they serve the greatest number of businesses and residents. During the community outreach process last fall and winter, this "arterials first" theme was consistently raised -- focus on those streets that serve commerce, transit, and the greatest number of users first (see map Attachment D). During 2012, staff is also performing a pavement condition survey of the JFK neighborhoods for prioritization of improvements in the new neighborhoods.

Neighborhood Traffic Control and Pedestrian Safety

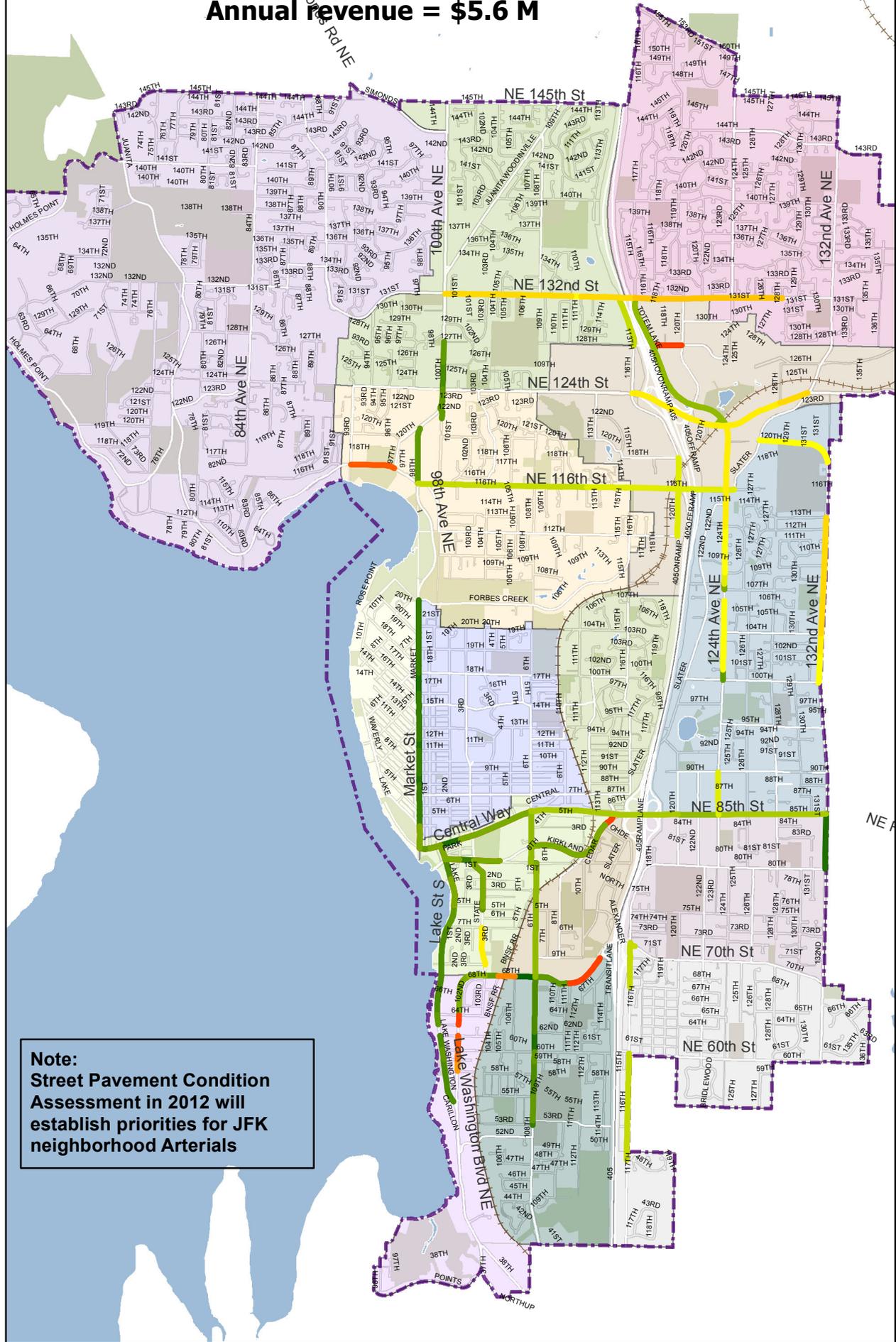
Staff is also recommending that 5% of the new revenue, \$150,000 annually, be dedicated to pedestrian safety and neighborhood traffic control components. Coordination with the street preservation program will afford the best value, however, the funds will be designated in the CIP as a unique element and projects that can be prioritized during the Council's normal budget and CIP processes. This restoration of neighborhood projects and pedestrian safety was also strongly supported by the Community during the fall/winter street funding public outreach efforts.

TBD or Property Tax?

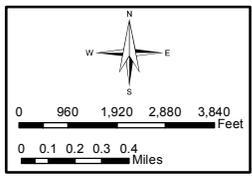
Finally, staff evaluated the type of ballot measure to be included in the recent telephone survey. The \$3 M of additional revenue can be generated by either a \$98/year property tax or a \$50/year car tab authorized by the voters. Given the constraints of both time and resources for the survey, as well as staff understanding of PDC regulations, staff concluded that including only one roads ballot measure was most appropriate. Staff made the decision to include the roads measure as a property tax as this was most similar to the parks ballot measures and would give the best opportunity for the public to compare the road and parks measures together.

After all of these evaluations, staff included questions about a \$3 M per year roads maintenance and neighborhood safety property tax measure in the survey. Results of that survey will be presented to the Council at the May 15th Study Session.

Potential Arterial Overlay Program (2012-2032) Annual revenue = \$5.6 M



Note:
Street Pavement Condition
Assessment in 2012 will
establish priorities for JFK
neighborhood Arterials



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Author:
Name: \$50 TBD Scenario RTS version
Date Saved: 5/10/2012 7:33:45 PM



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
May 01, 2012

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

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

Members Absent: Councilmember Penny Sweet.

Councilmember Sweet was absent/excused as she was out of town.

3. STUDY SESSION

a. Code of Ethics Training

Gary Keese of the Seattle Ethics and Elections Commission provided training on the Council's adopted code of ethics, responding to Council questions and comment.

4. EXECUTIVE SESSION

None.

5. HONORS AND PROCLAMATIONS

a. Drinking Water Week Proclamation

Water Division Manager Greg Neumann accepted the proclamation from Mayor McBride and Deputy Mayor Marchione.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Kathy Mantz
Claire Wilkinson
Linnea Heaverlo

- c. Petitions

7. SPECIAL PRESENTATIONS

- a. State of the District - Dr. Chip Kimball, Superintendent of Lake Washington School District
- b. Proclamation Honoring Dr. Chip Kimball

Dr. Kimball accepted the proclamation from Mayor McBride and Councilmember Sternoff.

8. CONSENT CALENDAR

- a. Approval of Minutes: April 17, 2012
- b. Audit of Accounts:
 - Payroll \$2,006,577.66
 - Bills \$2,877,021.70
 - run #1090 checks #534089 - 534098
 - run #1091 checks #534099 - 534217
 - run #1092 check #534220
 - run #1093 check #534223
 - run #1094 checks #534224 - 534331

- c. General Correspondence
- d. Claims
- e. Award of Bids

(1) A construction contract in the amount of \$151,251.26 for schedules B and C of the 2012 Replacement of Aging/Failing Infrastructure - Juanita Tributary (Billy Creek) Culvert Slip Lining Project was awarded to Pacific Northwest Earthworks, LLC, Fall City, Washington

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

(1) Resolution R-4918, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH CLALLAM COUNTY FIRE PROTECTION DISTRICT #1 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND."

h. Other Items of Business

(1) Council received an update, and approved a budget adjustment increase of \$100,000 to be reimbursed by Sound Transit, on the NE 68th Street and 108th Avenue NE Intersection Improvements Project

(2) Resolution R-4919, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE 2012–2014 PLANNING WORK PROGRAM."

(3) Surplus Vehicles for Sale

<u>Fleet #</u>	<u>Year</u>	<u>Make</u>	<u>VIN/Serial Number</u>	<u>License #</u>	<u>Mileage</u>
PU-26X	1999	GMC Sierra 3/4 Ton Pickup	1GTGC24R5XF093499	28102D	52,551
S06-01	2006	Chevrolet Express Van	1GCGG25U161198950	41155D	139,843

(4) Report on Procurement Activities

Motion to Approve the Consent Calendar.

Moved by Councilmember Dave Asher, seconded by Councilmember Amy Walen

Vote: Motion carried 6-0

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

9. PUBLIC HEARINGS

- a. Ordinance O-4355, Imposing and Extending a Moratorium Within Neighborhood Business (BN) Zones on the Acceptance of Applications for the Review and/or Issuance of Development Permits for Any New Development, Addition or Alteration as Such Terms are Defined in This Ordinance.

Mayor McBride described the parameters and opened the public hearing. Following a presentation by Planning Director Eric Shields, testimony was provided by:

Sharon Nelson
 John Staples
 Randall Cohen
 Laura Loomis
 Ginnie DeForest
 Brian Lawler
 Jack Arndt
 Nikey Key
 Dione Godfrey
 Patrick Barthe
 Duana Kolouskova
 Tom Grimm
 Lori Isch
 Bob Style

Justin Stewart

No further testimony was offered and the Mayor closed the hearing.

Motion to Approve Ordinance O-4355, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND IMPOSING AND EXTENDING A MORATORIUM WITHIN NEIGHBORHOOD BUSINESS (BN) ZONES ON THE ACCEPTANCE OF APPLICATIONS FOR THE REVIEW AND/OR ISSUANCE OF DEVELOPMENT PERMITS FOR ANY NEW DEVELOPMENT, ADDITION OR ALTERATION AS SUCH TERMS ARE DEFINED IN THIS ORDINANCE."

Moved by Councilmember Dave Asher, seconded by Councilmember Bob Sternoff
Vote: Motion carried 6-0

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

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

None.

12. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding a recent Puget Sound Regional Council Transportation 2040 Work Group meeting; American Society of Civil Engineering Student Chapters Competition; Evergreen Healthcare Foundation Gala; request for state required report on Councilmember absences; Suburban Cities Association dinner; Volunteer Appreciation event; Committee to End Homelessness meeting; Cascade Water Alliance meeting; telephone call from Fred Jarrett at King County regarding the Metropolitan Solid Waste Management Advisory Committee; North End Mayors meeting; University of Washington/Bothell Chancellor's Dinner; lunch with Regional Director John Moffat and Associate Administrator of Regional Operations and Program Delivery Dr. Maggi Gunnels of the National Highway Traffic Safety Administration; Earth Day volunteer event at Juanita Bay Park.

b. City Manager

(1) Calendar Update

13. ITEMS FROM THE AUDIENCE

Sharon Nelson
Randall Cohen

14. ADJOURNMENT

The Kirkland City Council regular meeting of May 1, 2012 was adjourned at 9:17 p.m.

City Clerk

Mayor



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Kathi Anderson, City Clerk
Date: May 7, 2012
Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION

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

POLICY IMPLICATIONS

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

BACKGROUND DISCUSSION

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

- (1) Kramer Spears
139 Prince Ave #101
Bellingham, WA 98226

Amount: \$743.71

Nature of Claim: Claimant states damage to vehicle due to road construction on 100th Avenue NE.



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

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: May 3, 2012

Subject: 2012 STREET PRESERVATION PROGRAM (PHASE I SLURRY SEAL PROJECT)
AWARD CONTRACT

RECOMMENDATION:

It is recommended that City Council award the construction contract for the Phase I Slurry Seal Project, for the Annual Street Preservation Program, to Blackline, Inc., of Spokane, Washington, in the amount of \$276,476.80.

BACKGROUND DISCUSSION:

The Slurry Seal Project is the Phase I element of the Annual Street Preservation Program. It involves the application of a thin layer of liquid asphalt that has been mixed with a fine aggregate. The "slurry" is then placed on low-volume residential streets where light to moderate surface wear is occurring. Slurry seal is a versatile and cost effective way to extend the life of the City's residential streets where there is no significant structural damage to the pavement section. It protects the asphalt surface from the effects of aging while improving the existing PCI; the 2012 Project will seal approximately 14 lane miles of roadway in four areas of the City (Attachment A).



The Phase II element of the Annual Street Preservation Program, the 2012 Overlay Project, is scheduled to advertise later this month with an anticipated start of construction in July 2012.

With an engineer's estimate of \$275,000, the first advertisement for the Slurry Seal Project was published on April 17; 2 bids were received on May 1, 2012 with Blackline Inc., being the lowest responsive bidder, as shown below:

CONTRACTOR	TOTAL BID
<i>Engineer's Estimate</i>	<i>\$275,000.00</i>
Blackline, Inc	\$276,476.80
Valley Slurry Seal	\$296,908.00

The Annual Street Preservation Program is included in the Capital Improvement Program (CIP) with a current budget of \$2,300,000 (Attachment B).

In 2011, the average cost per square yard of slurry seal was \$1.81, and the low bid price was \$1.45. For the 2012 Project, the average cost per square yard of slurry is \$2.39, with the low bidder's price at \$2.40 per square yard, representing a 32% increase (Attachment C). Staff has concluded that an increase in oil and asphalt product costs is driving this significant increase in the average price. Additionally, an increase in the number of agencies using slurry seal as a maintenance treatment has resulted in a decrease in the number of slurry seal contractors being available to bid Kirkland's 2012 Project.

Construction of this Project is extremely weather and temperature dependent and will begin in early July; the construction duration will be approximately one month. In advance of the work, City Street Crews will be sealing cracks and repairing damaged sections of pavement to prepare the streets for the slurry seal application. Public Works staff will supply an informational brochure to all property owners living along the planned Slurry Seal routes (Attachment D). The brochure describes the City's Street Preservation Program together with important facts on the Slurry Seal treatment. The information in this brochure and schedule updates will also be incorporated into the Public Works section of the City's web site. In addition, door-hanger notices will be distributed to all adjacent homes and business at least 24 hours prior to Slurry Seal applications.

Attachments: (4)

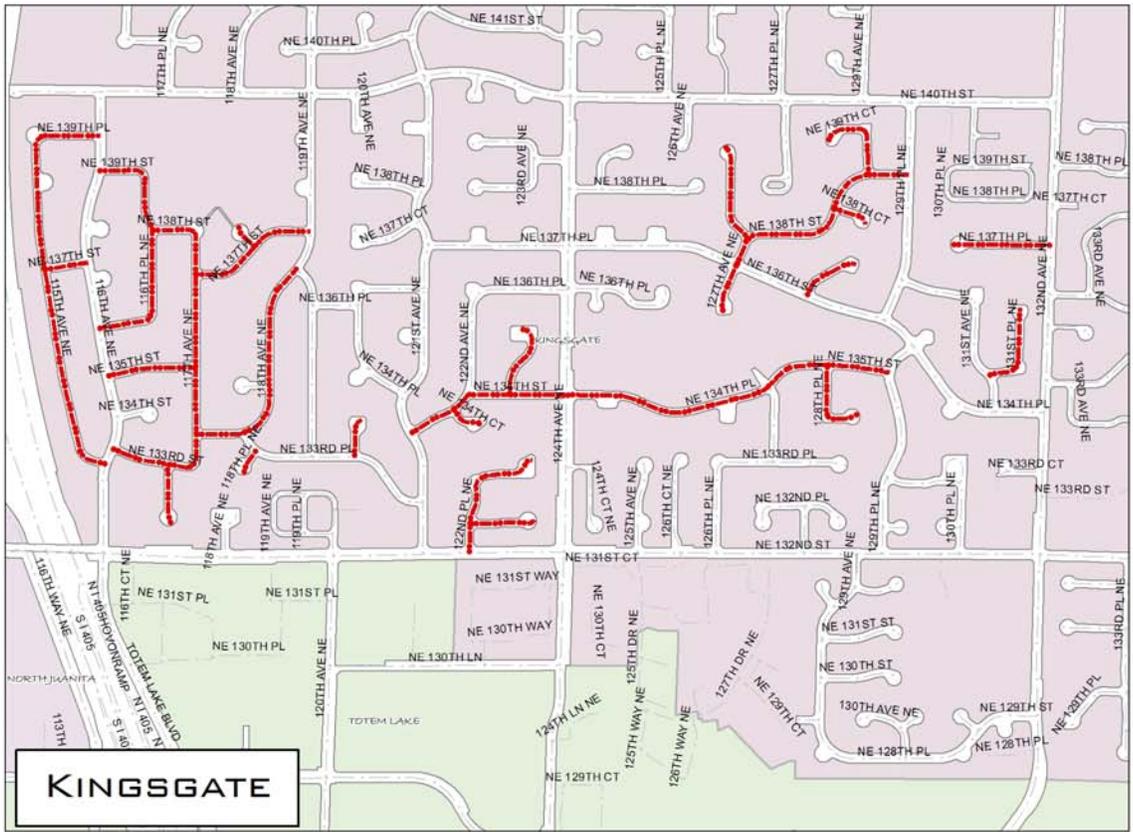
Kirkland 2012 Slurry Seal Project CST1206

Legend

- Merge
- Street

Neighborhoods

- Bridle Trails
- Central Houghton
- Everest
- Finn Hill
- Highlands
- Kingsgate
- Lakeview
- Market
- Moss Bay
- Norkirk
- North Juanita
- North Rose Hill
- South Juanita
- South Rose Hill
- Totem Lake
- Kirkland City Limits (Polygon)
- City Limits

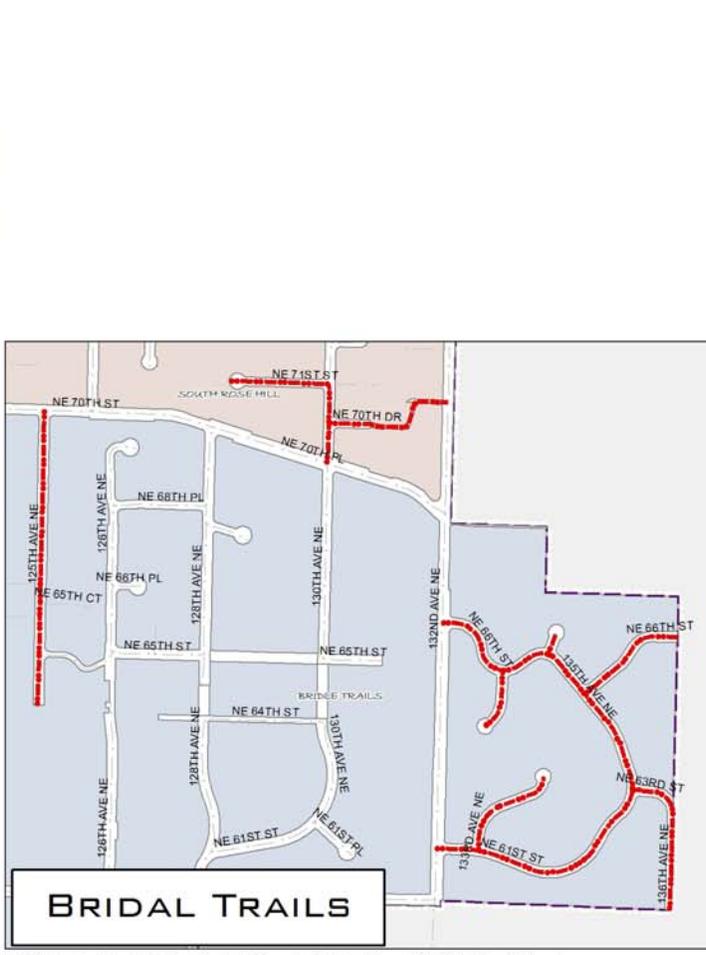


Note: This map does not include streets to be treated with other maintenance techniques (i.e. Hot Mix Overlay, Crack Seal, etc.).



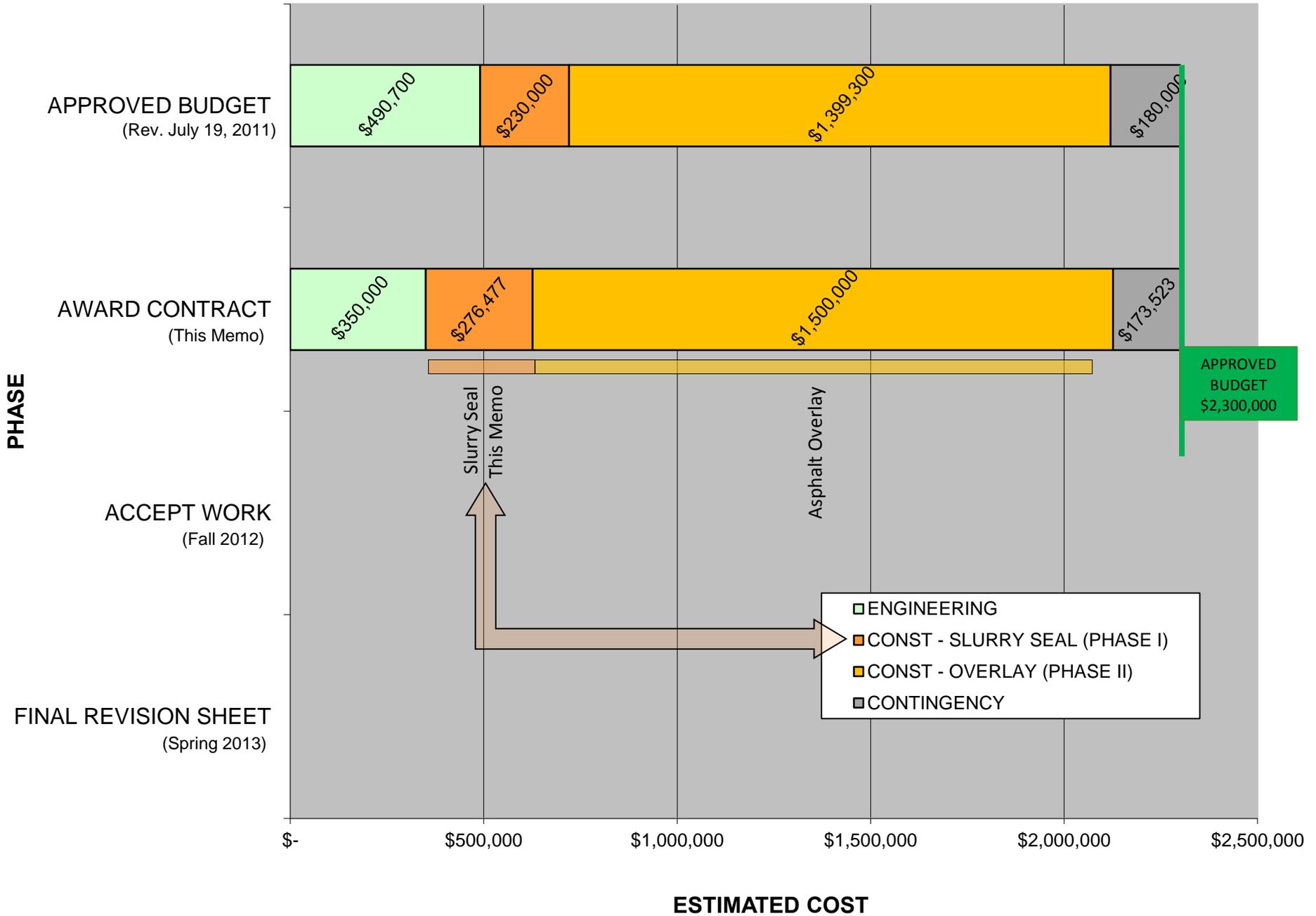
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Author: adasovic
Name: CST1206 - Slurry Seal
Date Saved: 1/11/2012 12:55:27 PM



2012 SLURRY SEAL PROJECT (ST-1206)

Project Budget Report



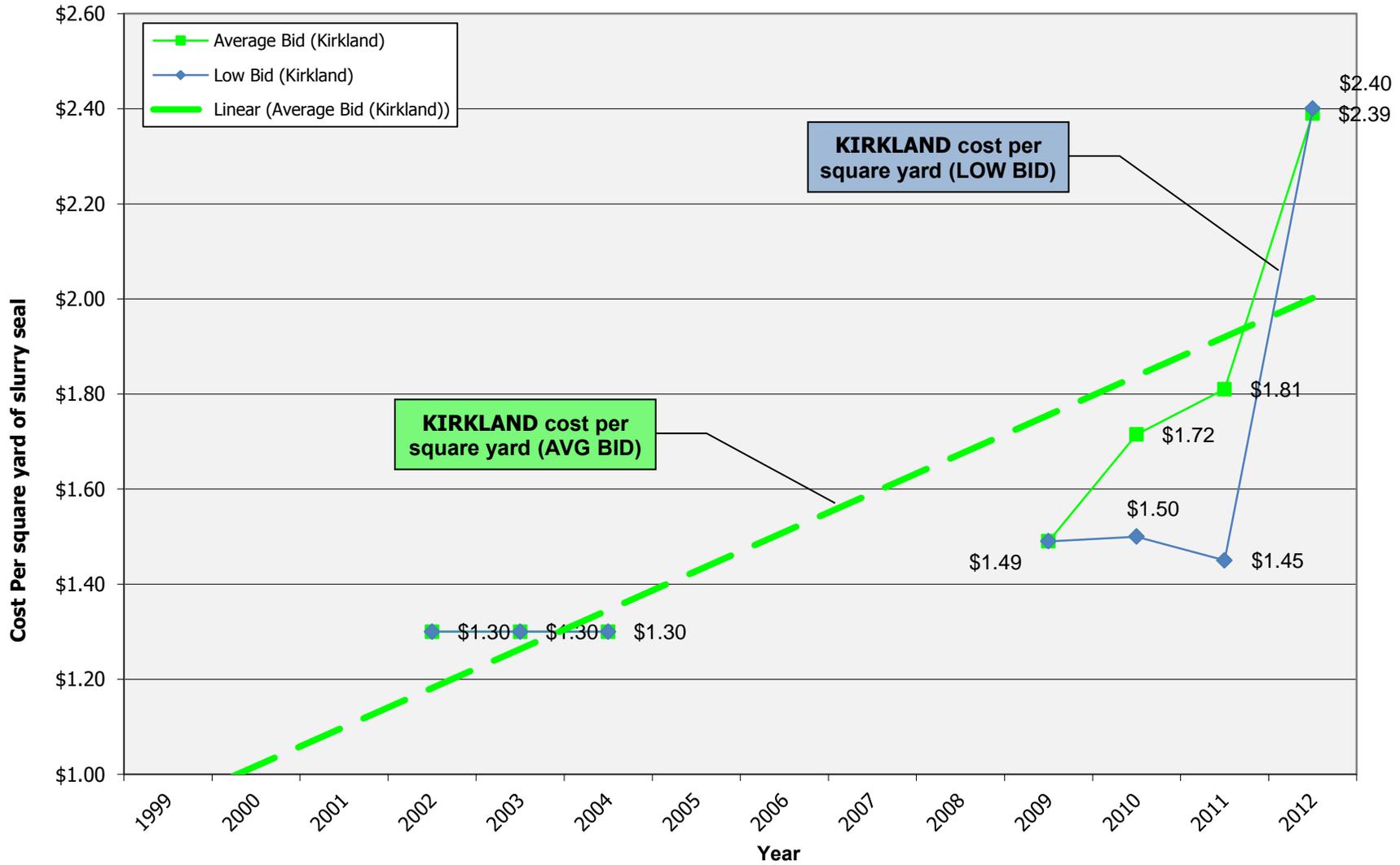
APPROVED
BUDGET
\$2,300,000

- ENGINEERING
- CONST - SLURRY SEAL (PHASE I)
- CONST - OVERLAY (PHASE II)
- CONTINGENCY

Slurry Seal
This Memo

Asphalt Overlay

Kirkland Slurry Seal Project Cost Comparison





City of Kirkland, Public Works Department

Constructing and maintaining the public infrastructure to ensure efficient and reliable public utilities to Kirkland residents.

Slurry Seal

The City of Kirkland maintains 593 lane miles of roadway within the City limits. Slurry sealing is one of many effective tools in the City's preventative maintenance program and is typically applied to streets that are in fair to good condition. Slurry seals prolong pavement life by applying a thick, cold liquid mixture of asphalt and rock to the existing pavement surface. In general a Slurry Seal extends the pavement life by 5 to 10 years. Slurry seals are less expensive than typical asphalt overlays, but take longer to thoroughly cure (or dry) before the street can be reopened to traffic.

Slurry Seal Preventative Maintenance



For More Information:

Construction Hotline

425-587-3838

Andrea Swisstack, PE
City of Kirkland, Public Works Department
Project Engineer
Phone: 425-587-3827
aswisstack@kirklandwa.gov

Visit our web site for more information:
www.kirklandwa.gov/depart/Public_Works



City of Kirkland
Public Works Department

123 Fifth Avenue
Kirkland, WA 98033
425-587-3800 ph
425-587-3807 fax
www.kirklandwa.gov



City of Kirkland
Public Works Department

*Caring for your
infrastructure to keep
Kirkland healthy, safe and
vibrant.*

The City of Kirkland's Slurry Seal Program:

A key part of the City's Annual Street Preservation Program designed to maximize the life of your neighborhood streets. Funding for this project is through the City's Capital Improvement Program.

Phase One

City crews seal cracks in the roads and repair small areas of damaged pavement.

Residents living on streets to be slurry sealed are asked to prune back their vegetation to allow maintenance vehicles to get next to the curb. All low growing plant material should be pruned back behind the curb, and all trees are required to be trimmed to provide a 14-foot vertical clearance from the road surface.

No road closures will occur in this phase, however temporary delays might occur.



Phase Two

As the date of the actual slurry seal application gets closer, the existing pavement surface will be swept and all vegetation will be removed. Any final repairs that need to be made to the pavement surface prior to the slurry seal application will be made at this time. **No road closures will occur in this phase, however temporary delays might occur.**

Phase Three

You will receive at least 24-hour advance notice of when the slurry seal is to be applied to the prepped roads by the contractor. Please remove all cars, recreational vehicles, and personal items and equipment from the road and refrain from watering your lawn. **This is a one day process that requires a one-day road closure.** When the slurry seal is first applied, the material is brown and sticky. To prevent damage to the fresh slurry and avoid tracking, cars, bikes, people, and pets must be kept off the street until the seal is cured and the street is reopened. After the curing process is completed, the barricades and signs will be removed showing the road is reopened.

Phase Four

After the surface has dried it is normal for loose sand to shed from the surface. The Contractor is scheduled to sweep the streets approximately one week and then again three weeks after the slurry seal application.

Thank you in advance for your patience and cooperation as we maintain your neighborhood streets.



Caring for your infrastructure to keep Kirkland healthy, safe and vibrant

All information on the slurry seal process can be made available in alternative formats including language interpretation and American Sign Language (ASL), upon request by calling 425-587-3011. TTY/TTD (425) 587-3111



To receive updates via email on City and Neighborhood news, please subscribe to the Neighborhood E-Bulletin at www.kirklandwa.gov/EBulletin.htm

**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 Snider, P.E., Capital Projects Manager
Ray Steiger, P.E., Public Works Director

Date: May 3, 2012

Subject: 2012 ANNUAL STRIPING PROJECT – AWARD CONTRACT

RECOMMENDATION:

It is recommended that City Council award a contract for the construction of Schedules A through J, except Schedule D, to Road Runner Striping Company, Puyallup, Washington, in the amount of \$214,135.55 for the 2012 Striping Project.

BACKGROUND DISCUSSION:

The Annual Striping Program maintains the pavement markings that define the travel paths for motorists, bicyclists, and pedestrians. The 2012 Striping Project includes all arterials and collectors throughout the City, including ten additional roadway miles in the new neighborhoods (Attachment A). The work efforts include the repainting of automobile lane lines, bicycle lanes and symbols, and on-street public parking lines. The work also includes replacing worn thermoplastic crosswalk markings, stops bars, turn arrows and other symbols; and, for 2012, the restriping of parking stalls on select City owned facilities has been added to the current Project in order to take advantage of an economies-of-scale for the City's many pavement painting needs.

The Annual Striping Program is included in Capital Improvement Program with a current annual budget of \$250,000. For 2012, the budget also includes a carry-over of funds remaining from the acceptance of the 2011 Project, as approved by City Council at their regular meeting of November 15, 2011, and a contribution from the Facilities division of the Public Works Department for the restriping of the City Hall parking lot (Schedule F). The total budget for the 2012 Striping Program is \$297,400 (Attachment B).

With an engineer's estimate of \$247,736.65 for the Base Bid, staff advertised for contractor bids on March 26. On April 16, 2012 four bids were received with Road Runner Striping Company being determined to be the lowest responsive bidder, as shown in the summary below:

BID RESULTS SUMMARY

Contractor	Base Bid	Recommended Award	All Schedules
Road Runner Striping Co.	\$198,885	\$214,136	\$290,966
<i>Engineer's Estimate</i>	<i>\$247,736</i>	<i>\$262,736</i>	<i>\$375,036</i>
Stripe Rite, Inc.	\$245,015	\$251,305	\$351,645
Specialized Pavement Marking Inc.	\$305,828	\$470,698	\$316,918
Apply-A-Line, Inc.	\$318,543	\$449,048	\$332,623

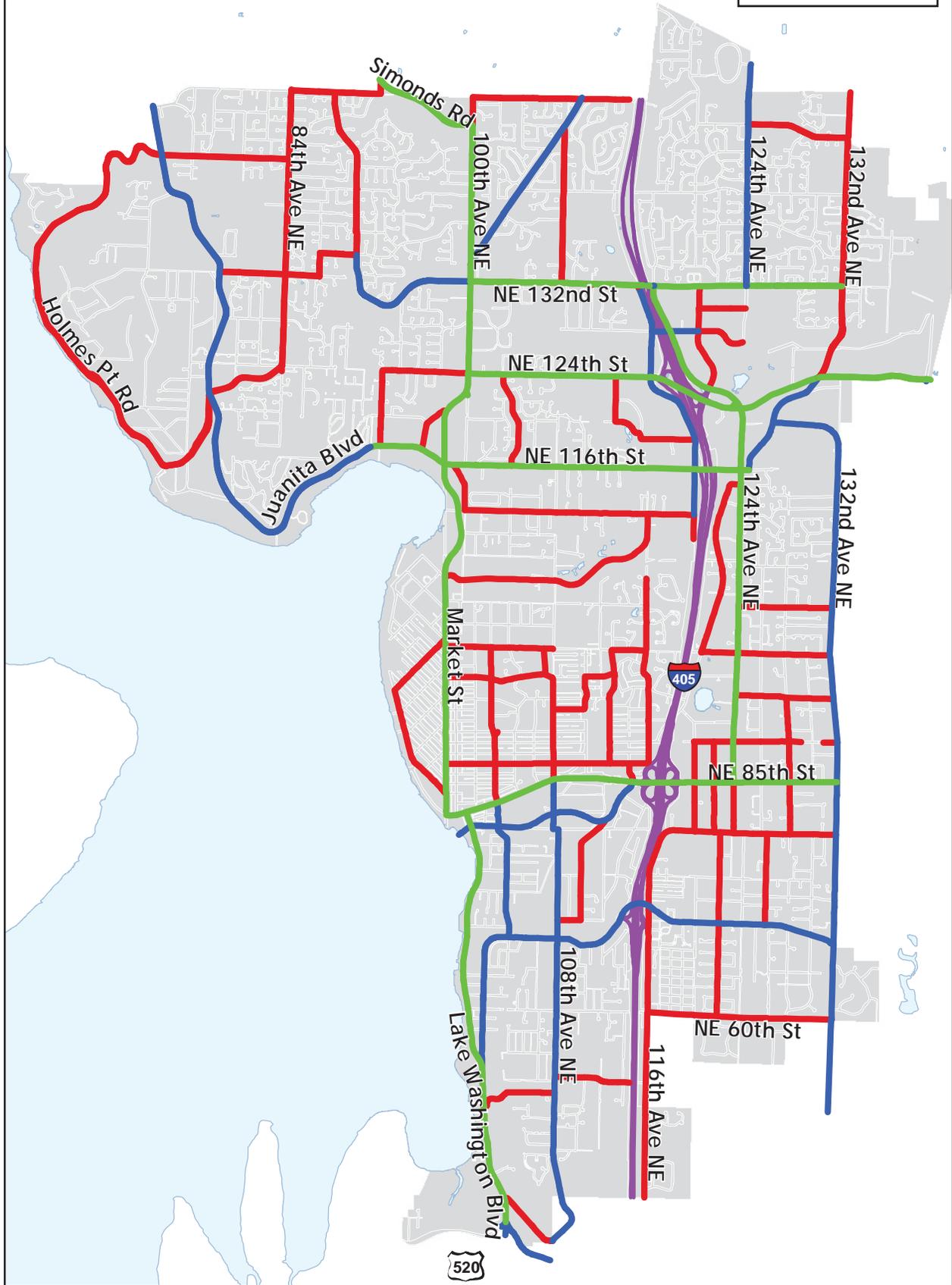
The Annual Striping Program has typically been broken into two phases:

- Phase 1 performed in the summer for replacing lane striping, curb painting, thermoplastic markings and parking stall/lot restriping.
- Phase 2 to refresh arterial and collector lane striping in the fall just before the winter months.

In 2010 and in 2011, as a cost savings measure, the Phase 2 work was not done and there has been no documented adverse affect as a result. A price for the Phase 2 work was included within the 2012 Project bid as Schedule D; however, if added, the total bid price would exceed the Project budget. Therefore, staff is not recommending Phase 2 for inclusion in the award of the 2012 Project contract.

With City Council's award of the construction contract at their May 1, 2012 meeting, the work will begin in June and be complete by the end of August, 2012.

Attachments: (2)



Street Classification and State Routes

-  Principal Arterial
-  Minor Arterial
-  Collector
-  State Routes and Interstate
-  Lakes
-  City of Kirkland



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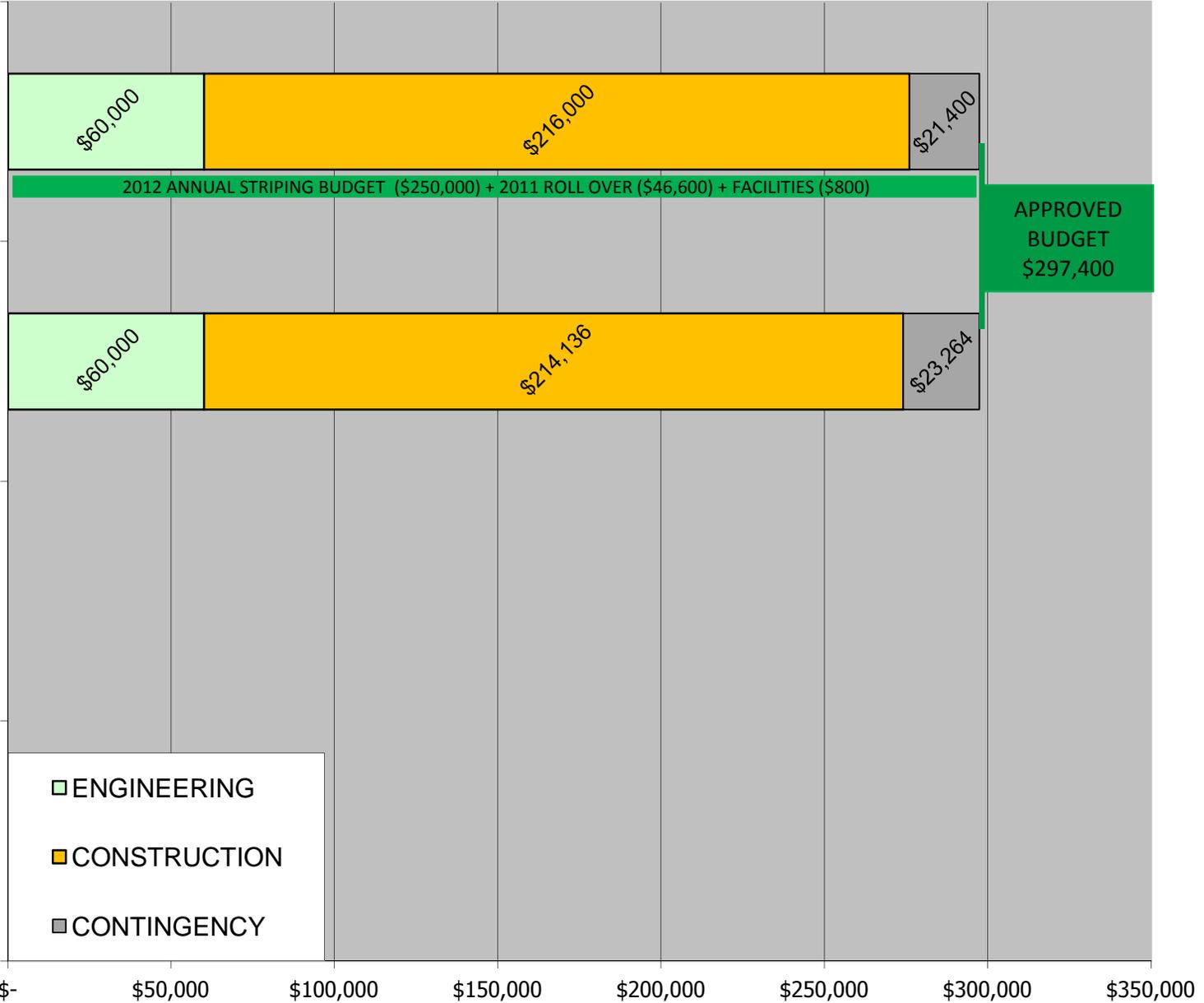
VICINITY MAP

**2012 ANNUAL STRIPING PROGRAM
(CST -1280)
PROJECT BUDGET REPORT**

Attachment B

PHASE

APPROVED BUDGET
(2011-2016 CIP)



- ENGINEERING
- CONSTRUCTION
- CONTINGENCY

ESTIMATED COST



CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: May 3, 2012

Subject: CENTRAL WAY PEDESTRIAN ENHANCEMENT PROJECT -- PHASE II
AWARD CONTRACT

RECOMMENDATION:

It is recommended that City Council award a contract for the Central Way Pedestrian Enhancement Phase II Project to Kamins Construction, Bothell, WA, in the amount of \$214,932.88, for the Base Bid plus Additive Schedules A and B.

BACKGROUND DISCUSSION:

The Central Way Pedestrian Enhancements – Phase II Project will provide pedestrian and traffic calming improvements along the south side of Central Way, between Lake and 4th Streets (Attachment A). The planned improvements are consistent with the *2001 Downtown Strategic Plan* and include new concrete sidewalk to replace damaged sidewalk, new curb and gutter, and pedestrian “bump-outs” at crosswalks (Figure A). The Project also provides for video detection equipment at the intersection of Central Way and Lake Street, together with a possible option to provide additional on-street parking and improved maintenance access at Peter Kirk Park, as discussed below.



Figure A - Crosswalk bump out

The Project was first advertised in August, 2011. At the time of that first advertisement only two contractor bids were received; the low number of bidders did not produce a competitive bid outcome. As a result, City Council rejected all bids and authorized staff to re-advertise the Project with staff making adjustments to the bid documents in order to produce a more scalable project.

As staff prepared to re-advertise the Project in the fall of 2011, concerns over impacts associated with the implementation of tolling on the SR 520 Bridge led to a desire to first observe traffic flow patterns in downtown Kirkland. After collecting traffic count data on post-SR 520 tolling traffic patterns, the Kirkland Transportation Division noted no appreciable change to central Downtown Kirkland traffic flows and, with the concurrence of the Washington State Department of Transportation Local Programs Office, as the grant administrator for the Project, the project was re-advertised in March of this year.

The funding for the Project is a combination of Federal Pedestrian and Bike Safety Grant (\$198,000) and City funds (\$180,000), for a total Project budget of \$378,000 (Attachment B). The scope of Base Schedule includes the new concrete work, pedestrian "bump-outs", traffic signal video detection and an education component, while Additive Schedule A provides for surface water drainage improvements at the southwest corner of Central Way and 3rd Street. These surface water improvements will alleviate on-street ponding during heavy rain events. The Schedule B improvements were included to provide better Peter Kirk Park maintenance access on the north side of the Park for Parks maintenance crews. The Schedule B work would also result in a net increase of on-street parking by eliminating the existing pull-out parking area adjacent to the Peter Kirk tennis courts (Attachment C). By straightening this pull-out, five additional on-street parking stalls can be created.

With an engineer's estimate of \$201,280 for the Base Bid, staff advertised for contractor bids on March 21, followed by a bid opening on April 11, 2012. The following table shows the bid results:

Contractor (with tax)	Base Bid	Additive Sch. A	Additive Sch. B	Total Bid
<i>Engineer's Estimate</i>	\$201,280.00	\$20,257.50	\$58,550.00	\$280,387.50
Kamins Construction	\$155,415.45	\$15,818.17	\$43,699.26	\$214,932.88
Road Construction NW	\$182,212.60	\$22,381.00	\$47,250.00	\$251,844.40
NPM Construction Co.	\$212,486.00	\$14,317.13	\$33,196.00	\$259,999.13
Westwater Construction Co.	\$246,380.00	\$28,470.00	\$67,375.00	\$342,225.00

During the Project's design phase, staff met with the Art Subcommittee of the Kirkland Cultural Council to look at ways to incorporate meaningful art. The result was a "dot mosaic" showcasing Kirkland's proximity to the Lake and other water resource elements. These tiles have rock like features to represent Kirkland's many streams and are meant to be set into the concrete sidewalk at various locations between Lake and 4th Streets. The disks would be clustered in areas between Main Street and Lake Street, and installed by the artist after the general contractor is done with their work. A total number of seventy-five disks with a budget of \$3,000 has been identified as the Art Committee's preferred choice for City Council's consideration.



AWARD OPTIONS

The intent of the re-advertised Project was to provide a scalable one with options for City Council's award of a contract. Based on the bids received, with and without the addition of art, there are four different options for consideration; two that help maintain the existing budget and two that exceed the current budget:

Options Meeting Current Budget:

- Option 1 – Award Base Bid & Schedule A
- Option 2 – Award Base Bid & Schedule A, with funding for art

Options with an Increased Budget:

- Option 3 – Award Base Bid, Schedule A & Schedule B
- Option 4 – Award Base Bid, Schedule A & Schedule B, with funding for art

The staff recommendation for contract award is Option 4, together with a requested budget increase of \$34,000 (Attachment B), including a 10% construction contingency. This option provides for an additional five on-street parking stalls in the vicinity of Peter Kirk Park in support of Park users and/or surrounding businesses. The Schedule B improvements also provide better Park maintenance equipment access for City crews. Staff has also confirmed that the Schedule B improvements are grant eligible and its inclusion in an award contract will help the City preserve the entire amount of the available grant funds. As a result of the very competitive bids received the final amount of grant funds would be reduced with an award based solely on the Base Bid and Schedule A. The grant funds are not eligible for the art component and, if selected by Council under Option 2 or 4, that work will be paid for with City funds. To award Options 3 or 4, and fund the requested budget increase, staff has identified REET 2 Reserves as a potential funding source (Attachment D).

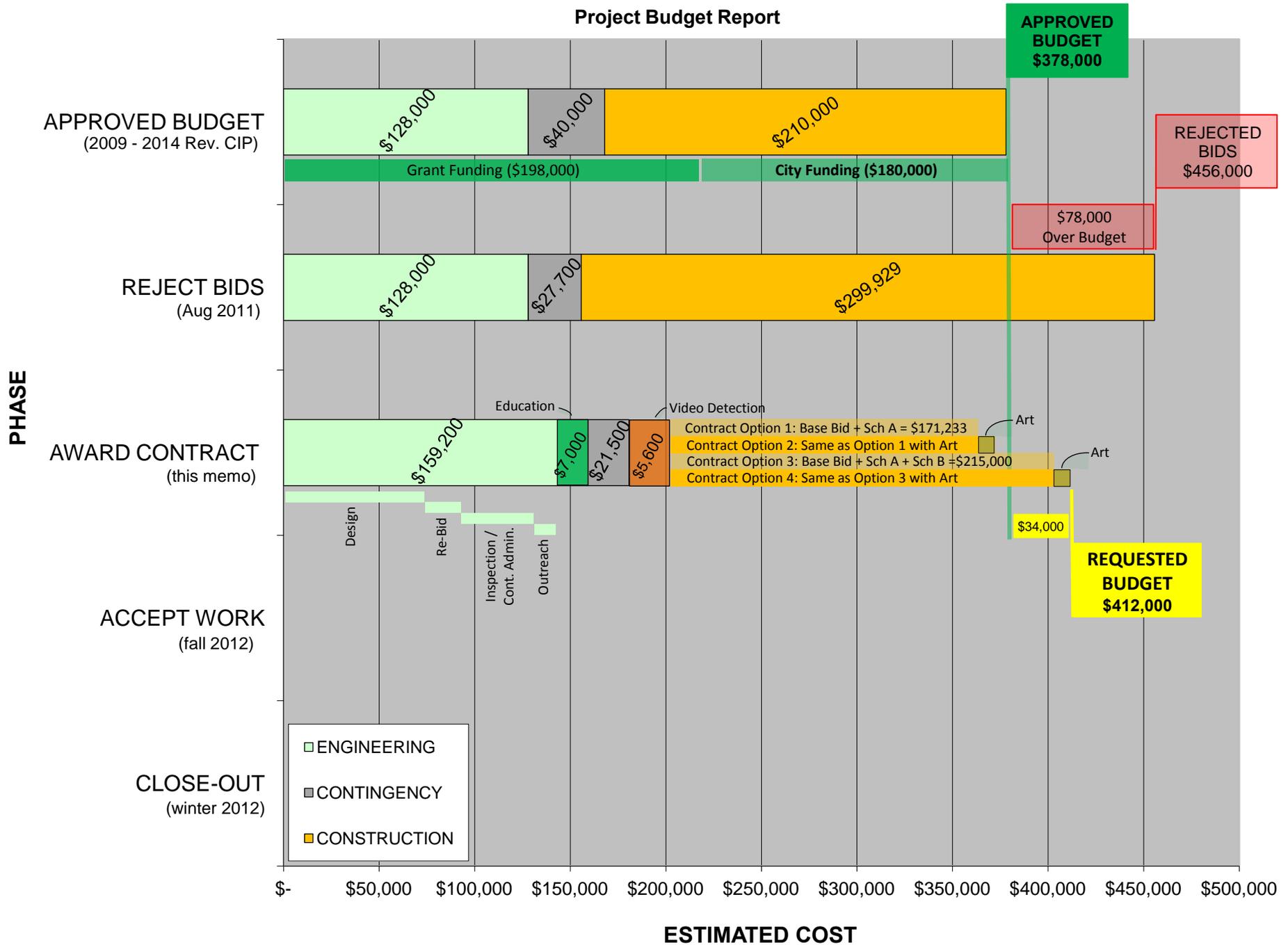
If Council concurs with the staff recommendation of Option 4, it can award the bid as part of the consent calendar. If the Council prefers another option, it should move the item off of consent to "New Business" and provide staff with further direction on the final project.

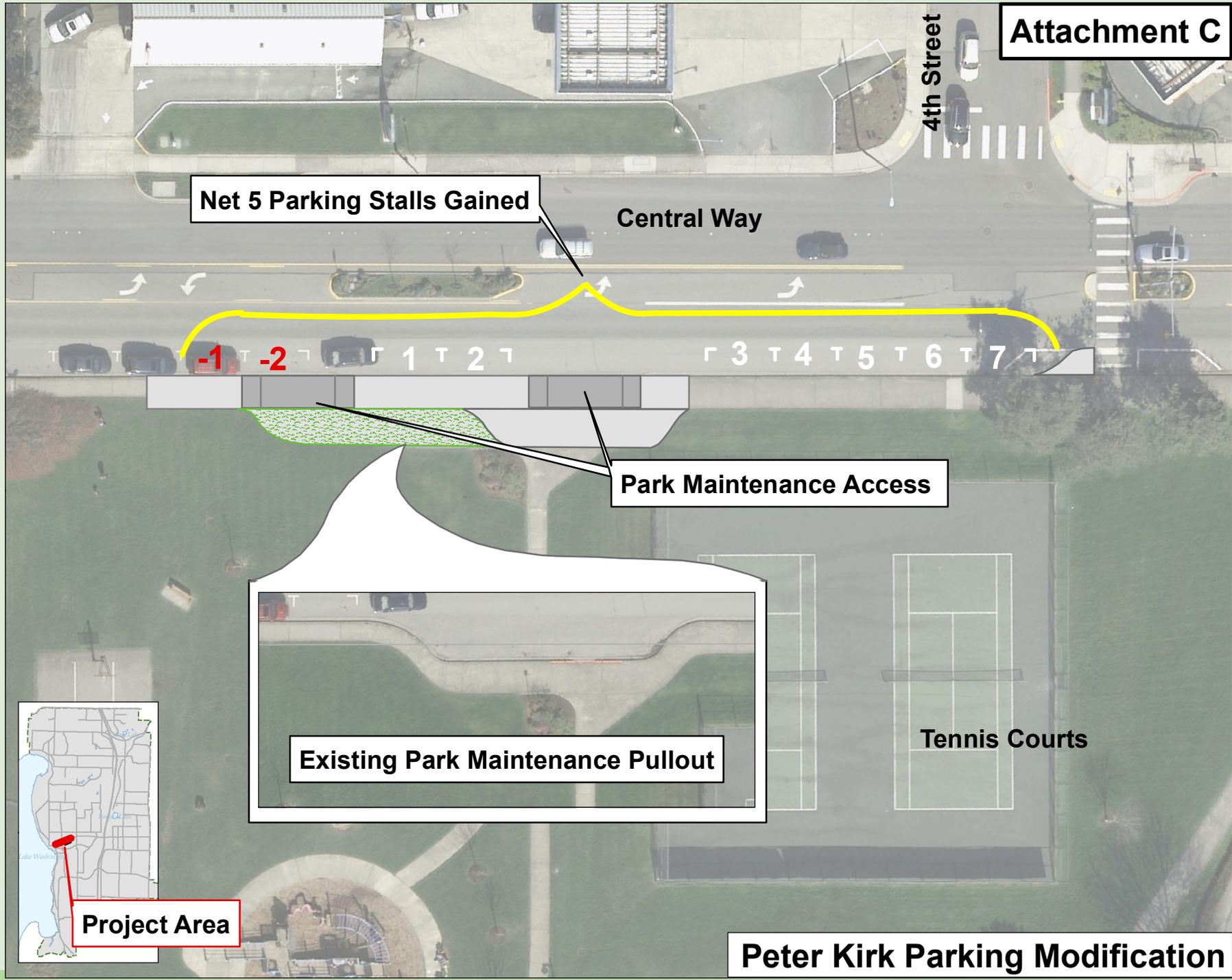
With award of a City Council preferred option at the May 15 meeting, the physical work will begin after the 4th of July and be complete in the fall of 2012. In advance of construction Public Works staff will notify adjacent property owners and businesses in the area providing project timelines and pertinent contact information.

Attachments: (4)

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

Project Budget Report





FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Ray Steiger, Public Work Director							
Description of Request							
Request for additional funding to award recommended bid for Central Way Pedestrian Enhancement Project (CNM 0065) from Real Estate Excise Tax (REET 2) Reserve.							
Legality/City Policy Basis							
Fiscal Impact							
One-time use of \$34,000 of the REET II Reserve. The reserve is able to fully fund this request.							
Recommended Funding Source(s)							
<i>Reserve</i>	Description	2012 Est End Balance	Prior Auth. 2011-12 Uses	Prior Auth. 2011-12 Additions	Amount This Request	Revised 2012 End Balance	2012 Target
	REET II Reserve	4,975,718	283,253	0	34,000	4,658,465	N/A
	2011-12 Prior Authorized Use of this reserve: \$83,253 for 6th Street South Sidewalk Improvements, and \$200,000 for 2011-12 Street Operations & Maintenance (REET flexibility program)						
<i>Revenue/Exp Savings</i>							
<i>Other Source</i>							
Other Information							

Prepared By	Neil Kruse, Senior Financial Analyst	Date	May 1, 2012
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**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: May 3, 2012

Subject: MAINTENANCE CENTER PARKING ADDITION – AWARD CONTRACT

RECOMMENDATION:

It is recommended that City Council award a contract for the Maintenance Center Parking Addition (MCPA) Project to AGR Contracting of Monroe, WA, in the amount of \$147,436.28.

BACKGROUND AND DISCUSSION:**HISTORY**

The present Maintenance Center facility was built in 1989 and has now become insufficient in size to support all staff needs, vehicle and equipment parking, material storage, shop space and fleet maintenance. The use of all existing property is nearly maximized. As a result, an overall Maintenance Center Expansion Project was created to identify opportunities for maximizing use of the current space. This overall Project will also provide for a full space and feasibility study to determine long term growth needs and options for expansion beyond the existing property (Attachment A).

A brief study was completed in 2010 that identified early actions that could be accomplished to accommodate immediate space needs within the current property. That study recommended taking advantage of the height in the shop space by adding storage mezzanines, expansion of fleet maintenance bays and constructing additional staff parking adjacent to the Maintenance Center Administration Building (Attachment B).

BUDGET

The total budget for the overall Maintenance Center Expansion Project is \$1,950,000. From that total budget, \$400,000 is planned to be transferred to the Public Safety Building Project to fund design and construction of a fleet maintenance bay devoted to police vehicles. Staff presented the advantages of locating fleet maintenance at the Public Safety Building through a Public Safety Building Project update at a regular City Council meeting of February 28, 2012. That Update informed Council that the demand for police vehicle repairs warranted a devoted maintenance bay and locating the maintenance bay at the Public Safety Building created efficiencies in vehicle

transport, plus the opportunity to reduce the required expansion of general fleet maintenance at the Maintenance Center. At that same meeting, City Council accepted the recommendation to include fleet maintenance in the Public Safety Building Project scope of work.

The result of the City Council action is an overall Project budget balance of \$1,550,000 for the full space needs and feasibility study, property acquisition, design and construction associated with the remaining Maintenance Center Expansion project elements, and this MCPA Project; of the remaining budget, \$300,000 is available for the MCPA Project (Attachment C).

MAINTENANCE CENTER PARKING ADDITION PROJECT

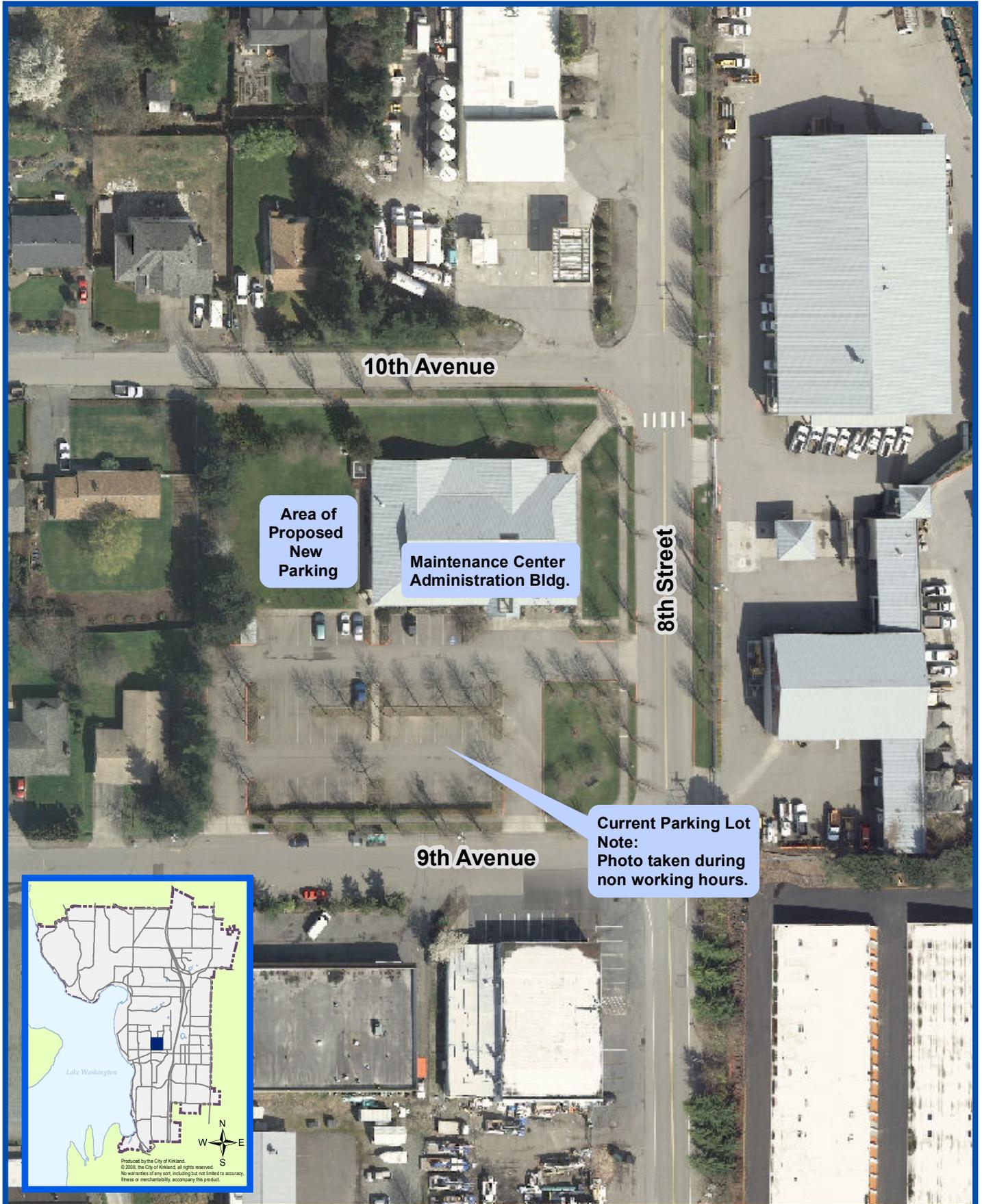
The demand on Maintenance Center parking is high and, with a current total of 58 parking stalls (57 regular and 1 ADA) serving the Administration Building, there are approximately 36 Public Works and Parks Department staff who park on the neighborhood streets during the work week. As a result, and due to the fact that a scope of work for creating additional parking is different from other proposed building modifications, a specific parking (MCPA) project was established. The design and permitting for the parking addition work began in October 2011 and was complete in March 2012. The parking lot design includes storm water quality improvements, lighting, landscape improvements, upgrading ADA parking and access, seal coat and restriping of the entire parking lot.

As designed, the Project will result in a net gain of 17 additional parking stalls for City and staff vehicles (15 regular with 2 ADA) and, with an engineer's estimate of \$154,636, staff first advertised for contractor bids through the Shared Small Works Roster on April 11, followed by a bid opening on April 25, 2012. The following table shows the bid results:

Contractor	Total Bid
AGR Contracting	\$147,436.28
<i>Engineers Estimate</i>	<i>\$154,635.90</i>
Tiger Construction	\$159,062.99
JBD Excavation	\$179,071.92
Kamins	\$182,581.19
NPM Construction	\$188,390.37
Road Construction NW	\$246,068.40

With a contract award for the MCPA by City Council at their May 15 meeting, work will begin in June and be complete by mid August 2012. In advance of construction, CIP staff will work with Maintenance staff to facilitate a temporary parking plan for the period of construction. As the need for on-street staff parking will increase during the construction phase, staff will also notify adjacent property owners and businesses in the area of the planned work, providing project timelines and pertinent contact information.

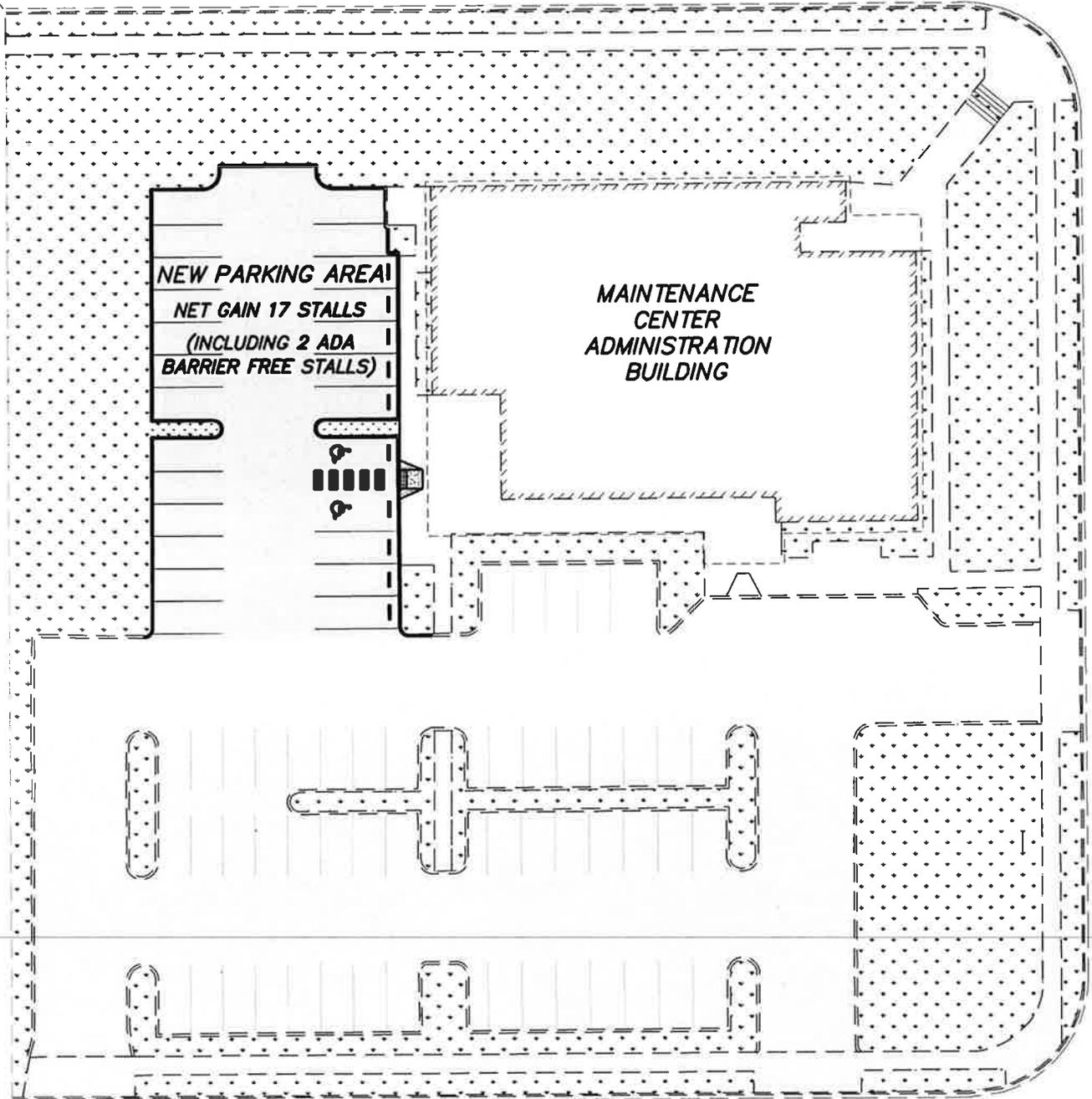
Maintenance Center Parking Addition (MCPA) Project Vicinity Map



MAINTENANCE CENTER PARKING ADDITION SITE PLAN



10TH AVE

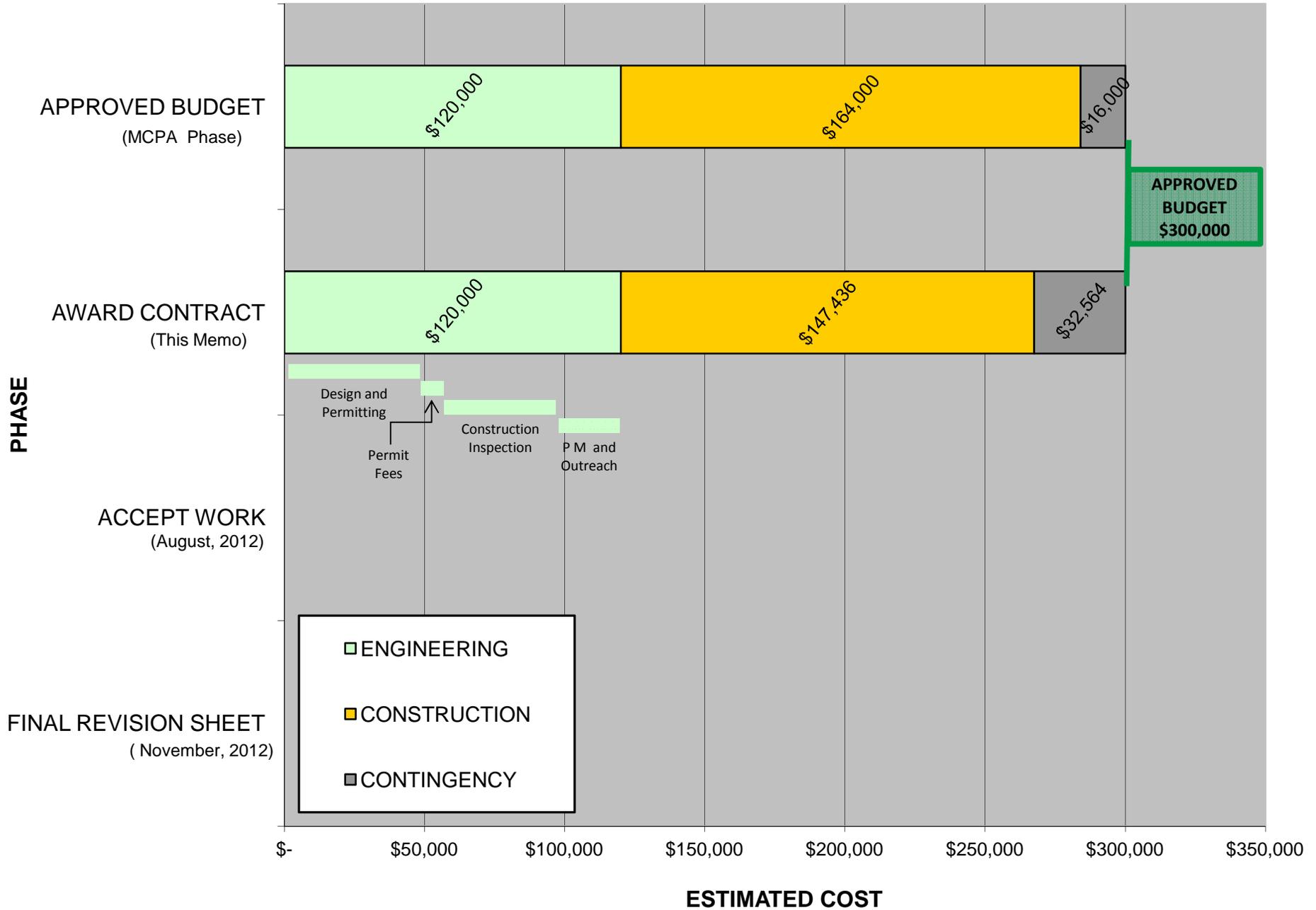


8TH ST

9TH AVE

Maintenance Center Parking Addition (MCPA) (CGG-0037-002)

Project Budget Report



**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3809

www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: Ray Steiger, P.E., Public Works Director
Greg Neumann, Water Division Manager
Don Anderson, P.E., Project Engineer

Date: May 3, 2012

Subject: INTERLOCAL AGREEMENT with NORTHSORE UTILITY DISTRICT

RECOMMENDATION:

It is recommended that City Council authorize the City Manager to sign an Interlocal Agreement (Attachment B), between the City and Northshore Utility District (NUD), for a new water system emergency inter-connection (intertie) between the pipe networks of the two immediately adjacent water service areas.

BACKGROUND AND DISCUSSION:

A number of Kirkland commercial properties in the vicinity of 120th Avenue NE and NE 116th Street are served by an existing Kirkland Water System 16" diameter water main (Attachment A). Any possible water break or interruption in water service for this existing water main would affect all the properties highlighted on the Attachment.

Providing an emergency intertie between Kirkland's water system and NUD's facilities within NE 118th Street, just west of the Kirkland Public Safety Building site, provides an opportunity for direct backfilling of Kirkland's water system should there be any interruption to the water service. Due to pressure differences between the two zones, and the fact that NUD's water system has built-in redundancy through a "looped" system in the area, the Kirkland Water System is the primary beneficiary of the intertie. A similar Interlocal Agreement and intertie exists between Kirkland and the City of Bellevue, and Kirkland's Water Division staff will continue to work with all neighboring Utility Districts on future interties in order to better service Kirkland water customers through system redundancy.

Because of the benefit to Kirkland, labor and materials to build this new intertie would be provided by Kirkland Water Division staff; this Maintenance effort is estimated to be \$25,000 in parts and labor with money currently available through existing 2012 Water System Operating funds.

Attachments (3)

RESOLUTION R-4920

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND AND NORTSHORE UTILITY DISTRICT FOR THE ESTABLISHMENT OF A NEW EMERGENCY WATER SYSTEM INTERTIE.

WHEREAS, the City of Kirkland ("City") and the Northshore Utility District ("District") wish to obtain supplemental water supply from each other for emergency purposes through an intertie between their respective water systems; and

WHEREAS, Chapter 39.34 RCW authorizes the City and the District to enter into an interlocal cooperation agreement to perform any governmental service, activity or undertaking which each contracting party is authorized by law to perform;

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

Section 1. The City Manager is hereby authorized and directed to execute on behalf of the City of Kirkland an Interlocal Agreement substantially similar to that attached as Exhibit "A", which is entitled "Interlocal Agreement 118/116 Emergency Water Intertie."

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2012.

Signed in authentication thereof this ____ day of _____, 2012.

MAYOR

Attest:

City Clerk

INTERLOCAL AGREEMENT 118/116 EMERGENCY WATER INTERTIE

THIS AGREEMENT is made this _____ day of _____, 2012, between the **NORTHSHORE UTILITY DISTRICT**, a municipal corporation in King County, Washington ("District") and the **CITY OF KIRKLAND**, a municipal corporation in King County, Washington ("City").

SECTION 1. RECITALS

- 1.1 District provides water service to the area northeast of Lake Washington, including the Totem Lake, Finn Hill, Juanita and Kingsgate area of City, in King County, Washington. City provides water service to the rest of City limits not served by District. A portion of the District's water service boundary is located adjacent to the City's water service boundary.
- 1.2 District and City desire to obtain supplemental water supply for emergency purposes through an intertie between their respective water systems, subject to certain terms and conditions.
- 1.3 District and City are authorized by Chapter 39.34 RCW, the Interlocal Cooperation Act, to enter into cooperative agreements.

In consideration of the terms and conditions contained herein, the parties now agree as follows:

SECTION 2. EMERGENCY INTERTIE

- 2.1 District and City agree to provide each other with an emergency standby source of water through an intertie connection between the District and City water systems, at the location described and depicted on Exhibit "1" attached hereto ("Intertie").
- 2.2 Intertie shall consist of an 8" ductile iron water main, a fire hydrant, and two normally-closed valves, as depicted on Exhibit "1". Intertie shall be constructed by City at City's sole expense. City shall transfer ownership of said 8" water main located within District's water service boundaries, at no cost to District by bill of sale. Each party shall then own, operate, and maintain that portion of Intertie located within their respective water service boundaries.
- 2.3 Intertie shall be used only in the event of an emergency, or when otherwise required due to a planned, temporary disruption of service resulting from construction or maintenance.
- 2.4 An emergency shall be considered any event that requires District's or City's water supply to be augmented on a temporary, emergency basis.
- 2.5 In case of water supply required for emergency use, District or City shall provide water immediately upon oral notification of such emergency. Follow-up written notice of such emergency request shall be made by District or City to the other party.
- 2.6 In case of water supply required for a planned, temporary disruption of service, District or City shall notify the other party in writing at least forty-eight (48) hours in advance of the time either party desires to receive water through Intertie. The request shall include the startup time and estimated duration of service.

- 2.7 When activating emergency Intertie service, each party shall operate their respective system components only, and shall provide adequate flushing of the system prior to activating Intertie.
- 2.8 District and City shall make reasonable efforts to provide an uninterrupted supply of water. Neither party shall be liable for any shortage or interruption in the delivery of water. In addition, neither party shall be liable for any failure, interruption or shortage of water, or any loss or damage resulting therefrom occasioned by any cause beyond the control of either party. District and City do not guarantee the availability of water through Intertie at all times because of each party's respective needs and water demand. Further, during critical water shortage periods as determined by either party, District or City may deny use of the intertie until sufficient water supply exists to make such available for use by either party.

SECTION 3. BILLING FOR THE COST OF WATER USED

- 3.1 A written estimate of the quantity of water used shall be reported by the receiving party to the supplying party, within three (3) days after the termination of Intertie use. The estimate of water used shall include a detailed explanation as to how the estimate was derived. If the emergency water use continues for more than 30 days, the written estimate of water use shall be provided on the 1st of each month.
- 3.2 In the event that District or City receives water through Intertie, both parties agree to pay the other party for such water delivered at the wholesale rate plus ten percent (10%). Wholesale rate per CCF shall be determined based on the preceding complete calendar year, by dividing the total annual volume of water (in CCF) delivered to City's or District's retail end users within their respective service boundaries, into the total annual costs of potable water purchased from the wholesale supplier(s) during the same calendar year. The party delivering such water shall bill the party receiving such water monthly for the amount of water delivered. The party receiving such water shall pay the other party within forty-five (45) days of the date of such billing. Any billings not paid by the party within such 45-day period shall accrue interest at the rate of twelve percent (12%) per annum until paid.

SECTION 4. GENERAL PROVISIONS

- 4.1 Neither party shall by virtue of this Agreement acquire any proprietary or governmental interest in the water system of the other party. Each party shall be solely responsible for the operation and maintenance of its own system of water distribution.
- 4.2 District and City agree to hold harmless and indemnify the other party and its officers, employees and agents from any and all claims, damages, costs or other liabilities caused by parties' sole negligence or the parties' concurrent negligence, but only to the extent of the parties' concurrent negligence and arising by reason of participation in connection with or relating to the performance of this Agreement.
- 4.3 This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.
- 4.4 Any notice to be given or any documents to be delivered by any party to any other shall be delivered in person or by certified mail and addressed to the District or City at the following addresses:

District:

General Manager
Northshore Utility District
6830 NE 185th Street
Kenmore, WA 98028

With a Copy To:

Kinnon Williams
Williams & Williams, PSC
18806 Bothell Way NE
Bothell, WA 98011

City:
Mayor
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033

With a Copy To:
City Attorney
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033

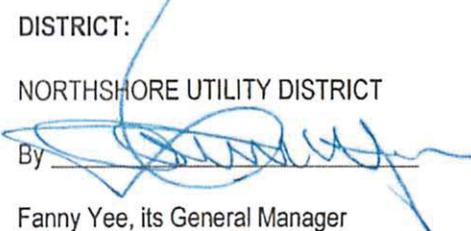
4.5 This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and may be modified only by an agreement in writing signed by both parties.

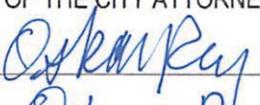
4.6 This Agreement shall be administered jointly by the City Public Works Director and the District General Manager.

4.7 This Agreement shall take effect upon ratification of this Agreement by the Board of Commissioners of District and the City Council of City. This Agreement shall remain in effect until terminated by either party by thirty (30) days' prior written notice to the other party.

4.8 A copy of this Interlocal Agreement shall be filed with the City Clerk, the King County Recorder's Office, Seattle Public Utilities, and the State Department of Health.

CITY:
CITY OF KIRKLAND
By _____
Name: _____
Title: _____

DISTRICT:
NORTHSHORE UTILITY DISTRICT
By 
Fanny Yee, its General Manager

Approved as to Form:
OFFICE OF THE CITY ATTORNEY
By 
Name: Oskar Rey
Title: Ast. City Attorney

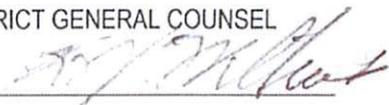
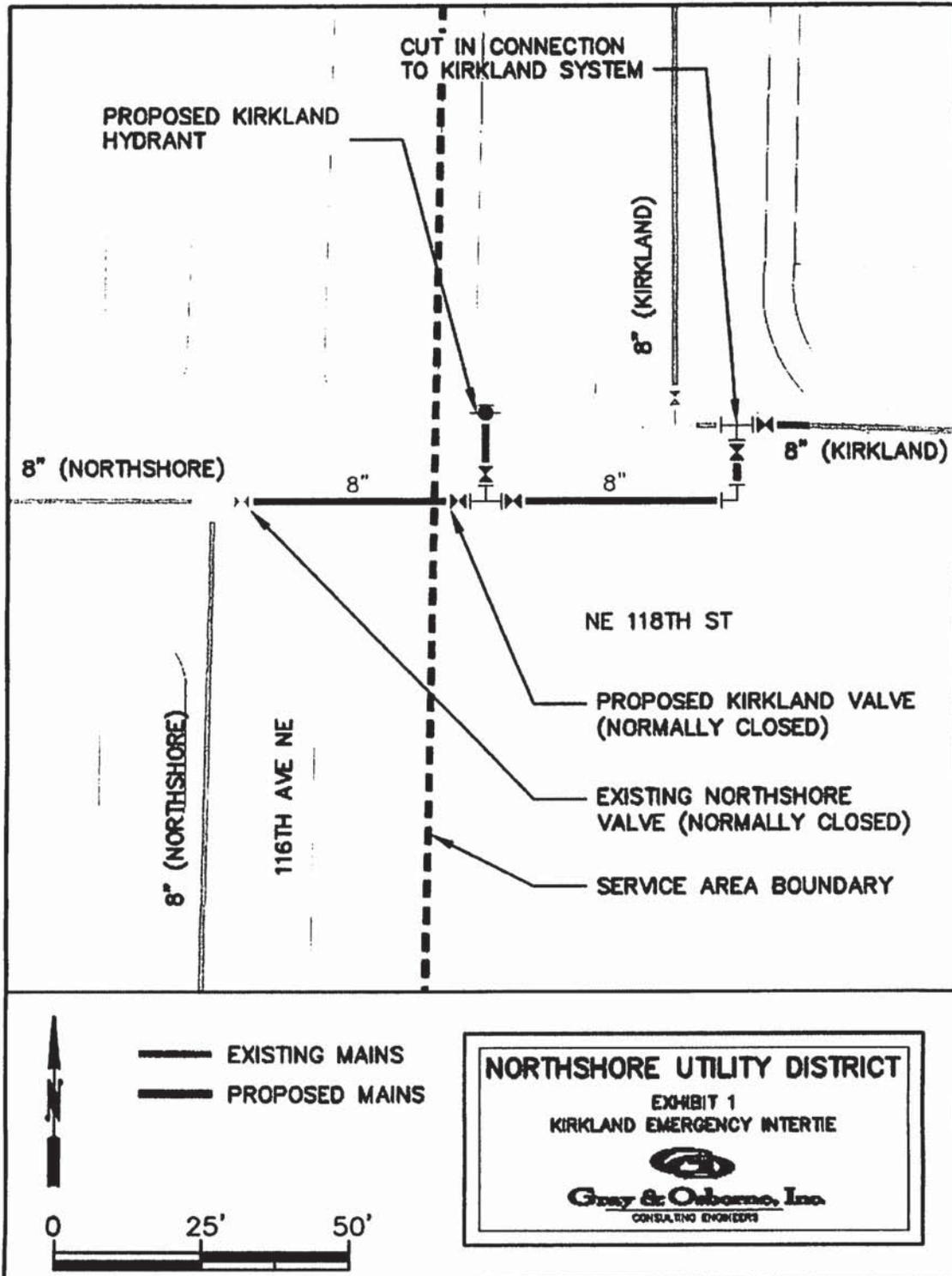
Approved as to Form:
DISTRICT GENERAL COUNSEL
By 
Kinnon Williams

EXHIBIT "1"



**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: May 3, 2012

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF MAY 15, 2012

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 April 19, 2012, are as follows:

	Project	Process	Estimate/Price	Status
1.	2011 Sidewalk Maintenance Project	Small Works Roster	\$220,000 - \$245,000	Contractors notified on 5/2 with bids due on 5/18.
2.	Ford F550 Trucks (2)	Cooperative Purchase	\$81,947.78	Purchased using WA State Contract with Columbia Ford.

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



CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033 425.587.3225
WWW.KIRKLANDWA.GOV

MEMORANDUM

DATE: May 3, 2012

To: Kurt Triplett, City Manager

FROM: Jeremy McMahan, Planning Supervisor
Eric Shields, AICP, Planning Director

SUBJECT: Commercial Codes & BN Regulations KZC Amendments, File No. ZON11-00042.
Planning Commission Briefing (continued)

RECOMMENDATION

City Council continues the discussion of the April 3rd briefing from the Planning Commission and either provides feedback to the Commission or directs the Commission to continue on its current work without additional direction from the Council.

The background memo from the April 3rd Council meeting is available at:
http://www.kirklandwa.gov/Assets/City+Council/Council+Packets/040312/10b_UnfinishedBusiness.pdf.

The background memo from the April 17th Council meeting is available at:
http://www.kirklandwa.gov/Assets/City+Council/Council+Packets/041712/10a_UnfinishedBusiness.pdf.

Attachment 1 is a matrix summarizing regulations for the BN and BC "families" of zones. The matrix shows both existing regulations and potential changes that are under consideration by the Planning Commission.

BACKGROUND

On November 15, 2011, the City Council enacted a moratorium on development in BN zones. On January 3, 2012, the Council held a public hearing on the moratorium and directed the Planning Commission to include additional review of the BN zoning and related Comprehensive Plan policies for the Lake Street South BN zone. In the Ordinance, the Council entered the following specific Findings of Fact that the Commission has used as guidance on issues to be addressed:

- *While mixed used development with residential and commercial uses is encouraged in the City's commercial districts, development should also be compatible in scale and character so as to fit well with surrounding uses.*
- *Existing Neighborhood Business (BN) zoning regulations are perceived as being inadequate to address the scale and density of development consistent with Comprehensive Plan policies.*
- *A planning process including significant opportunities for participation by property owners, residents and other stakeholders is underway and the moratorium is required to maintain current conditions while the planning process progresses.*

On May 1, 2012, following a public hearing, the moratorium was extended for an additional six months to allow the Planning Commission and Council to complete the review of BN zoning and Comprehensive Plan policies.

This memo raises questions for the Council to answer in order to give feedback to the Planning Commission. It would be particularly helpful for the Council to provide direction on the first question having to do with the type of business district designation appropriate for the BN zone at Lake Street South and 10th Avenue South, since the designation plays a significant role in determining the types of regulations that are appropriate. With regard to the regulations, it is not necessary for the Council to provide detailed direction, just whether the Commission is heading in an acceptable direction.

Issue 1 – Residential Market Designation for Lake Street South BN Area. The Planning Commission started its discussion with review of the Comprehensive Plan and tentatively concluded that the existing Residential Market¹ designation was correct and that the regulations should be reviewed to align with this designation. The BN zone on Lake Street South, however, is the only BN zone with a Residential Market designation. All other zones in the BN family of zones are designated Neighborhood Center². Consequently, the Planning Commission has begun drafting regulations for this BN zone that are more restrictive than other BN zones, effectively treating this location differently than other areas with zoning in the BN family.

Question 1. Should the Residential Market designation be maintained for the Lake Street South BN zone, or would the Neighborhood Center designation, as applied to other zones in the BN family, be more appropriate and make the Comprehensive Plan designations consistent with each other?

Issue 2 – Implementing Regulations if Residential Market Retained. The Planning Commission is considering more restrictive draft regulations to implement the Residential Market designation, including limiting the size of building floor plates and limiting the size of individual stores (see Attachment 1). The Commission's initial direction is to not establish specific residential density limits; instead the focus is on limiting the allowed building envelope.

Question 2.a. If the Residential Market designation is maintained, are the types of regulations being discussed by the Planning Commission appropriate? If not, should the regulations be more or less restrictive?

Question 2.b. Should the Commission be considering specific residential density limits or is the current approach of focusing on the allowed building envelope appropriate?

¹ Residential Market defined as *Individual stores or very small, mixed-use buildings/centers focused on local pedestrian traffic. Residential scale and design are critical to integrate these uses into the residential area.*

² Neighborhood Center defined as *Areas of commercial activity dispensing commodities primarily to the neighborhood. A supermarket may be a major tenant; other stores may include a drug store, variety, hardware, barber, beauty shop, laundry, dry cleaning, and other local retail enterprises. These centers provide facilities to serve the everyday needs of the neighborhood. Residential uses may be located on upper stories of commercial buildings in the center.*

Issue 3 – Implementing Regulations for Lake St. BN Zone if Classified as a Neighborhood Center. If the Lake Street South BN zone is changed to be a Neighborhood Center, are regulations being considered by the Planning Commission still appropriate?

Question 3.a. Are potential regulations addressing the scale and orientation of commercial uses (height of commercial space, removing retail disincentives by making retail and office buffers the same, prohibiting auto oriented commercial, requiring commercial at street level) still appropriate on the Lake Street South site?

Questions 3.b. Should residential density limits be considered, or is the Planning Commission's current approach of focusing on the building envelope sufficient?

Issue 4 - Implementing Regulations for Other BN Zones Currently Designated as Neighborhood Centers. The matrix in attachment 1 shows potential revisions to the other zones in the BN family based on their Comprehensive Plan designation as Neighborhoods Centers, other applicable Comprehensive Plan policies and changes in regulations that occurred when some BN zones were recently annexed.

Question 4.a. Are the potential regulations being considered for the other BN zones appropriate?

Question 4.b. Should residential density limits be considered or is the current approach of focusing on the allowed building envelope sufficient?

Staff will be making a brief presentation during the Council meeting on each of these issues and will be seeking Council direction to the Planning Commission on each of these questions.

Attachments

1. Development Standards Matrix

Cc: Planning Commission

Development Standards for Neighborhood Business Family of Zones

*(key existing differences between zones are **bolded**, Planning Commission recommendations are shown in red)*

	BN (Res. Mkt) (current)	BN (Res. Mkt) (amendments)	BN (1) (current)	BN (1) (amendment s)	BNA (current)	BNA (amendments)	MSC 2 (current)	MSC 2 (amendments)	Options (examples used in other zones)
Residential Density	None	No change, density a factor of dimensional restrictions and units sizes within permitted envelope	None	No change, density a factor of dimensional restrictions and units sizes within permitted envelope	None	<ul style="list-style-type: none"> 1/1,800 for north area, 1/2,400 for south area Residential square feet not to exceed 50% of the site's total square feet of floor area 	None	No change, density a factor of dimensional restrictions and units sizes within permitted envelope	<ul style="list-style-type: none"> None Medium density (1 unit per 3,600 sf) High density (1/2,400¹, 1/1,800, 1/900²)
Minimum Commercial Floor Area	75% of ground floor	Minimum commercial frontage	75% of ground floor	Minimum commercial frontage	75% of ground floor	None	75% of ground floor	Minimum commercial frontage	<ul style="list-style-type: none"> No change Minimum commercial FAR Maximum residential FAR as percentage of commercial provided Minimum commercial frontage
Residential on Ground Floor of Structure	Prohibited	<ul style="list-style-type: none"> Allow behind commercial frontage Res. lobby allowed in comm. frontage 	Prohibited	<ul style="list-style-type: none"> Allow behind commercial frontage Res. lobby allowed in comm. frontage 	Prohibited	Allow, subject to 50% requirement above	Prohibited	<ul style="list-style-type: none"> Allow behind commercial frontage Res. lobby allowed in comm. frontage 	<ul style="list-style-type: none"> No change Allow subject to commercial requirements
Commercial Orientation	Toward arterial or sidewalk	<ul style="list-style-type: none"> Toward arterial or sidewalk Minimum 13' ground floor height Specify commercial floor to be at grade with street/ sidewalk 	Toward arterial or sidewalk	<ul style="list-style-type: none"> Toward arterial or sidewalk Minimum 13' ground floor height Specify commercial floor to be at grade with street/ sidewalk 	Toward arterial or sidewalk	<ul style="list-style-type: none"> Toward arterial or sidewalk Minimum 13' ground floor height Specify commercial floor to be at grade with street/ sidewalk 	Toward arterial or sidewalk	<ul style="list-style-type: none"> Toward arterial or sidewalk Minimum 13' ground floor height Specify commercial floor to be at grade with street/ sidewalk 	<ul style="list-style-type: none"> No change Minimum 13' ground floor height Specify commercial floor to be at grade with street/sidewalk
Maximum Floor Area Ratio (FAR)	None	No change	None	No change	None	No change	None	No change	<ul style="list-style-type: none"> No change Maximum x% (similar to single family bulk limits)

¹ Similar to King County NB zone

² King County density adopted for BC 1 & BC 2 zones

Development Standards for Neighborhood Business Family of Zones (cont.)

	BN (Res. Mkt) (current)	BN (Res. Mkt) (amendments)	BN (1) (current)	BN (1) (amendment s)	BNA (current)	BNA (amendments)	MSC 2 (current)	MSC 2 (amendments)	Options (examples used in other zones)
Maximum Height	30'	<ul style="list-style-type: none"> 30' above ABE Max 3 stories above street 	30'	<ul style="list-style-type: none"> 30' above ABE Max 3 stories above street 	35'	No change	30'	<ul style="list-style-type: none"> 30' above ABE Max 3 stories above street 	<ul style="list-style-type: none"> No change Measure from street level (like CBD) Cap # of stories Lower
Maximum Lot Coverage	80%	No change	80%	No change	80%	No change	80%	No change	<ul style="list-style-type: none"> No change 60% (similar to medium density zones) 70% (similar to office zones)
Required Yards³	20' front⁴ 10' side & rear	<ul style="list-style-type: none"> 10' for ground floor commercial story No change to front for 2nd & 3rd stories 10' side & rear for all uses 	20' front 10' side & rear	<ul style="list-style-type: none"> 10' for ground floor commercial story No change to front for 2nd & 3rd stories 10' side & rear for all uses 	10' front 10' side & rear	No change to front 10' side & rear for all uses	20' front 10' side & rear	No change	<ul style="list-style-type: none"> No change 0' (similar to ped. oriented business districts) 10' (similar to BNA) Reduce for ground floor only (similar to CBD 3 & 7) Make office and retail consistent Increase
Land Use Buffer	Retail=15' adjoining SF or MF Office=15' adjoining SF, 5' adjoining MF	15' for all commercial uses adjoining residential	Retail=20' adjoining SF, 15' adjoining MF Office=20' adjoining SF, 5' adjoining MF ⁵	15' for all commercial uses adjoining residential	Retail=15' adjoining SF or MF Office=15' adjoining SF, 5' adjoining MF	15' for all commercial uses adjoining residential	Retail=15' adjoining SF or MF Office=15' adjoining SF, 5' adjoining MF	15' for all commercial uses adjoining residential	<ul style="list-style-type: none"> No change Make Retail & Office buffers consistent to allow change in use of tenant spaces <ul style="list-style-type: none"> Increase office to 15' Decrease retail to 5'
Maximum Retail/Restaurant Store Size	10,000 s.f. per establishment	4,000 per establishment	10,000 s.f. per establishment	No change	10,000 s.f. per establishment, excludes grocery, drug, hardware...	No change	4,000 s.f. per establishment	No change	<ul style="list-style-type: none"> No change 4,000 s.f. (similar to MSC 2 zone) 3,000 s.f. (similar to RM zone) <p><i>Examples:</i></p> <ul style="list-style-type: none"> Totem Lake Rite Aid = 11,000 s.f. Brown Bag Café = 4,900 s.f. Super 24 = 3,100 s.f. Spud's - 1,500 s.f.

³ Note that office has 5' minimum side (15' combined)

⁴Required yard along Lake St S or LWB increased 2' for each 1' that the structure exceeds 25' (applies to RM along Boulevard as well)

⁵ 20' landscaped berm/topographic change required by (1) suffix

Development Standards for Neighborhood Business Family of Zones (cont.)

	BN (Res. Mkt) (current)	BN (Res. Mkt) (amendments)	BN (1) (current)	BN (1) (amendments)	BNA (current)	BNA (amendments)	MSC 2 (current)	MSC 2 (amendments)	Options (examples used in other zones)
Use Limitations	Use Zone Charts	<ul style="list-style-type: none"> • Prohibit Office use on upper floors • Prohibit non-pedestrian oriented <ul style="list-style-type: none"> ○ Vehicle service station ○ Drive-thru 	Use Zone Charts	No change	Use Zone Charts	No change	Limited in Use Zone Charts	No change	<ul style="list-style-type: none"> • No change • Prohibit non-pedestrian oriented⁶ <ul style="list-style-type: none"> ○ Vehicle service station ○ Drive-thru • Limit office uses
Maximum Building Length⁷	None	Address through design guidelines	None	Address through design guidelines	None	Address through design guidelines	See design regulations	No change	<ul style="list-style-type: none"> • No change • Maximum 120' • Maximum 70' • Maximum 50'
Maximum Building Size	None	Limit maximum building floor plates (+/-10,000 s.f.) Use design review & guidelines to decide arrangement	None	None	None	None	See design regulations	No change	<ul style="list-style-type: none"> • No change • Select a desirable size (this type of regulation is not currently in use in Kirkland)
Review Process	None	Design Board Review	Process IIA	<ul style="list-style-type: none"> • Design Board Review • Incorporate Comp Plan criteria into special regulations 	None	Design Board Review	Administrative Design Review	No change	<ul style="list-style-type: none"> • None • Zoning Permit (with established standards & criteria) <ul style="list-style-type: none"> ○ Process I ○ Process IIA ○ Process IIB • Design Review (with established guidelines/regulations) <ul style="list-style-type: none"> ○ Administrative ○ Design Review Board

⁶ These uses are prohibited in the MSC 2 zone

⁷ Used in Design Regulations. Depending on Business District, regulations may require full building separation, a significant modulation break, or change in building definition and materials

Ground Floor Commercial Development Standards for Community Business (BC) Family of Zones

	BC (current)	BC (amendments)	BCX (current)	BCX (amendments)	BC 1 (current)	BC 1 (amendments)	BC 2 (current)	BC 2 (amendments)	Options
Minimum Commercial Floor Area	75% of ground floor	defer	75% of ground floor	Minimum commercial FAR of 25% for new mixed use	75% of ground floor	Minimum commercial FAR of 25% for new mixed use	75% of ground floor	Minimum commercial FAR of 25% for new mixed use	<ul style="list-style-type: none"> No change Minimum commercial FAR Maximum residential FAR as percentage of commercial provided Minimum commercial frontage
Residential on Ground Floor of Structure	Prohibited	defer	Prohibited	Allowed, but must have intervening commercial frontage along street	Prohibited	Allowed, but must have intervening commercial frontage along street	Prohibited	Allowed, but must have intervening commercial frontage along street	<ul style="list-style-type: none"> No change Allow subject to commercial requirements
Commercial Orientation	Toward arterial or sidewalk	defer	Toward arterial or sidewalk	<ul style="list-style-type: none"> Toward arterial or sidewalk Minimum 13' ground floor height (adjust max height to continue to allow 3-stories) Specify commercial floor to be at grade with street/sidewalk 	Toward arterial or sidewalk	<ul style="list-style-type: none"> Toward arterial or sidewalk Minimum 13' ground floor height Specify commercial floor to be at grade with street/sidewalk 	Toward arterial or sidewalk	<ul style="list-style-type: none"> Toward arterial or sidewalk Minimum 13' ground floor height Specify commercial floor to be at grade with street/sidewalk 	<ul style="list-style-type: none"> No change Minimum ground floor height (13'-15') Specify commercial floor to be at grade with street/sidewalk



CITY OF KIRKLAND
Kirkland Police Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3400
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Bill Hamilton, Captain, Kirkland Police Department
Marie Stake, Communications Program Manager

Date: May 4, 2012

Subject: Update: Public Involvement Regarding Boating Concerns

RECOMMENDATION:

That the City Council receives the update and provides direction to staff regarding additional public involvement that will guide the City's efforts to best address boating noise and safety concerns.

BACKGROUND DISCUSSION:

The proposal to amend the City's existing watercraft regulations to better regulate public disturbance and other issues, stems from a law enforcement desire to be most responsive to community watercraft noise and safety concerns. The concerns and challenges are not new or unique to Kirkland as all waterfront communities have various boating related issues and regulations in place to meet changing community needs or concerns.

The ordinance changes that have been discussed are not an effort to create unprecedented or unique watercraft regulations. The City is recommending small changes in an effort to begin "catching up" to develop watercraft regulations which meet our community's current needs. As a city we have done an excellent job of amending or creating ordinances to adequately address similar growth related issues such as motor vehicle traffic, vehicular stereo volume, cruising or other issues that may accompany change or increased community expectations of service.

[Kirkland Municipal Code Title 14, Waters and Surfacecraft](#) was adopted in 1960 and has not been comprehensively updated as the community grew and boating related technology and boating accessories such as highly powered stereo equipment evolved. Kirkland has quickly transformed from a community with approximately six miles of shorefront to approximately 10 miles of shorefront. This growth is further complicated by the fact that our neighboring "Lake Washington" communities have various, well established, boating regulations in place to mitigate their specific watercraft concerns. This creates a situation in which Kirkland's shorefront and particularly Juanita Bay are very inviting to the small percentage of boaters who engage in irresponsible boating behavior.

On March 6, 2012 the City Council considered changes Title 14 that proposed language regarding public disturbance noises emanating from watercraft, the prohibition of rafting and tandem moorage, and fines and penalties. The changes were proposed by the Kirkland Police Department because as Title 14 currently exists it does not provide sufficient enforcement provisions to address boating concerns that have been expressed by marine patrol, area residents, and others.

At the request of the City Council and the Council's Public Safety Subcommittee, the Police Department, City Manager's Office, and Parks & Community Services Department initiated a public involvement process that sought out input from stakeholders. The Council also requested that an ordinance addressing boating noise be brought back for its consideration before the summer boating season.

On April 3, the City Council received a copy of the Public Involvement Plan (Attachment A). The Plan describes short term (Phase I) and long-term (Phase II) public involvement strategies. The short term efforts will focus on addressing noise-related concerns associated with boating. The long term efforts will include a comprehensive review of Title 14 and to address other concerns such as rafting.

On April 19, an update was provided to the Public Safety Committee.

Stakeholders invited to participate include persons who have emailed, mailed, or called the City Council and city staff; members of the Parks Department Ad Hoc Boating Committee, Kirkland neighborhood associations, and City boat launch access card holders. Additionally, park users and members of boating associations and clubs will be involved as well as "internal stakeholders" including city staff, King County Marine Patrol Division, and other law enforcement agencies.

Update on Short Term/Phase I

The following public information tools and materials were developed:

- Informational webpage is live www.kirklandwa.gov/Community/Watercraft_Safety. From the page, visitors can subscribe to receive email updates. There are 25 subscribers as of May 4. (Activated April 17, 2012)
- Information line is live (425-587-3516); callers can leave a message. The voice mail will be checked by Police Department staff. (Activated April 17, 2012)
- Informational mailer to boat launch access card holders was mailed and included boating safety tips. (Attachment B) (April 23, 2012)
- A review of the emails sent to City Council prior to the March 6 meeting was conducted. A summary of the results is attached. (Attachment C)
- Captain Hamilton and Marie Stake, Communications Program Manager met with the Ad Hoc Boating Committee (April 26, 2012)
- Informational flyer was posted at the Marina Park boat launch and distributed to business near the park. (April 23 through April 27, 2012)
- Informational meeting with interested stakeholders was held on May 3, 6:30-8 p.m.
- Captain Hamilton will give an update to the Market Neighborhood Association on May 16 and to the Moss Bay Neighborhood on May 21.

May 3 Informational Meeting

The purpose of the May 3rd informational meeting was to listen to the concerns that residents, boaters and others have about watercraft noise so that the code amendment can address them to the extent possible. Approximately 60 people attended. A summary of the feedback is attached (Attachment D).

It was explained at the meeting that noise has been a common concern expressed by the majority of stakeholders and that the City intended to address it first with additional public involvement to discuss other boating concerns such as speed and rafting.

It should also be noted that this meeting was but one aspect of an ongoing public involvement plan. Additional neighborhood specific meetings are scheduled for May 16th (Market) and May 21st, (Moss Bay) 2012.

Attachments

- A: Public Involvement Plan: Watercraft Safety in Kirkland
- B: Informational Mailer to Boat Launch Access Card Holders
- C: Summary of Emails Sent to City Council Prior to March 6, 2012 Meeting
- D: Summary of stakeholder feedback from May 3 Informational Meeting

The noted attachments reflect a purposeful, meaningful and candid dialogue with our community as well as other stakeholders. This engagement process has been quite beneficial as the various stakeholders and city staff have gained a greater understanding and perhaps appreciation, of the diverse issues, needs and concerns.

While there remains varying and contrasting points of view on the possible scope of watercraft regulations, the input to date indicates a shared acknowledgement that boating noise, when unreasonable, is a valid community concern. The input also indicates that a desired outcome is an ordinance which has the ability to be impactful when needed, yet also allows for balanced and reasonable application.

Staff will present a proposed watercraft noise ordinance based on the public feedback to the Council at the June 5, 2012 Council meeting.

Public Involvement Plan: Watercraft Safety in Kirkland

The following public involvement (PI) plan will guide the City's efforts to engage the appropriate stakeholders in helping the city develop education materials and regulations that will allow the City to best address watercraft noise and safe boating practices in Kirkland. This PI Plan will be conducted in two phases: In the short-term phase interested stakeholders will be engaged to help the City identify what components should be included in watercraft noise regulations. In the long-term phase, interested stakeholders will be engaged to help the City take a comprehensive look at Kirkland Municipal Code (KMC) Title 14, Watercraft Regulations and help the City identify ways to address watercraft safety issues.

Problem to solve:

- How can the City improve its current regulations to better address watercraft noise and water safety concerns?

Outcomes of public involvement

- Better understanding of boat uses on Kirkland waters
- Collect ideas on how to improve boater safety and address safety concerns
- Identify ways to communicate new regulations

Stakeholders

“Short-term” stakeholders will be engaged in what the city should consider in updating the current code to address watercraft noise. (The current watercraft regulations do not address it.)

- Residents concerned and/or impacted by watercraft activities
 - Neighborhood Associations: Located along waterfront
 - Finn Hill
 - Juanita
 - Market
 - Moss Bay
 - Lakeview
 - Residents and non-residents who have expressed direct concern to the City about watercraft noise and safety
 - Emails to City Council
 - Public comment at City Council meeting (if contact information is available)
- Businesses concerned and/or impacted by watercraft activities
 - Carillon Point
 - Lakeshore Plaza (Marina Park)
 - Juanita Village + surrounding businesses
- Boaters
 - City of Kirkland's Boat Access Card Holders (700 registered card owners)

- Law Enforcement & parks maintenance staff
 - Kirkland Police Department
 - King County Sheriff's Office, Marine Division
 - Law Enforcement from other Washington Boating areas
 - Kirkland Parks maintenance and dock staff

“Long-term” stakeholders will include the above identified “short-term stakeholders” and the following. It is anticipated that more groups will be identified as we reach out to these stakeholders:

- Associations/Groups
 - Coast Guard Auxiliary (<http://www.cgaux.org/>)
 - Recreational Boating Association of Washington (<http://www.rbaw.org/index.html>)
- Yacht Clubs
 - Seattle Yacht Club (<http://www.seattleyachtclub.org/>)
 - Rainier Yacht Club (https://www.rainieryachtclub.com/Advertisers_3PAO.php)
- Commercial boating tours
 - Argosy Cruises (<http://www.argosycruises.com/>)
 - Waterway Cruises (<http://www.waterwayscruises.com/>)
- Beach & park users
 - O.O. Denny Park
 - Juanita Beach Park
 - Juanita Bay Park
 - Waverly Park
 - Marina Park
 - Marsh Park
 - Houghton Beach Park
 - David Brink

Involvement Strategies

Short-term stakeholder public involvement strategies will include the following "inform" and "consult"¹ methods to help the City identify what components should be included in watercraft noise regulations: (April-May, 2012)

- Direct mailing to City of Kirkland Boat Launch card access holders which includes background on the City efforts
- Informational webpage accompanied by a list serv and includes an online comment form (Ask A Question)
- Stakeholder meeting with neighborhood association representatives, concerned citizens who have directly contacted the City and members of the City's Ad Hoc Boating Advisory Group
- In-person interviews with boaters
 - City of Kirkland Docks
- Report to the Public Safety Committee (May 2012)

¹ International Association of Public Participation (IAP2) Spectrum

- Report to the City Council (June, 2012)

Long-term stakeholder public involvement strategies will include the following “inform,” “consult,” and “involve” methods to help the City develop alternatives to best update Title 14 Watercraft Regulations including addressing unsafe boating in Kirkland.

- Survey identifying common unsafe boating practices (e.g. speeding, disruptive behavior) and suggestions on how the City can best address them
 - Written for phone & in-person interviews
 - Informational booth at Wednesday and Friday Farmer’s Markets
 - Online survey
- Stakeholder Workshop to present possible code provisions that best address the suggestions from the survey.
- Report to the Public Safety Committee
- Report to the City Council

April 20, 2012

Dear City of Kirkland Boat Launch Access Card Holder,

As a registered boat launch card holder, we thought you would be interested in the City's current efforts to address watercraft noise and safety concerns. Please take a few minutes to read this handout so that you are informed and can become involved.

The City is committed to ensuring public safety in the areas of Lake Washington that are within our jurisdiction. For those who live along our shores, we care that the shorelines, water quality, and wildlife are protected. For those who recreate in our waters, we encourage safe boating, swimming, skiing and other water activities.

In recent months, the City has been considering ways to better ensure public peace and safety, especially in Juanita Bay. On March 6, 2012, the City Council was presented with a proposed ordinance, which would amend the City's current "Watercraft Regulations" as contained in Kirkland Municipal Code Title 14. Based upon public feedback on the proposed ordinance, the City Council seeks additional public involvement to first address watercraft noise concerns and then watercraft safety issues.

The Kirkland Police Department strives to be responsive to community boating complaints but Title 14 was originally adopted in 1960 and does not include a provision for excessive and unreasonable watercraft noise. Many waterfront communities along Lake Washington regulate various boating related concerns including watercraft noise (e.g. engine, loud voices, music). In keeping with Kirkland's public disturbance laws for noise originating from land sources (e.g. vehicles, construction, buildings), the City seeks to update its watercraft regulations to include similar noise provisions. The City Council has asked to have proposed watercraft noise regulations be adopted before the busy summer months begin this year. It is anticipated that a code amendment will be presented in June.

In addition to addressing watercraft noise, the City will be working with stakeholders to help the City take a comprehensive look at Title 14, Watercraft Regulations, including ways to address watercraft safety issues.

The City is hosting an informational meeting on Thursday, May 3, 6:30-8 p.m., Kirkland City Hall, Peter Kirk Room, 123 5th Avenue, Kirkland, WA to hear concerns from residents and boaters about watercraft noise.

If you would like to receive email updates about the City's efforts to address watercraft noise and safety, please visit www.kirklandwa.gov (Search: Watercraft Safety). If you have specific questions or suggestions, please contact the Kirkland Police Department information line at 425-587-3516.

We appreciate you for choosing Kirkland as your boating destination and your involvement. We wish you a safe boating season and have included some "friendly reminders" for you to share with your friends and family.

Boater Safety Reminders from the City of Kirkland

- **Complete the mandatory boater education.** Washington State law requires that operators of motorboats with 15 horsepower or greater take a boater education class and obtain a boater education card. For more information, visit www.parks.wa.gov/boating/boatered/ or call 360-902-8555.
- **Wear a life jacket.** Washington State law requires children ages 12 years and younger to wear a Coast Guard approved lifejacket or vest on vessels less than 19 feet long. Make sure life jackets are in good repair and fit properly.
- **Carry extra safety equipment.** Have extra anchors, flares, electronic equipment to find your way home, and a good bilge pump.
- **Designate a sober driver.** According to the U.S. Coast Guard, alcohol use is the primary contributing factor in fatal recreational boating accidents in the U.S. In Washington, boating under the influence (BUI) of drugs or alcohol or boating recklessly is against the law. Alcohol affects both judgment and reactions, and its effects are more pronounced on the water.
- **Don't overload your boat.** Small open boats under 20 feet have a capacity plate on the stern that tells how much weight and how many people it can hold safely.
- **Be weather wise.** Sudden wind shifts, lightning flashes and choppy water may indicate stormy weather.
- **Watch your moves.** Limit movement and keep weight low to avoid capsizing or falling overboard. Take two trips if necessary to keep the weight in the boat low.
- **Stay with your boat.** In case of capsizing or swamping, you should stay with your boat. Even when filled with water, the boat will provide some flotation and is easier to see by potential rescuers.
- **Dress appropriately.** Dress for the water temperature, not the air temperature. Assess the wind and wave conditions to decide if you are prepared for potential cold-water conditions. Check weather forecasts before leaving home and be aware of changing conditions. And take along extra clothing for children - they get cold faster than adults.
- **Stay in communication.** Bring your cell phone in a waterproof zip lock bag. If you have cell phone service, you can call for help without removing the phone from the bag.

For information on Kirkland's boat launch ramps at Marina Park and Second Avenue South, visit www.kirklandwa.gov and search "Boat Launch."

Summary of emails sent to City Council immediately prior to the March 6, 2012 meeting where Ordinance 4349 was considered but not adopted. The majority of the 60+ emails acknowledged noise can be an issue and a majority acknowledged that prohibiting/limited rafting is over-regulation.

Reasons for boating in Kirkland

- Dine and shop
- Short distance (use less gas)
- Calm waters
- Juanita Bay is prime lake destination
- Kirkland is a respectful place to boat

Overall feelings about the proposed regulations and boating

- Small percentage of boaters are the rule breakers
- If enacted, Kirkland would be "boater unfriendly"
- Proposed regulations are "overboard"
- If enacted, well-behaved boaters would be penalized
- Boating, including rafting, is a family activity
- There are not many sunny days to boat, let us have our fun
- If you choose to live near a boating waterway, you should expect noise

Reasons of opposition to regulate watercraft noise

- Violates first amendment rights
- Proposed language is vague

Reasons of support to regulate watercraft noise

- Boat noise impacts kayakers
- Boat noise impacts park visitors

If you do regulate noise

- Enforce it by decibel
- Have a "curfew" for boaters to be gone by a certain time at night or no noise after a certain time (9, 10, 11 pm)
- Evaluate the distance requirement
- Address noise that only impacts waterfront residents
- Noise regulations should not be more restrictive than other noise regulations

Reasons of opposition to regulate rafting

- "Spoils the fun"
- Hurt Kirkland's economy (boaters won't come to Kirkland to shop, dine, etc)
- Hurt the boating industry (less boat buyers)
- Over regulation
- Rafting does not increase noise
- Rafting is safe (keeps boats from drifting)
- Rafting is a tradition on Lake Washington
- Tarnish boaters' reputation

- Prohibiting rafting would create animosity in boating community
- Bad for Kirkland and Seattle's boating community
- Boaters will go elsewhere
- There's not enough city resources to enforce
- Boaters are already regulated by education requirements for gray water discharge, speed, and rafting
- Violates first amendment rights

If you do regulate rafting:

- limit the number of side ties to no more than three, four, six vessels

Reasons of support to regulate rafting

- Rafting tends to lead to parties that carry on until late in the evening

General suggestions

- Increase water patrol
- Establish a "no wake" zone; move it to farthest point
- Ordinance should include education language
- Kirkland Police Department should patrol on jet skis during summer months on sunny days
- First enforce existing drinking and speed laws
- Need to identify and delineate Kirkland's jurisdiction in Lake Washington

Summary of Stakeholder Feedback
Informational Meeting: How best to address watercraft noise
May 3, 2012

Staff Present:

Eric Olsen, Chief of Police

Bill Hamilton, Captain, Police Department*

Marilynne Beard, Assistant City Manager, City Manager's Office*

Michael Cogle, Deputy Director, Parks & Community Services*

Oskar Rey, Assistant City Attorney, City Attorney's Office

Marie Stake, Communications Program Manager, City Manager's Office*

Mike Metteer, Business Services Manager, Parks & Community Services

**Table facilitators*

King County Marine Patrol

Sgt. Jim Knauss

Deputy Chris Bedker

City Council Public Safety Committee

Council Member Toby Nixon

Number of public attendees: Approximately 60 people

Outline of Meeting

- Introductions: Staff introductions. Participants asked to identify themselves as Kirkland residents, Kirkland business or Kirkland Boater
 - Most were residents who were boaters
- Purpose of Meeting (M. Stake): Acknowledged that many concerns regarding safety boating have been expressed; public involvement efforts intended to address them all. Noise is a common concern expressed by many stakeholders. City to start the conversation about noise and continue to conversation to address other concerns.
- Background (B. Hamilton): Acknowledged that an earlier watercraft noise ordinance lacked critical community input, feedback and most importantly, suggestions. Described the need to update Title 14 (written in 1960) due to the lack of effective enforcement tools necessary for law enforcement to be more responsive to community watercraft noise concerns. Noted that Kirkland is not establishing unique or unprecedented regulations, and is simply "catching up," to what other waterfront communities already have in place to mitigate watercraft concerns. Informed community that the goal is to balance the enjoyment of boating with the ability for homeowners to enjoy their homes without unreasonable watercraft noise annoyance. Also informed the community that enforcement tools do not always equate to 100% enforcement, as discretion and education frequently lead to increased voluntary compliance.

- Group Facilitation (Facilitators): Small group discussions occurred to address types of boat noise, how to address boat noise, and who is responsible to address boat noise.
- Close: Participants encouraged to sign up to receive updates and City Council agendas via email. Timeline given: update to Council on May 15; draft ordinance change to address noise to be presented to Council on June 5

Summary of Group Discussions

The following are the primary sources of noise identified by participants. Other sources of noise identified were animals; wave jumping, waterskiing and boat horns.

<i>Type of Noise</i>	<i>How Best to Address</i>	<i>Who Should Address</i>
<ul style="list-style-type: none"> • Jet Ski Engines • Stereo/Music (bass) • People/Voices • Boat Engines • Seaplanes 	<ul style="list-style-type: none"> • Slower speed • Hour limits • Restrict where they can be • Establish no wake zone • Limit hours • Regulate by decibel level; regulate amplified sound • Regulate by distance • Restrict rafting • Limit alcohol • Limit hours • Be more considerate • Hour limits • Restrict where they can be • Establish no wake zone • Take no action • Greater patrol presence; including nighttime patrol • Boaters to practice general boating safety • Boating safety education • Regulate exhaust system • Signage on lake notifying boaters of noise rules • Regulate type of stereo speakers and rack design 	<ul style="list-style-type: none"> • City of Kirkland • Boat Captain; Operator; Owner • Personal responsibility • Law enforcement

Miscellaneous comments

- Noise is louder on sunny days; boaters stay longer
- Excessive noise was described as heavy bass from music, what time of day its being played, noise is so loud you have to go into your house, noise is loud and clear beyond 50 feet; must be able to quantify the noise level.
- There is a reluctance to call 9-1-1 to report noise; sense that 9-1-1 did not want to deal with call
- If you're on the water you may not realize how loud your noise level

Other suggestions offered by participants

Education

- Create educational materials to make available to boaters
- Use media to get out Kirkland's boating messages and rules

Volunteer Program

- Create a volunteer program where volunteer boaters keep an eye on unsafe boating and report it.

Noise Monitoring Device Installed on Lake

- Similar to the "Speed Watch" monitor device, install a noise meter on the lake that would show boaters that their noise level is too high.

Funding

- Additional funding needed for additional resources (increased patrol)
- Kirkland Police Department should patrol on wave runners

**CITY OF KIRKLAND**

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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Ellen Miller-Wolfe, Economic Development Manager
Date: April 30, 2012
Subject: Future Role of Kirkland Cultural Council

RECOMMENDATION

The City Council is asked to consider the recommendation of the Economic Development Committee (EDC) regarding the future role of the Kirkland Cultural Council (KCC) and to take action to adopt this proposal or an alternative.

The EDC is recommending that the mission of the KCC be revised to acknowledge the limited staffing that the City is able to provide for it at this time, and to focus primarily on the maintenance, augmentation, and promotion of the public art collection. The EDC recognizes that the KCC has expertise in the management and curating of public art, and, that this knowledge is necessary for the City to maintain and refresh its own art collection, to provide expert advice regarding the City one percent for the arts program, and to provide guidance on public art provided by outside agencies. Last, in suggesting that the KCC focus on public art, the EDC also anticipates that the KCC will continue as an advocate and promoter of arts, culture and heritage for the City although these roles will be secondary to its role in public art management. The EDC recommends that staffing remain at the current level of 5 hours a week, which is estimated at between \$13,000 - \$15,000 annually.

If Council agrees with the recommendation of the EDC, or if it decides upon an alternative proposal, staff will return to Council with a draft resolution recommending an organizational structure for implementing the revised mission of the KCC. If the Council determines that the duties of the KCC should be spun off to a nonprofit, staff will return to the Council with a work plan for that process.

BACKGROUND DISCUSSION

At the July 19, 2011 meeting, City staff requested that the City Council provide guidance on the continued operation of the KCC. No funding had been allocated in the 2011-12 City budget for KCC staffing or operations, and staff was experiencing difficulty providing the level of service that the KCC required, and also making sure that the City was protected from liability in regard to fundraising that the KCC had begun to do in lieu of receiving City funds.

At the meeting, the City Council discussed providing up to \$25,000 in Council contingency funds with the intent of covering the costs of the operation of the KCC until December, 2012. The Council also directed staff to undertake an analysis that will help it to determine the organizational structure (city commission, nonprofit, etc.) for the future delivery of arts services to the community. Last, it tasked the EDC to oversee the analysis and formulate a recommendation to bring back to the City Council in May, 2012.

On October 18, 2011 the Council adopted a formal work plan that allocated \$6,200 for an analysis, \$15,800 for staffing and the remaining \$4,000 for KCC operating expenses. Key questions regarding the mission of the KCC were included in the work plan (Appendix F of KLMayer Cultural Council Analysis and Appendices), and these became the basis for a Request for Proposals (RFP). The City advertised for a consultant to interview stakeholders and to prepare recommendations on the future structure of the KCC to bring back to Council.

The consultant, Dr. Kris Mayer, held 17 interviews; including interviews with present and former members of the KCC, nonprofit representatives from the arts community, City Council members and City staff. Interviewees all commended the work that the Cultural Council has done. Based upon these interviews, Dr. Mayer determined that there were two possible options for the KCC that City Council should consider (See KLMayer Cultural Council Analysis and Appendices):

Option 1: To clarify, reduce and articulate a limited scope of work - the expansion and maintenance of the City art collection – for the KCC. Provide modest funding consistent to the scope of work. As a way to make clear the change in the Cultural Council's role, it is further recommended that the name change to the **Public Art Council**. A resolution could define the scope, budget, and composition of the Council. The City continues to make the other investments in the arts such as in the Kirkland Performance Center.

Option 2: Direct the KCC to become or affiliate with a nonprofit or dissolve its current configuration within a specific time frame. It generally takes six to nine months for an IRS application to be approved. The City provides some support in the transition of limited staff time and/or pass through of the 4Culture funds. Options exist for the City to do a 'validation resolution' to acknowledge the entity and its relationship to the City as well as to contract with the new entity for public art functions. Clearly state the transition timeline and outline the resources available through the City in a formal document.

The KCC met and deliberated about the two recommendations and preferred the first recommendation, which keeps arts programming under City government, with some revisions. (See Cultural Council Letter to City Council to read the KCC response in its entirety). In summary, the KCC agreed to streamline its operations in the following ways:

Rename the Cultural Council to the **Kirkland Arts Commission**;

Reduce meetings to 8 or fewer per year instead of monthly, thus reducing use of staff time by at least 33%;

Engage city partners (like the Kirkland Chamber and the Kirkland Arts Center) to absorb functions once performed by the Cultural Council (monthly art walks for example);

Focus the Arts Commission efforts on the following:

- Curating and acquiring pieces for the public art collection
- Managing the implementation of 1% for Arts projects
- Encouraging art in private development
- Stimulating increased cultural tourism through partnerships with neighboring cities
- Building collaboration among the city's arts and arts related businesses, organizations, and individual artists through networking and educational programs (CACHET events)
- Selecting and presenting the annual Mayor's CACHET Award for arts.

The KCC also recommended that staffing be increased to a quarter-time or .25 FTE position (10 hours per week) which it indicated would in part be funded by a 4Culture grant, and that an additional \$5000 annually be provided for KCC operations.

Council Direction and Next Steps

Does the Council wish to concur with the EDC recommendation or to implement either Option 1 or the KCC alternative?

- Should the name of the KCC be changed to reflect a new, primary focus? If so, does the Council prefer the Public Art Council or the Kirkland Arts Commission?
- Does the Council concur with the EDC recommended level of effort of approximately \$13,000 – \$15,000 annually?
- Does the Council agree that staff should bring back to the Council a resolution establishing a new organizational structure, redefining a more narrow mission and containing a detailed list of tasks and priorities for the body?
- Presently, the KCC has 15 members, 5 appointed by City Council and 10 appointed by the KCC. There are 5 vacancies. Does the City Council wish to see options regarding numbers and appointment body when a resolution is brought back to the Council??

If the decision of the City Council is for arts programming to transition to a 501c3, the second option recommended by the consultant, staff will need to confer with local arts nonprofits, KCC members and potential funders before returning to the Council with a work plan for transitioning to this private model. The model would need to incorporate professional consultation on the public art collection.

Contents

KLMayer Cultural Council Analysis

Appendix A - Cultural Council Analysis of Local Arts Agencies (LAAs)

Appendix B - City Council Resolution R-4353

Appendix C - City Council Resolution R-4755

Appendix D - Kirkland Residents Telephone Survey Report Excerpts

Appendix E - Interview Protocol

Appendix F - Analysis Workplan Staff Report

Appendix G - Cultural Council Interview Minutes



Kirkland Cultural Council Analysis

Kristina L. Mayer, Ed. D.

March 30, 2012

Executive Summary

The restructuring of the Kirkland Cultural Council (KCC) , its funding, scope of work and management structure has challenged both the KCC and the City of Kirkland. After gathering qualitative data from seventeen interviews, several important issues have been surfaced. First, there is general agreement that a decision is critical to move toward an amicable working relationship with the KCC that reduces frustration and uncertainty. Secondly, there are two recommendations representing divergent views on the future of the KCC that have surfaced from interview data and the current context of budgetary constraints.

- Refocus the KCC, limit the scope of work and the budget to primarily focus on the expansion and maintenance of the City art collection. Including new work along the corridor. Additionally, rename the group and clearly articulate/define its working parameters.
- Transition the KCC to either affiliate with an existing nonprofit or toward its own nonprofit status with transition support and guidance. The support would include some funding/ pass through of 4Culture funds, an agreement about contracting for specific functions included in a City resolution, a clear timeline and defined allotment of staff time.

How the Paper is Organized

This paper is organized to give context and background to the reader before diving into the interview process and analysis. The reader will find the current context and the background useful in understanding the evolution of the KCC. Next there is a statement about Kirkland and the arts to illuminate the commitment to arts, heritage and culture as a quality of life issue and economic development tool. Subsequent sections outline the KCC's relationship to the City, the report methodology, a set of working assumptions, the interviewees, the analysis of the five models under consideration, and lastly recommendations.

Introduction/Purpose of the Report

The City of Kirkland contracted with Dr. Kristina Mayer of the KLMayer Consulting Group to conduct interviews, and provide analysis and reporting on future options for the KCC. Dr. Mayer has worked in collaboration with the Economic Development Manager, Ellen Miller-Wolfe, in the City Manager's Office to give shape to the project and assure that the City Council's questions are satisfied.



Current Context

On July 19, 2011 the Kirkland City Council met to consider options for the future of the KCC. At that time, the KCC funding had been eliminated from the City's 2010/11 budget and the KCC relied solely on limited savings from various fundraising activities and \$8K from 4Culture, the King County arts and heritage 501c3, to pay for 4 hours a week for staffing and miscellaneous expenses. At the July 19, 2011 meeting the City Council approved a one-time allocation of \$25,000 to see the KCC through December 2012. The funds were intended to be used to study the best option for providing arts programming for the City going forward and to maintain minimal staffing levels. At the same time, it was determined the KCC would do no further fundraising and there would be no increase in KCC programs.

As part of the KCC analysis, research was conducted by several community members to illustrate how other jurisdictions were funding the arts and the scope of work related to arts councils. The communities explored include: Auburn, Burien, Kent, Kirkland, Redmond, Renton, Shoreline/Lake Forest Park, Bellevue and Sammamish. The comparative information is provided for your review in Appendix A. At a glance, the following observations can be made:

- ✓ All nine cities have arts agencies.
- ✓ There is no correlation between population and level of funding.
- ✓ Five arts agencies in the sample are under the jurisdiction of the City Parks and Recreation Department. Only Renton and Kirkland locate the program under the Economic Development program.
- ✓ Of the nine jurisdictions researched, only one has a nonprofit arts agency, Shoreline/Lake Forest Park.
- ✓ All cities in the study provide some funding, ranging from \$20K to \$850K.
- ✓ There is great similarity in mission amongst the nine sites, such as: to inspire and promote involvement in the arts; to integrate arts and culture into the fabric of the community; to create civic identity and a sense of place through the arts and to be a vital part of the community or to enhance the quality of life.

Background/History

The KCC was formed in 2002 pursuant to Resolution R-4353 (Appendix B), which was later replaced by Resolution R-7455 (Appendix C). The resolution established the following as the purpose of the KCC :“ to promote strategic planning and development for the arts, culture and heritage in the community. The City Council would like advice from the Cultural Council regarding public art acquisitions. The Cultural Council shall advise the City Council, City Manager, and City staff regarding those issues referred to it by the City Council. After consultation with the City Manager, the Cultural Council may serve as the City's official representative on art, culture or heritage matters. The Cultural Council may submit to the City through the City Manager recommendations for other issues to be submitted to the Cultural Council as it feels is advisable.”



The same resolution outlined membership on the KCC, voting, liaisons, procedures and compensation. Two issues outlined in the resolution, sections 9 and 11 have been problematic in their interpretation and implementation. Section 9 says the City Council intends for the KCC to convert to a nonprofit entity 'at some time in the future' which is a change from the designated 5 year plan outlined in the original resolution. Section 11 indicates that the KCC can do some fundraising for projects; however, in the memo dated October 6, 2011 that permission was rescinded and it was explicitly stated that the KCC would do no fundraising. The challenges of fundraising for and in a municipality structure made it difficult to continue any fundraising activity for KCC projects.

It is well established that the KCC has done some valuable work on behalf of the arts and supported the local economy during difficult economic times. However, over the past few years, the work of the Cultural Council has stressed the limited available funding and staffing. It is not uncommon for a project to require support from one or several city departments from IT to Finance to the Legal department. The impacts on City resources in these difficult economic times are the primary reason to call attention to the KCC's status and invite investigation into the appropriate model for the Council going forward.

Kirkland and the Arts

The City of Kirkland has reconfirmed their commitment to the arts, culture and heritage. The arts are recognized as an economic development tool that can attract the best and brightest to communities where art and creativity are valued. The City invests in the arts in a variety of ways. It owns the Kirkland Performance Center (KPC) facility and provided \$30,000 annually toward the operation and maintenance of that facility. It returns the admissions taxes collected at KPC events to the KPC for its use in operating the facility. Dollars are invested through tourism funding into the Artists Studio Tour and Kirkland Uncorked. Funding for NWBookfest and Summerfest (including Shakespeare in the Park) also has been provided in 2011-12 from the Tourism budget. The Kirkland explore website promotes art, culture and heritage and directs people to the public art collection.

The City funds the expansion and maintenance of the public art collection and incorporates the 1% for the arts into any public works over \$500,000. In addition, the City provides free exhibit cases in City Hall to the Kirkland Heritage Society and the Kirkland Arts Center. The City-owned Heritage Hall also serves as the office and archive space for the Kirkland Heritage Society.

Time and again in this process, interviewees have talked about the public art (27 sculptures), the City art collection, the galleries (although the number has dwindled in recent economic times) and the art walk as significant indicators of Kirkland's commitment to the arts. Untapped potential exists with the Eastside Railroad Corridor project and it is mentioned as a potent opportunity for arts collaboration. Many see Kirkland as an especially rich art community and value the arts in attracting new businesses, tourists and new residents.

On-the-other-hand, throughout this process, there has been an undercurrent amongst some interviewees who call into question - does Kirkland really support the arts? And, if they do, why won't



they 'put their money where their mouth is' and fund a Cultural Council? For some, the question of limited funding for the KCC is about not valuing or prioritizing the arts while others see it is an economic decision. When faced with cuts in public safety and other services to the community, hard decisions have to be made. And still others believe there is a lack of commitment to the arts among already busy City staff.

Funding decisions regarding the KCC have in part been guided by The Kirkland Residents' Report which shows the arts in the second tier of services. Only 22% of the respondents said it was 'very important' when prioritizing City services. The arts received a grade of 2.56, second from the bottom. The survey reports (pg. 17) a general agreement about the importance of police, fire, and EMS as 'very important' and the respondents divided between thinking the same of leisure and the arts. Illuminated in figure 5-3 Importance Year to Year Comparison found on page 19 of the report, the 'importance rating' for the arts has moved downward from 2006 to 2010 found in Appendix D.

Kirkland Cultural Council Relationship to the City

During this process, citizen-led research was conducted to see how other jurisdictions organize the arts, culture and heritage functions that suggest community input, oversight or management. In the limited scope of the research, it appears that more cities in the sample locate the arts under Parks and Recreation rather than the Economic Development Department. The exception is Renton and Kirkland, and in Shoreline/Lake Forest Park the local arts agency (LAA) is a nonprofit.

Local Arts Agency's Relationship to City Departments	
Economic Development	Renton, Kirkland
Parks and Recreation	Auburn, Burien, Kent, Redmond

Several themes emerged during the interviews regarding the relationship of the KCC to the City. Most cities have an LAA so having one puts Kirkland in line with what others are doing. That was important to some people. City management understands there are a few functions that require a citizen committee and they value having a group prepared to do these things such as management of the public art collection. On the other hand, while the KCC acknowledges that relationship to the City, members also have indicated that beyond that, the relationship creates a positive perception and sense of prestige that is valued. It appears from the research, however, that being an independent nonprofit has not diminished the Shoreline/Lake Forest Park LAA's ability to raise funds or do quality work in the community.



Working Assumptions

Before launching into the analysis and recommendations, it is important to surface the assumptions at work. The following assumptions help give shape to the recommendations that will follow:

- ✓ The City is concerned with the arts and their potential to attract business and tourists and also for what they contribute to quality of life for residents.
- ✓ Certain functions related to the arts will continue to need citizen input and oversight.
- ✓ City budgets are stretched thin and hard decisions have to be made.
- ✓ City staff have limited time to commit to staffing the KCC beyond the required functions of expansion and maintenance of the City art collection.
- ✓ The arts are anticipated to remain under the Economic Development Program in the City Manager's Office. Ellen Miller-Wolfe, Economic Development Manager, has expertise in the arts, culture and heritage.
- ✓ Making a decision regarding the KCC will reduce frustration by clarifying the scope of work and role of the KCC going forward.
- ✓ Not everyone is going to be happy with the decision that is made or think it is the right decision.
- ✓ Postponing the decision is not an option; the staff is charged with making a recommendation no later than mid-May.
- ✓ The City Council will make the final decision on the future of the KCC after review of the consultant's report.

Methodology

Dr. Mayer was provided with background information on the KCC, its strategic plan, accomplishments, budget, public art guidelines, media coverage and roster. She was provided with City Council memos and resolutions related the KCC. In addition, Dr. Mayer received the research on other jurisdictions and the citizen survey conducted January 2010. She also viewed a video of City Council proceedings related to the KCC.

A series of 17, twenty to thirty minute interviews were conducted at the request of the City. Interviewees included the following:

City of Kirkland	City Council	Funders	Kirkland Arts	Cultural Council	Cultural Council Alumni
Marilynne Beard	Dave Asher	Charlie Rathbun	Dan Mayer	Nora Carlson	Merrily Dicks
Kurt Triplett	*Doreen Marchione	Debra Twersky	Christopher Shainin	Cathy Heffron	Kathy Feek
	Joan McBride			Leah Kliger	
	Toby Nixon			Melissa Nelson	
	*Bob Sternoff			Linda Paros	
	Penny Sweet			Bhaj Townsend	



	*Amy Walen			Amy Whittenburg	
				Gaerda Zeiler	
				Rebecca Devere	

*Economic Development Committee of the City Council

The interview questions and models used in the interviews were adapted from the October 6, 2011 memo outlining the KCC work plan and budget estimate for 2012. A copy of the interview protocol is provided for your reference in Appendix E.

Interview Analysis

From the beginning, there have been several comments that surfaced with some regularity among interviewees. One such example is, "we must acknowledge the effort of the Cultural Council members," typically referring to the time, energy and commitment that is evident in their work. Another comment has to do with the indecision about the future funding and structure of the KCC. Several people have said, "let's make a decision and move on," or, "let's not kick the can down the road," referring to prolonging the decision making process. Lastly, most interviewees recognize the process has caused some frustration among KCC members, and others, to a degree, indicate that the frustration will be alleviated with an outcome to this process.

Potential Structures for the Kirkland Cultural Council Beyond 2012

The structures tested during the interviews were taken from the October 6, 2011 memo from Ellen Miller-Wolfe, Economic Development Manager, to Kurt Triplett, City Manager in which Ellen was seeking approval for the Cultural Council Workplan for 2011-12 in light of budget constraints. (Appendix F)

The following analysis is derived from the interviews in response the five structures presented:

Structure #1 - KCC continues under the umbrella of the City , but with very limited funding and staffing from the city.

The comments range from 'no city funding, not a part of the city,' to 'fully fund as the economy improves but for now right size the budget and scope of work to reduce frustration'. Still other voices say it isn't viable to have a KCC with little funding and limited staffing; it would be better to go to another model. There is considerable momentum toward telling the KCC exactly what its scope is and providing very limited funding and staffing. Another angle to that same thinking is to refocus the KCC, reduce meetings and responsibilities, yet have the KCC continue to represent the City on art matters. A lone voice wondered, 'why they even need staff?' There is a voice or two that think the City is just trying to 'off load' the KCC.



Analysis: With limited funding and limited staffing (use city space, take minutes), the KCC could refocus on a very narrow scope of work that essentially does only those tasks required by the City such as the expansion and maintenance of the City art collection.

Structure #2 - City funds the KCC at \$25K level in 2012 with future funding uncertain.

Comments indicated that the uncertainty over structure and funding is not playing well in the community. The same uncertainty has replayed on several occasions. Frustration is increasing and a sense of 'the City doesn't care about arts' is developing among KCC members. One member commented that it feels like postponing the inevitable. Two City Council members say 'no' to further funding. Another two say this (what is this?) seems like a band aid, not a solution to the uncertainty and still others view this as the status quo and unreliable.

Analysis: This option represents the status quo to many people. Overwhelmingly, interviewees want a decision and want to move forward regardless of whether they agree or disagree with the decision.

Structure #3 - Modify the KCC where the City maintains a very few duties and the rest are parceled out to other groups.

This option is related to #1 in that most interviewees understand that with a limited focus, scope of work and budget some of the activities would be either dropped or others would pick them up. At least one voice thinks other organizations are too overwhelmed to pick up more work. The KCC shared it fears a loss of identity and perception in the community that it is disappearing. A City Council member recommends changing the name to 'Public Art Committee'. There is a sense among City Council members that being clear about a small agenda and letting go of the rest is viable. At least one interviewee didn't think there was much momentum with the KCC so it wouldn't really matter if they reduced scope. There is a sense among interviewees that KCC has been seeking a niche and has taken on many different things in an attempt to find relevance.

Analysis: The majority of respondents said they thought as with option #1, it made sense to have non-essential activity either dropped or picked up by other organizations. There is some tension around what arts advocacy and activity can be done without funding, some saying more and some less. The KCC desires to have more funds for more complex projects. The issue really isn't whether to preserve the KCC or promote the arts; the City is doing many things to support the arts as stated above in the section entitled Kirkland and the Arts.

Structure #4 - Make the focus of the KCC cultural tourism with restricted funding from LTAC.

This option met with little enthusiasm yet was acknowledged as a potential source of funding albeit modest. It was suggested LTAC could have its own committee for the arts different than KCC. Comments ranged from 'this would be hard' to 'not enough money' to 'could be part of a funding



source'. If the KCC did receive more funding from LTAC, it may have to focus more on activities that had overnight and/or daytrip potential. A single voice thought this was a good idea.

Analysis: LTAC has a set of criteria and activity that isn't a direct match for the KCC. The focus is 'heads in beds' and the revenue generally limited. However, organizations like 4Culture were funded through LTAC dollars. The answers to this question were brief and declarative. Perhaps LTAC funding and its potential were not well understood.

Structure #5 - KCC becomes an independent nonprofit

This option had the strongest opinions for and against. Some of the opportunities that would exist under this option include a greater sense of freedom, the ability to raise additional funds, the potential to have a 'validation resolution' with the City and City contracts for a limited scope of work. Some of those same opportunities were viewed as negative. The KCC doesn't want to fundraise or compete with other nonprofits and still others thought the timing was poor for such an endeavor. Some City Council members indicated they would be 'okay with the transition' to '100% for spinning it off' to 'isn't the worst idea,' yet another Council member suggested KCC could be spun off and still have a small agenda, and city contracts for expansion and maintenance of the City art collection. One City Council member did recommend keeping the connection with the City but with less funding, reminiscent of option #1.

#5a. Without a transition relationship with the City.

The KCC would have to decide to do all the things required of a nonprofit. Overall, no one wanted to see the KCC end but rather to find an agreeable option to move forward in some form.

Analysis: This option has no traction or support, even among those that indicated having the KCC become a nonprofit was a viable option. The way it is stated may not be well understood. One interpretation is that the KCC would simply cease to exist if they didn't seize the opportunity to become a nonprofit and the art functions requiring citizen engagement would be done by a 'public art committee'.

#5b. With City support to transition over a designated period of time with modest financial assistance in the process.

Of the two options under #5, this one is more palatable to people and there are still those that feel 100% spin off is absolutely right given a short time horizon and modest financial support. However, it was a less favorable choice with KCC and select others. The KCC acknowledges it would be freed from City rules and could raise money. However, the KCC is concerned that it would have no staffing or money to run the organization, and concern surfaced about failing at the transition. There is insufficient commitment and passion on the part of the KCC and it would require either a new set of people or for the current members to have a change of heart. The KCC is not of one mind on this topic; there are some members who could see the organization as a nonprofit. With a transition, it is noted the scope of



work would need to be limited to focus on creating the entity and doing all that being a nonprofit entails. Some KCC members believe this is the option the City Manager favors.

Analysis: The option of moving toward a nonprofit model does not have solid resonance among the interviewees and both the City Council and KCC are of mixed mind. There is a bit of a 'keeping up with the Jones' perspective of not wanting to look like Kirkland is the only city among neighboring communities (Redmond, Bothell, Bellevue) not supporting a City-linked arts agency. There is evidence that having a nonprofit LAA has worked in Shoreline/Lake Forest Park although there is still a hefty investment from those cities.

Recommendation

After 17 interviews, two meetings with the Kirkland Cultural Council (minutes in Appendix G) and conversations with Ellen Miller-Wolfe, my recommendation is as follows:

- A decision is imperative. The lack of clarity and upheaval keeps everyone in limbo. Staff is spending additional time and the Cultural Council is not able to get to the arts advocacy and programming they would like to be doing.
- Clarify, reduce and articulate a limited scope of work - the expansion and maintenance of the City art collection - for the KCC. Provide modest funding consistent to the scope of work. As a way to make clear the change in the Cultural Council's role, it is further recommended the name change to 'Public Art Council'. A resolution could define the scope, the budget and composition of the Council. The City continues to make the other investments it currently makes in the arts.
- The KCC is directed to become or affiliate with a nonprofit or dissolve within a specific time frame. It generally takes six to nine months for an IRS application to be approved. The City provides some support in the transition of limited staff time and/or pass through of the 4Culture funds. Options exist for the City to do a 'validation resolution' to acknowledge the entity and its relationship to the City as well as to contract with the new entity for public art functions.



Appendices

Appendix A - Cultural Council Analysis of Local Arts Agencies (LAAs)

Appendix B - City Council Resolution R-4353

Appendix C - City Council Resolution R-4755

Appendix D - Kirkland Residents' Report

Appendix E - Interview Protocol

Appendix F - Staff Report

Appendix G - Cultural Council Minutes

	A	B	D	E	F	G	H	J	K	L	M
1	City	Population	FTE Staffing	Local Arts Agency (LAA) Budget	City Funding of LAA	City Funding Source	Other City Arts Funding	City Department	Does LAA Raise Funds?	Partnerships w/ other agencies?	Local Arts Agency (LAA) Mission
2	Kirkland	80,000	.2 FTE (.1 temp)	\$25,000	\$25,000	General Fund 4Culture	\$87,000	City Manager's Office	No		To promote strategic planning and development for arts, culture and heritage in the community.
3	Auburn	68,000	7 FTE	\$527,000	\$418,200	General Fund Admissions revenue Auditorium rentals	\$500-\$3000	Parks, Arts and Recreation	No	Chamber of Commerce, Schools, downtown association, Auburn Food Bank, Auburn Youth resources, Local service clubs	To serve the citizens of Auburn by fostering cultural growth and enrichment, sponsoring programs representative of the entire arts spectrum and providing programs that are reflective of the growing diversity of the population of the City of Auburn. The Cultural Arts Division works to provide well-rounded comprehensive arts programs that include visual art displays, live performances, concerts, festivals and a 1% public art program.
4	Bellevue	123,400	1 FTE (plus seasonal)	\$525,840 (from 4Culture info)	\$448,180 (from 4Culture info)	General Fund, 4Culture, CIP	\$110,000	Planning & Community Development	No		The commission shall act in an advisory capacity to the city council. . . in order that Bellevue may provide leadership in the arts: A. Keep the city council informed in matters of art, and represent the community interest in matters of art; B. Serve as the central commission to whom individuals and groups may bring their concerns and ideas with regard to the arts; C. Seek to enlarge the art consciousness of Bellevue; D. Encourage multi-age working, sharing, learning and teaching in the arts; E. Provide recognition and encouragement to local artists, both those established and those as yet unrecognized; F. Explore financing for acquisition of art objects, art activities, and capital improvements for the arts in Bellevue; G. Establish a long-range plan for the development and operation of a cultural center; H. Examine and make reports and recommendations on any matter referred to the commission by the city council. The commission shall report promptly, making such recommendations and giving such counsel as it may deem proper; I. Review the suitability of any work of art intended as a gift to the city.
5	Burien	48,000	.8 FTE	\$300,000	\$300,000	General Fund 4Culture	\$25,000	Parks, Recreation, and Cultural Services	No	Chamber schools non-profits	Promote a healthy, livable community with opportunities for physical activity as well as personal and cultural enrichment.
6	Kent	115,000	4 FTE	\$850,000	\$850,000	General Fund \$2 per capita Public Art Ordinance	\$10,000	Parks, Recreation, Community Services	No	Schools Historical Society Youth/Teen Program Inclusive Recreation Senior Center Housing & Human Svcs.	Our mission is to make high quality arts and cultural experiences available to Kent residents.
7	Redmond	54,144	5.5 FTE (1Temp)	\$325,000	\$325,000	General Fund 1% for Art	\$4,000-\$10,000	Parks and Recreation	No		Be a catalyst for Redmond's diverse and inventive community.
8	Renton	91,000	2.85 FTE	\$74,500	\$74,500	General Fund	\$6,000-8,000	Community & Economic Development	No	History Museum	To inspire and promote community involvement in the arts through exposure, education and participation. Goals: 1. To strengthen art alliances to enrich and increase awareness and participation of the cultural and artist community. 2. To serve as Renton's source for arts information. 3. To increase and improve funding for arts and culture programs. 4. To advocate for arts education at all levels. 5. To advise the City on related cultural projects and public art.
9	Sammamish	45,780	1 FTE		\$20,800 Budget \$31,500 Staffing	General Fund, 4Culture	\$37,000 \$27,000 staffing	Finance Parks & Recreation		City staff provide support for these programs: Farmers Market Heritage Society Symphony	Integrating art and culture to create a sense of place, civic identity, and unique character.
10	Shoreline & Lake Forest Park	66,000	2.2 FTE (non-profit)	300,000	63,000	General Fund, 4Culture, Glaser and Norcliffe Foundations, Zieve Family Shoreline Schools		N/A	Yes	Shoreline Public Schools Foundation Shoreline Rotary Clubs Lake Forest Park Town Centre Friends of Third Place Commons Historical museum	Nurture and support the arts in Shoreline and Lake Forest Park.

RESOLUTION R- 4353

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO THE CULTURAL COUNCIL.

Be it resolved by the City Council of the City of Kirkland as follows:

Section 1. Creation of the Kirkland Cultural Council. The Kirkland Cultural Council is hereby created effective November 1, 2002. The Kirkland City Council hereby approves the Cultural Council as a local arts agency and requests that King County recognize the Cultural Council as a local arts agency located in Kirkland, Washington.

Section 2. Purpose. The City is creating the Cultural Council to promote strategic planning and development for arts, culture and heritage in the community. The City Council would like advice from the Cultural Council regarding public art acquisitions. The Cultural Council shall advise the City Council, City Manager, and City staff regarding those issues referred to it by the City Council. After consultation with the City Manager, the Cultural Council may serve as the City's official representative on an arts, culture or heritage matter. The Cultural Council may submit to the City through the City Manager recommendations for other issues to be submitted to the Cultural Council as it feels is advisable.

Section 3. Membership. There will be no less than 7 members and no more than 15 members of the Cultural Council. All of the members shall reside or own a business within the City of Kirkland or its Potential Annexation Area. All members must have an interest in the arts. A member will serve in an individual capacity, even if he or she works for an organization that may make a proposal to the Cultural Council. The membership of the Cultural Council is intended to reflect balance, taking into account such elements as the diversity of the community and connection to various geographic areas of the City.

The table printed in Section 4 below sets forth certain factors applicable to the appointment of members. The special qualification "Artist" means a person who has a demonstrated commitment as an artist. The special qualification "Cultural Heritage" means a person who has a demonstrated commitment to cultural heritage matters. The special qualification "Youth" means a person who, at time of appointment, is at least 16 but not yet 18 years of age.

A member's term shall begin upon the member accepting his or her appointment. A member may be reappointed; provided that, no person shall serve as a member for more than six consecutive years. Vacancies shall be filled for the remainder of the unexpired term of the vacant position. A member will be expected to attend no less than 80% of all meetings for which there is no prearranged absence. In addition, when a member misses three or more consecutive meetings not excused by a majority vote of the Cultural Council, the Cultural Council shall consider removal of that member. In the case of a member who was appointed by the City Council, the Cultural Council shall report to City Council about a member's pattern of absence, together with

a recommendation concerning removal by the City Council. A member finding themselves unable to attend regular meetings is expected to tender his or her resignation. A resignation shall be effective on such date as designated by the resigning member.

Section 4. Table

POSITION	APPOINTED BY	LENGTH OF TERM	SPECIAL QUALIFICATION	NOTES
1	City Council	2 years		
2	City Council	3 years		
3	City Council	2 years		
4	City Council	3 years		
5	City Council	2 years		
6	Cultural Council	3 years	Artist	a
7	Cultural Council	3 years	Cultural Heritage	a
8	Cultural Council	2 years	Youth	b
9	Cultural Council	2 years		c
10	Cultural Council	3 years		c
11	Cultural Council	2 years		c
12	Cultural Council	3 years		c
13	Cultural Council	2 years		
14	Cultural Council	3 years		
15	Cultural Council	2 years		

NOTES:

- a. If a person who meets the special qualification listed for this position happens to be serving in another position, then this position may be filled without regard to the special qualification.
- b. If a person who meets the special qualification listed for this position happens to be serving in another position, then this position may be filled without regard to the special qualification or left unfilled at the discretion of the Cultural Council.
- c. Positions 9-15 may be filled or left unfilled, at the discretion of the Cultural Council.

Section 5. Officers. As soon as possible, the persons appointed to Positions 1 through 5 shall meet and appoint persons to fill the remaining 2 to 10 positions. Within one month after that initial meeting, the Cultural Council shall meet and organize by electing from the members of the Council a Chair and a Vice Chair. The Chair will have an initial term of one year. For subsequent years, the Cultural Council will pick a Chair for a term of one year with the possibility of selection for one additional year. The term for Vice Chair shall be one year, and the Vice Chair will not automatically ascend to become the Chair. There will be no term limit on serving as Vice Chair. It shall be the duty of the Chair to preside at all meetings of the Cultural Council. In the

Chair's absence, the Vice Chair shall preside. The Chair shall propose an agenda for meetings, and shall vote on matters being voted on by the Cultural Council. The Chair shall select a member to record decisions of the Cultural Council that establish policies or recommendations.

Section 6. Voting. A quorum of the Cultural Council shall be a majority of persons currently serving as voting members. A quorum must be present in order for a vote to be taken on a recommendation or a permanent policy. Each voting member is entitled to one vote. All matters establishing policies, recommendations or decisions shall be decided by a majority vote of voting members present.

Section 7. Liaisons. The Cultural Council may designate "Cultural Council Liaisons". Liaisons are intended to be resources for technical advice or expertise or to provide connections to other organizations. Liaisons will be invited to all Cultural Council meetings, but will not be required to attend and will not vote. The Cultural Council may choose to designate any number of Liaisons. The Cultural Council shall, at least once per calendar year, review and make current the list of Cultural Council Liaisons. Typically, one City Councilmember will be designated as a Liaison.

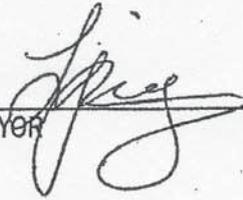
Section 8. Procedure. All business of the Cultural Council shall be guided by "Roberts Rules of Order". The Cultural Council may adopt a written policy of Cultural Council practices; so long as prior to December 31, 2005 such practices are not inconsistent with this Resolution or other direction of City Council. The City Council intends that the members of the Cultural Council will lead its transformation into a private nonprofit organization prior to December 31, 2005. In turn, after that date, the City Council will no longer appoint members of the Cultural Council nor determine operating procedures for it.

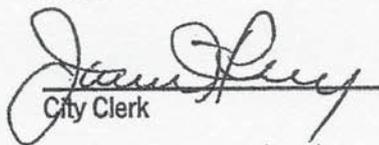
Section 9. The members of the Cultural Council shall receive no compensation from the City of Kirkland. Expenses specifically authorized by the City Manager may be advanced or reimbursed to a member.

Section 10. Funds. The Cultural Council may choose to do fundraising with the goal of support for Cultural Council projects. The City Council intends to seek and consider Cultural Council recommendations for use of funds received through such fundraising. Until the Cultural Council becomes a private entity, all fundraising receipts must be handled in accordance with laws, rules and policies applicable to city funds. For example, the City Council must appropriate funds before they are available to be spent and funds may only be used for allowable public purposes. In the event that the Cultural Council also wishes to seek other (general fund) financial support from the City, the Cultural Council must forward such specific request to the City Manager. The Cultural Council shall not imply City commitment to an expenditure before City approval of that recommendation or request.

Passed by majority vote of the Kirkland City Council in open meeting
this 16th day of July, 2002.

Signed in authentication thereof this 16th day of July, 2002.


MAYOR

Attest:

City Clerk

Reso\Culturalreso

RESOLUTION R-4755**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND
RELATING TO THE KIRKLAND CULTURAL COUNCIL.**

WHEREAS, the Kirkland Cultural Council was formed in 2002 pursuant to Resolution R-4353; and

WHEREAS, the City would like to like to make some changes to the manner and process by which the Cultural Council is operated; and

WHEREAS, this Resolution replaces and supersedes Resolution R-4353;

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

Section 1. Creation and Existence of the Cultural Council. The Kirkland Cultural Council came into existence on November 1, 2002. The Kirkland City Council hereby reiterates its approval of the Cultural Council as a local arts agency and requests that King County recognize the Cultural Council as a local arts agency located in Kirkland, Washington.

Section 2. Purpose. The City has created the Cultural Council to promote strategic planning and development for arts, culture and heritage in the community. The City Council would like advice from the Cultural Council regarding public art acquisitions. The Cultural Council shall advise the City Council, City Manager, and City staff regarding those issues referred to it by the City Council. After consultation with the City Manager, the Cultural Council may serve as the City's official representative on art, culture or heritage matters. The Cultural Council may submit to the City through the City Manager recommendations for other issues to be submitted to the Cultural Council as it feels is advisable.

Section 3. Membership. There will be no less than 7 members and no more than 15 members of the Cultural Council. All of the members shall reside or own a business within the City of Kirkland or its Potential Annexation Area. All members must have an interest in the arts. A member will serve in an individual capacity, even if he or she works for an organization that may make a proposal to the Cultural Council. The membership of the Cultural Council is intended to reflect balance, taking into account such elements as the diversity of the community and connection to various geographic areas of the City.

The table printed in Section 4 below sets forth certain factors applicable to the appointment of members. The special qualification "Artist" means a person who has a demonstrated commitment as an artist. The special qualification "Cultural Heritage" means a person who has a demonstrated commitment to cultural heritage matters.

The special qualification "Youth" means a person who meets the requirements of Kirkland Municipal Code 3.08.110(b).

The terms of the current members holding Cultural Council Positions 2, 4 and 5 are hereby extended through March 31, 2011. The terms for open Cultural Council Positions 1 and 3 shall begin upon appointment by the Kirkland City Council and shall expire on March 31, 2013. Except for the Youth Position, in all other cases, a member's term on the Cultural Council shall be for four years. Except as otherwise provided, the terms for all positions shall begin on April 1 and expire on March 31 of the applicable calendar year. In filling positions 6 through 15, the Cultural Council, with the assistance of City staff, shall stagger the terms of those positions in order to minimize high turnover rates.

A member may be reappointed to the Cultural Council; provided that, no person shall serve as a member for more than two full terms. Vacancies shall be filled for the remainder of the unexpired term of the vacant position. A member will be expected to attend no less than 80% of all meetings for which there is no prearranged absence. In addition, when a member misses three or more consecutive meetings not excused by a majority vote of the Cultural Council, the Cultural Council shall consider removal of that member. In the case of a member who was appointed by the City Council, the Cultural Council shall report to City Council about a member's pattern of absence, together with a recommendation concerning removal by the City Council. A member who is unable to attend regular meetings is expected to tender his or her resignation. A resignation shall be effective on such date as designated by the resigning member.

Section 4. Table

POSITION	APPOINTED BY	LENGTH OF TERM	SPECIAL QUALIFICATION	NOTES
1	City Council	4 years		
2	City Council	4 years		
3	City Council	4 years		
4	City Council	4 years		
5	City Council	4 years		
6	Cultural Council	4 years	Artist	a
7	Cultural Council	4 years	Cultural Heritage	a
8	Cultural Council	2 years	Youth	b
9	Cultural Council	4 years		c
10	Cultural Council	4 years		c
11	Cultural Council	4 years		c
12	Cultural Council	4 years		c
13	Cultural Council	4 years		
14	Cultural Council	4 years		
15	Cultural Council	4 years		

NOTES:

- a. If a person who meets the special qualification listed for this position happens to be serving in another position, then this position may be filled without regard to the special qualification.
- b. If a person who meets the special qualification listed for this position happens to be serving in another position, then this position may be filled without regard to the special qualification or left unfilled at the discretion of the Cultural Council.
- c. Positions 9-15 may be filled or left unfilled, at the discretion of the Cultural Council.

Section 5. Officers. Annually, the Cultural Council shall elect from the members of the Council a Chair and a Vice Chair. The Cultural Council will pick a Chair for a term of one year with the possibility of selection for one additional year. The term for Vice Chair shall be one year, and the Vice Chair will not automatically ascend to become the Chair. There will be no term limit on serving as Vice Chair. It shall be the duty of the Chair to preside at all meetings of the Cultural Council. In the Chair's absence, the Vice Chair shall preside. The Chair shall propose an agenda for meetings, and shall vote on matters being voted on by the Cultural Council. The Chair shall select a member to record decisions of the Cultural Council that establish policies or recommendations.

Section 6. Voting. A quorum of the Cultural Council shall be a majority of persons currently serving as voting members. A quorum must be present in order for a vote to be taken on a recommendation or a permanent policy. Each voting member is entitled to one vote. All matters establishing policies, recommendations or decisions shall be decided by a majority vote of voting members present.

Section 7. Liaisons. The Cultural Council may designate "Cultural Council Liaisons". Liaisons are intended to be resources for technical advice or expertise or to provide connections to other organizations. Liaisons will be invited to all Cultural Council meetings, but will not be required to attend and will not vote. The Cultural Council may choose to designate any number of Liaisons. The Cultural Council shall, at least once per calendar year, review and make current the list of Cultural Council Liaisons. Typically, one City Councilmember will be designated as a Liaison.

Section 8. Procedure. All business of the Cultural Council shall be guided by "Roberts Rules of Order". The Cultural Council may adopt a written policy of Cultural Council practices; so long as such practices are not inconsistent with this Resolution or other direction of City Council.

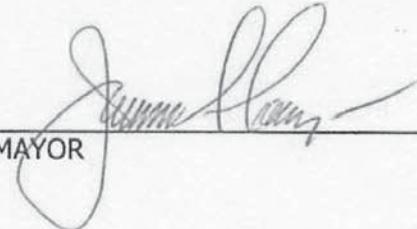
Section 9. Conversion to a Nonprofit Entity. The City Council intends that the members of the Cultural Council will lead its transformation into a private nonprofit organization at some time in the future. When that occurs, the City Council will no longer appoint members of the Cultural Council nor determine operating procedures for it.

Section 10. Compensation. The members of the Cultural Council shall receive no compensation from the City of Kirkland. Expenses specifically authorized by the City Manager may be advanced or reimbursed to a member.

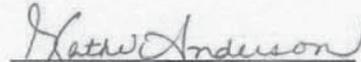
Section 11. Funds and Fundraising. The Cultural Council may choose to do fundraising with the goal of garnering support for Cultural Council projects. The City Council intends to seek and consider Cultural Council recommendations for use of funds received through such fundraising. Until the Cultural Council becomes a private entity, all fundraising receipts must be handled in accordance with laws, rules and policies applicable to city funds. For example, the City Council must appropriate funds before they are available to be spent and funds may only be used for allowable public purposes. In the event that the Cultural Council also wishes to seek other (general fund) financial support from the City, the Cultural Council must forward such specific request to the City Manager. The Cultural Council shall not imply City commitment to an expenditure before City approval of that recommendation or request.

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

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


MAYOR

Attest:


City Clerk



MARKET
& OPINION
RESEARCH
SERVICES

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(206) 652-5022 FAX

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Columbus, OH 43214
(614) 268-1660 TEL
EMCresearch.com

City of Kirkland Telephone Survey about Citizen Opinions & Priorities



5 City Services and Functions

5.1 Importance

Question(s) Analyzed

Q15. 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 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 recycling and garbage collection, pedestrian safety and maintaining streets.***
- ***Community events, arts, and recreation programs/classes continue to be seen as the least vital (% "Extremely Important") functions, although close to half of residents still say these service are important. City parks, however, are seen as a key service.***

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 (61% "Extremely Important") of residents also see "police services" as a critical City function – 85% rate police services as a 4 or a 5.

The next tier of services/functions that are seen as highly important include: recycling and garbage collection (83% Total Important, including 48% Extremely important), pedestrian safety (82%; 50%), and maintaining streets (82%; 43%).

Roughly three-fourths of residents see attracting and keeping businesses (77% / 45%), City parks (77% / 43%), protecting our natural environment (76% / 42%), and emergency preparedness (74% / 46%) as important.

Managing traffic flow (74% / 36%), availability of sidewalks and walking paths (71% / 36%) and services for people in need (68% / 35%) have high overall importance, but lower intensity (% "Extremely Important").

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

Figure 5-1 – Importance (All Residents)

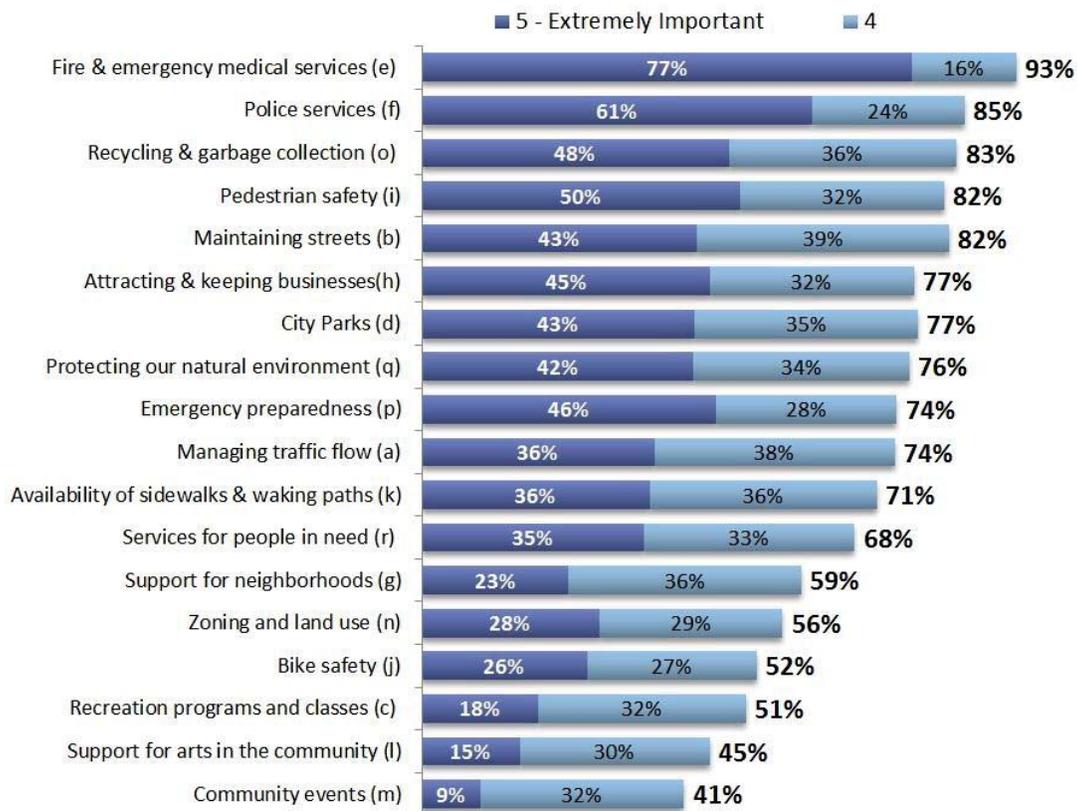


Figure 5-2 – Average Importance (Pre- and Post-Annex)

Service Item	Pre-Annex Mean	Post-Annex Mean
Fire & Emergency Medical Services	4.59	4.79
Police Services	4.43	4.34
Pedestrian safety	4.27	4.15
Recycling & Garbage Collection	4.27	4.28
Maintaining streets	4.22	4.20
City Parks	4.17	4.10
Attracting & Keeping Businesses in Kirkland	4.16	4.08
Emergency Preparedness	4.11	4.23
Protecting our natural environment	4.05	4.17
Managing Traffic Flow	4.00	4.01
Availability of Sidewalks & Walking Paths	3.99	3.85
Services for People in Need	3.93	4.00
Zoning & Land Use	3.82	3.68
Support for Neighborhoods	3.61	3.81
Bike safety	3.50	3.39
Support for Arts in the community	3.34	3.27
Recreation Programs & Classes	3.34	3.57
Community Events	3.17	3.18

5.2 Importance - Comparison with 2010

Finding

- *Most importance ratings are similar to or slightly below the 2010 results with one exception: the importance of community events has dropped half a point since 2010.*

Figure 5-3 – Importance Year-to-Year Comparison

NOTE: 2012 means are shown based on a 0 to 4 scale to allow for comparison with 2010 data and only reflect the ratings of residents in the pre-annexation area.

Service/Function	2010 Importance	2012 Importance	Change	%Increase/Decrease
ALL SERVICES/FUNCTIONS	3.11	2.95	-0.16	-5.1%
Availability of Sidewalks & Walking Paths **	2.95	2.99	+0.05	1.6%
Attracting & Keeping Businesses in Kirkland	3.13	3.16	+0.03	1.1%
Protecting our natural environment	3.08	3.05	-0.03	-0.9%
Maintaining streets	3.28	3.22	-0.06	-1.8%
City Parks	3.24	3.17	-0.07	-2.3%
Support for Neighborhoods	2.68	2.61	-0.07	-2.7%
Emergency Preparedness	3.20	3.11	-0.09	-2.9%
Recycling & Garbage Collection **	3.41	3.27	-0.14	-4.0%
Fire & Emergency Medical Services **	3.76	3.59	-0.17	-4.4%
Zoning & Land Use	2.98	2.82	-0.16	-5.4%
Police Services	3.71	3.43	-0.28	-7.5%
Support for Arts in the community	2.56	2.34	-0.22	-8.6%
Managing Traffic Flow	3.30	3.00	-0.30	-9.0%
Recreation Programs & Classes	2.70	2.34	-0.36	-13.4%
Community Events	2.68	2.17	-0.51	-19.1%

NOTE: **Three of the above categories represent multiple means from individually-tested items in 2010. For these items, the 2010 number is the average of those individual ratings. For example, the 2.95 appearing for the 2010 rating of “Availability of Sidewalks & Walking Paths” is actually the midpoint between a 2.98 mean for “Sidewalks” and a 2.91 mean for “Walking Paths” in 2010.

City of Kirkland Interview Protocol

Background

The City of Kirkland has funded a Cultural Council of the Arts since 2002. For the past 9 years, the Kirkland Cultural Council (KCC) has played various roles such as initiator, collaborator, sponsor, presenter, capacity builder and advocate. KCC has been an active voice for the arts in Kirkland, a place known for arts, culture and heritage. City budgets have declined. The City Council is tasked with the job of determining how best to move forward in an environment of many competing interests and inadequate revenue to continue to do business as usual.

Current Context

You have been invited to participate in a process to determine what recommendations should be made to the Kirkland City Council regarding the future of the KCC as currently structured. Your willingness to be open, candid and future thinking is critical to this endeavor.

Diminishing public resources available to the City has precipitated the need for a review of the functions of the KCC to determine how best to move forward knowing there is likely to be limited City funding for the Council in the budget-strapped years ahead. Various options have been imagined for KCC from becoming a stand-alone nonprofit, being a completely volunteer-driven organization or even dissolving and having other organizations pick up some of the roles of the Council. All options are on the table but what is clear is that the City can no longer fund KCC either monetarily or through allocated staff time at the levels it has in the past. However, Council has expressed support for the work of the Cultural Council and would like to see them continue in some fashion.

Your conversation with me will be confidential. I will be taking notes, however, no comments will be linked to individuals in the final analysis. Clearly there are some difficult choices to make and one thing is certain - change is a given. How things change will depend on the insight, creativity and grounded vision we each bring to this task.

Interview Protocol

- What is your relationship to the KCC?
- What is your perception of the role of the city in supporting the arts in Kirkland?
- What is your perception of the role of the Kirkland Cultural Council?
- What do you consider to be the key benefits of having a Cultural Council?

Let's assume for a moment that the KCC continues on in some fashion...

- In what ways do you see benefit to the community being enhanced?
- What are the benefits/challenges of services being provided by KCC?
- What sources of revenue do you see the KCC tapping into?
- How should the performance of KCC be measured? Who should set performance measures?

- Who should KCC be accountable to?

Let's assume for a moment that the KCC does not continue...

- In what ways do you see services to the arts in the community changing?
- What are the benefits/challenges of services being provided by agencies other than KCC?
- What sources of revenue could other agencies apply to providing the services?
- How should the performance of these other agencies be measured in this regard? Who should set performance measures? Who should they be accountable to?

A number of different structures have been discussed:

1. Cultural Council continues under City umbrella, but with very limited funding and staffing from the City.
2. City funds the KCC at \$25K level in 2012 with future funding uncertain.
3. Modified Cultural Council where the City maintains a very few duties and the rest are parceled out to other groups.
4. Make the focus of KCC cultural tourism with restricted funding from Tourism Development Committee (LTAC).
5. KCC becomes an independent nonprofit.
 - a. Without a transition relationship with the City
 - b. With City support to transition over a designated period of time with modest financial assistance in the process

Which two options make the most sense to you and why.

**CITY OF KIRKLAND**

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MEMORANDUM

To: Kurt Triplett, City Manager
From: Ellen Miller-Wolfe, Economic Development Manager
Date: October 6, 2011
Subject: 2011-12 Cultural Council Workplan

Purpose: Staff seeks approval for the Cultural Council Workplan 2011-12.

Background: The City Council met on July 19, 2011 to consider options for the future of the Kirkland Cultural Council (KCC). The KCC had been eliminated from the City 2010-11 budget and as a result, has relied upon an \$8000 grant from 4Culture and some money that it has raised to cover the costs of limited staffing (4hrs. per week on average) and incidental costs associated with events and programs. At the July 19, 2011 meeting, the City Council approved one-time funding from its special projects reserve totaling \$25,000 to fund the KCC through December, 2012. The Council indicated that there should be no increase in KCC programs, that the minimum level of staffing be maintained, that there be no fundraising, and that a study would be undertaken to determine the best option for providing arts programs for the City. The Council asked that staff return with a workplan in October that outlined the study.

Staff prepared a workplan and has since revised it to incorporate input from the KCC meeting of September 21, 2011 and the Economic Development Committee (EDC) meeting of September 26, 2011. Also attached (Attachment A) are recommended changes to the workplan proposed by the KCC.

Recommendation: That the City Council adopt the workplan and authorize the Economic Development Committee to oversee the study and receive input from the Kirkland Cultural Council. The Economic Development Manager will prepare a reading item in January, 2012 briefing City Council on the progress of the study and return in May, 2012 with recommendations for future arts programming.

Cultural Council Workplan and Budget Estimate October 6, 2011

Workplan Objectives

- Analyze the Cultural Council's founding resolution, current mission, vision and scope of work including goals outlined in the Vision 2020 Plan
- Recommend options for functions that should remain within a City advisory board, what functions might be jettisoned and those that might be taken on by an organization outside the purview of the City.
- Develop an estimate (staffing, operations, etc.) for cultural, arts and heritage programs and services
 - Develop a cost estimate if the City was to retain all or some of these functions and include the cost of possible outsourcing of staffing.
 - Develop an estimate for outside organization or agency assumption of functions and consider what if any contribution the City would make in support
- Take initial steps to explain and implement the model for cultural, arts and heritage services to the community. (Options could include those presented to City Council in July, 2011 and variations).

Information Gathering

Staff, with assistance from an outside consultant, members of the Cultural Council, and other volunteers will conduct research about other cities and agencies to answer questions posed by City Council members. Outside consultant will conduct interviews and meetings with key stakeholders, and facilitate discussions. Research questions may include but not be limited to the following:

- What other cities in King County have arts councils? Provide general demographics of these cities along with arts data.
- What is their mission and scope and how does it compare to the current Kirkland model?
- What level of funding (dollar amount) is allocated to the arts council and other arts-related activities?
- What level of staffing (FTE) supports the arts council and other arts-related activities?
- What City department(s) oversee arts programs?

- What are the sources of funding for the arts? (admissions tax, lodging taxes, general fund...) Differentiate between direct funds to arts agencies versus funds for an advisory board
- Do any arts councils raise funds for their activities?
- Do any arts councils partner with other agencies? If so, what agencies?

Analysis

Research and analysis will aim to answer these questions:

- What is the current involvement of the City in arts programs and services?
- What is the City government role in supporting the arts in this community?
- What benefits come from having an arts council?
- How can we optimize the work of the Cultural Council to enhance benefits to the community? What does the framework for optimizing arts services to the community look like?
- How much financial or staff support is the City willing to provide and what can be accomplished with those resources?
- What are the benefits and challenges of services being provided by the City versus an outside organization or agency?
- How would we measure performance going forward?

Process

The City Council has allotted a little over a year to come up with a plan for arts, culture and heritage for Kirkland. The suggested calendar allows time for analysis as well as for implementing whatever model or models are decided upon.

- Review video of City Council consideration of options for KCC (September, 2011) and letters to the City Council
- Prepare workplan for review by KCC and EDC (September, 2011)
- Bring workplan to City Council for review and approval (October, 2011)
- Determine scope of work and retain consultant for interview, facilitation and other duties as required (October-November, 2011)
- Gather background information from other cities and agencies (October-November, 2011)
- Interview KCC, EDC, staff and others (November-January, 2012)
- Reading file item on progress for City Council (January, 2012)
- Present findings and explore **Analysis** questions with KCC and EDC possibly in a one-day workshop retreat (February, 2012)
- Generate a report of workshop outcomes for general consumption (KCC, EDC, Council reading file (March, 2012)

- Prepare recommendations for future arts model (February-March, 2012)
- Share recommendations and gather input from KCC and EDC (April, 2012)
- Bring recommendations forward to City Council (May, 2012)
- Implement decision (Possible budget revisions, partnership agreements, nonprofit development...) (June-December, 2012)

Budget Estimate

• KCC Staffing	\$ 15,800
• Incidental Costs	
○ CACHET (collaboration with local arts groups)	\$ 4,000
○ Artwalk (monthly activity)	
○ Public/Private art consultation	
○ Other	
• Consultant Services	<u>\$ 6,200</u>
	\$ 25,000

*Does not include anticipated 2012 grant from 4Culture or any carryover of 2011 4Culture funds and fundraising proceeds

Cultural Council Retreat
Cascadia Community College
January 10, 2012

Present: Leah Kliger, Melissa Nelson, Gaerda Zeiler, Amy Whittenburg (Chair), Nora Carlson, Cathy Heffron, Linda Paros, Rebecca Devere

Staff: Julie Huffman (staff) and Ellen Miller-Wolfe (staff) stepped out during the Future of the Cultural Council portion

Absent: Trent Latta, Erik Gordon, Bhaj Townsend

Guest: Kris Mayer, Consultant

Meeting called to order at 4:10pm

Council started with an ice breaker.

They then came up with ideas that contribute to good communication.

They then met with Kris Mayer to discuss the Future of the Cultural Council.

Finally, they discussed their workplan for 2012. Council felt with the future of the Cultural Council up in the air, with resolution planned for April or May, that it would make more sense to maintain current programs. Melissa would like to bring Shakespeare in the Park to Kirkland. Trent might still be interested in the String Bean event. The council members are unsure if the future as a city board is likely, and give that, they are unsure where and how they each will be involved. A signature event is another project that members can work on—for example assisting Kirkland Uncorked through the Kirkland Arts Center. Council would like to find out more about Summerfest. Discussion will continue at future meetings. Meeting adjourned at 8:15.

Cultural Council Meeting 1.30.12

Meeting with Kris Mayer, Consultant hired to do the Cultural Council Analysis

Present: Kris Mayer (Consultant), Julie Huffman (staff), Ellen Miller-Wolfe (staff), Amy Whittenburg (Chair), Melissa Nelson (Co-Chair), Nora Carlson, Cathy Heffron, Linda Paros, Bhaj Townsend, Leah Kliger, Gaerda Zeiler .

Absent: Trent , Rebecca Devere,

One piece of Council business that is timely and needs to be done prior to starting the conversation.

Contracts put forward by the Public Art Committee for approval of temporary art exhibits:

- Julie Speidel
- Kirkland Art Center
- Kirkland Heritage Society
- Robin Rothe

Bhaj moved to accept the pieces as proposed, motion approved.

Introductory comments made by Kris and Ellen regarding the process.

Bhaj had questions regarding the process, who was being interviewed, and what weight each interview is given (no particular weight given to different interviews, but looking for common themes per Kris)

Leah would like another sheet added to the wall to allow an option "outside the box" to be considered (5 sheets with options placed around the room on easel pad sticky notes)

Kris asked CC members to write one sentence of what they would like to come out of tonight:

Amy: profound value of Cultural Council

Linda: value of Cultural Council in Kirkland's future, consensus and individual ideas

Bhaj: value and impact of a Cultural Council in creating and sustaining a vibrant city

Leah: reaffirm value of Cultural Council; identify specific options/ideas that CC would like to see in their future

Gaerda: ditto with Leah's comment, if CC were to end how to keep arts alive in Kirkland

Melissa: CC pretty cheap thing, given what they get in return, let's make a decision and move on— transition has been too long

Nora: hope that in discussions that there really is openness, creativity of thinking for multiple options and hopefully can reach one that will show the value of CC and benefit City

Cathy: hope each council member can state their opinion without interruption and with respect.

Ground Rules:

Clarifying questions

Stay on target with timing

Keep open mind

Kris would like CC members to pair up and go around to sheets on each of 5 pages and weigh in with pluses and minuses about each option. Asking that each pair be sure to go through all options. Bhaj asked clarifying question of whether it is what the council will look like, not what it will entail. Previously went through the roles of the council and what each person valued about the council. This time focusing on the formation and what that will look like.

Committee was given time to review each of the options, with this feedback written onto large post-it pads. The following are the comments made on each option.

Option #1

(KCC continues under the city umbrella with existing funding and staffing)

Pros

- Keep structure of KCC the same and wait for improvement of economy.
- Meet less often, fewer responsibilities.
- Acknowledgement of value of KCC.
- Possibility of moving forward on goals (from plan).
- Continue to symbolically represent the city's commitment to the arts.
- Keep doing so much for so little.
- Explore regional e.g. Redmond partnerships to expand impact of current cultural council.

Cons

- Limited activities due to lack of funding.
- Uncertain support for projects.
- Difficult for planning.
- Undervalue the role of KCC & support for arts in Kirkland.

Option #2

(City funds KCC @ \$25K in 2012 – future funding uncertain)

Pros

- Possibility of retaining KCC as is.
- KCC is pretty cheap - large bang for city buck.
- Have support to the KCC for 2012.
- Continue doing so much for so little.

Cons

- Uncertainty.
- Loss of role of KCC from city council.
- Where we've been since inception of KCC in 2002
- Very unreliable.

Option # 3

(Modify KCC, city retains a few duties, others are parceled out to other groups).

Pros

- Collaboration opportunities with other city groups and organizations.
- Some art functions are retained by city.

Cons

- Uncertain "chain of command" for leadership on projects.
- Outside organizations would not know who to go to.
- Unclean vision of cultural council.

- City loses its “stamp” on arts culture in the city.
- It becomes more regional losing its local impact.
- Other arts organizations/residents view KCC as “disappearing.”
- Cultural council loses identity & brand. Work becomes watered down.

Option # 4

(Make focus of KCC cultural tourism with restricted funding from LTAC)

Pros

- Dedicated \$ from the city to promote culture in Kirkland.
- Increase interaction with LTAC to add to promotional opportunities for culture in the city.
- Continued limited financial support from city with additional LTAC funds.
- Better connection with city for promotion of arts.

Cons

- Limited scope to focus on getting ppl to stay overnight.
- Tightly controlled use of funds.
- Would be restrictions on use of funding.
- Accountability to the actual end result who would really care.

Option #5A

(KCC becomes 501(c)3 without transition relationship with city)

Pros

- Freedom from city rules.
- Freedom to fund raise.

Cons

- Competition with other organizations for donor dollars.
- Insufficient commitment, passion, time, expertise among KCC will make this unsuccessful – no one to make it happen.
- No \$ or staff to manage run organization over time.
- KCC functions may cease to exist.
- Shows lack of support from KCC for the arts.
- Possibility of failure.
- City loses out on knowledge & expertise of KCC.
- City is making a statement that they don’t support (financially) an arts/cultural organization.
- The belief that “arts” are not important to the city.

Option #5B

(KCC becomes 501(c)3 with a transition plan over designated period of time with modest funding during process)

Pros

- Same \$ and logistical support from city to get going.
- Other funding options available that are not available as a city entity.

Cons

- Competition with other organizations for donor dollars.
- Insufficient commitment, passion, time, expertise among KCC will make this unsuccessful – no one to make it happen.
- No \$ or staff to manage run organization over time.

- Loses commitment from council of city's ??? & values for the arts.

Option #6 (added)

(Out of the box: KCC & Redmond Arts Commission merge/unite to form a two city entity with funding as budgets allow now and in the future)

Pros

- Collaboration for mutual benefit
- Communities working together to pool funding & staff.
- Promote a regional approach & community involvements.
- Each city brings specific strengths which strengthen the arts for over 130,000+ people.

Cons

- Potential for less control over local events/mission of KCC.
- Still requires some Kirkland commitment of funds to be a worthwhile partnership for Redmond.
- Whoever gives the most money will have the control?
- Is there an established rivalry between Kirkland and Redmond?

Option#7 (added)

(Kirkland city council commit to a vibrant cultural council with increased funding)

Pros

- Commitment to culture.
- Ability to define its cultural "brand."
- Be a destination promoting culture.
- City would deserve its image as arts – supporting community.
- Symbolically demonstrate & financially ensure that identity is preserved.

When the group re-convened, Kris asked what reflections the group had while doing the exercise:

Melissa: glad to see there are plusses on each page, liked that process

Nora: allowed each person to process and discuss each option, so liked the process and being able to see what others wrote

Cathy: creative thoughts were brought out through the process

Leah: feels like there is an assumption that the Cultural Council cannot do fundraising. The resolution allowed for fundraising. Why is this an assumption? City Manager

Amy: interesting to see a visual of the alignment of where people are, and to see all options

Gaerda: question about #2—seems similar to option #1. #1 and #2 are very similar.

Melissa: her understanding about fundraising was that it was state law that prohibited it

Bhaj: for a city to have a cultural council strengthens their brand. Feels like the option of funding a vibrant council was not an option that was considered.

Kris has 2 different activities, and wants the group to break up into 2 groups. One is the same questions that all people are being asked in the interviews. First set of question is if the council continues as it is. The second one is if the Cultural Council does not continue as they are—that could look like anything. Each group will take notes so that those are recorded.

Protocol #1

(Assuming the KCC continues more or less like it is)

- The cultural part of the city is so important that the city should make a commitment to supporting it. The city should take every opportunity to tell its citizens that they are supporting the arts.
- There is an economic benefit to supporting the arts – there is a reputation that Kirkland needs to up hold (as an arts destination). Has the vision of Kirkland changed from an arts destination to consignment shop destination?
- You have a central location (council) that outside organizations can go to for help. You have a concentration of expertise to use as needed. A council provides a 'quality control' for city arts opportunities.
- 4 Cultural - Try to get more, tap into sales tax, quite giving KPC money back, KCC parking tickets, donations via other arts organizations.
- KCC should be board related to a division in the city, not stand alone. Then the measure would be obvious.

Protocol #2

(Assuming the KCC does not continue as it is)

- Perception is that the city does not value or support leadership for the cohesiveness of the arts organizations in Kirkland.
- Loss of leadership, vision, public policy and strategy in the arts community. Loss of quality of life & perceived livability. City becomes less attractive alternative destination for employers, businesses, residents & tourists.
- Challenge is to retain focus of the arts as greater as a whole than the sum of our pieces.
- Private, corporation, government funding, foundation donors.
- Performance is accountable to whichever organization is providing funding

If funding is increased to KCC:

- Benefits showing continued commitment to the arts for the community.
- Brings new energy and excitement to city, enriching new potential for economic development.
- Marketing to new businesses interested in relocating to Kirkland.
- Support diverse community, fostering high quality of life.
- Build renewed sense of excitement & vibrancy.

Final comments for the evening:

Melissa: Houghton Community Council will be worse than this

Nora: thanks for the new format, hope all ideas will be included in the next phase

Cathy: came up with creative ways to help with funding. Most won't be able to be implemented, but one was to add a tax to the tickets that funds the council

Linda: more people need to know about the cultural council and what we do

Amy: as we explore these options, the important thing is to not write off the options that would sustain us as a city council. Still can accept donations, though fundraising was discouraged due to staff time involved. So many options still to consider, hope that option of remaining with the city is considered.

Bhaj: Appreciate having a second night. Important for a city of this size to show leadership in their culture by having a cultural council to explore, develop and sustain a vibrant culture. The city won't be able to sustain itself but will get swallowed up by those around it without a cultural council.

Leah: want to reinforce that while we're asked to keep an open mind, I hope others will keep an open mind as well, so that open minds at the city manager and city council level will be there too

Gaerda: there is a risk of losing momentum and energy that the council brings in options 4 and 5. Knowing they are not fully supported by the city may mean that the energy dissipates over time.

Kris summarized that she had conversations with 5 of 7 council members, and the conversation was as diverse as it was tonight. She will be taking stock of what needs to be done before moving toward looking for common patterns, synergy in the input. A brief report will be written that will have attachments including the questions, as well as information from other cities. That report will go back and forth, the Economic Development Committee and the Cultural Council will both see that report before it goes to the City Council. Still shooting for April.

Question from Bhaj: Have other options been considered beyond options 1-5 come up in her conversations with stakeholders so far? No completely outside options have been brought up by others. How will it be considered that the Cultural Council put forward options that were not previously considered? Kris is collecting all information that doesn't fit neatly into the protocol and that's where it will be considered. Bhaj would like the additional options to be considered with depth. Leah would like to offer that the cultural council members can contact City Council members directly to advocate for their wishes.

Cultural Council Minutes

March 21, 2012

Present: Amy Whittenburg (Chair), Leah Kliger, Rebecca Devere, Nora Carlson, Melissa Nelson, Bhaj Townsend, Cathy Heffron, Trent Latta, Linda Paros, Ellen Miller-Wolfe (Staff) , Julie Huffman (staff), Kris Mayer (Consultant)

Absent: Gaerda Zeiler

Note: Nora Carlson joined the committee and Rebecca Devere left the committee meeting at 5pm.

CALL TO ORDER/WELCOME

APPROVAL OF MINUTES

The Cultural Council reviewed the February minutes and made 2 changes to the minutes (cost of Shakespeare in the Park, and motion approved that Nora proposed regarding budgeting). Motion to approve minutes, and minutes approved.

ANALYSIS

Kris Mayer present to review the analysis. Cathy concerned that heritage is not prominently included. Rebecca Devere should be included in the list of the people interviewed at the retreat. Question—are the 2 options in the report the only options being put forward? If so, what is the purpose of the discussion? What will happen to the feedback that is put forward? Rebecca feels resistant to the whole process because she feels like the city already has made the decision and has hired a consultant to be able to say it did. She will read the report because it's important but it is changing what she signed up for. Amy mentioned that the cultural council asked for the opportunity to give feedback and this is their opportunity to do that.

After discussing among themselves, the group reported that the purpose was for their comments to be included with the report to the City Council. They would like to formulate their own written response that can be included with the report. That way they will be heard. The Economic Development Committee will review the report again on April 9th. The response could be included at that time, or could go straight to the City Council in May when it is on their agenda. Ellen asked if they would like to review the report once again. Cultural Council will call a special meeting to come up with that response. Leah suggests a subcommittee draft a response for the entire council to review. EDC agenda goes out the Thursday before the Monday meeting. Leah will organize the subcommittee.

Committee questions the sentence that says that the \$25,000 was meant to be used for the analysis. It was meant to be used to fund the cultural council for 1 year. It was also discussed that the staff would engage in an analysis. The staffing sentence talking about the demands on staff time states that the demands are into several departments. The staffing was primarily due to the lack of budget allocated to the cultural council, the fundraising that they did in response to that. Also, staff time is now being used for the analysis but that is also separate than staffing the council's activities. Numbers were mentioned in some areas, but there were several areas where numbers were not available, such as the amount of staffing allocated to the cultural council. Bhaj would like to have had more hard data, numbers. Bhaj was also surprised when she came to the end and saw the recommendations, after all the discussion about the great work that other cities are doing. The recommendation doesn't follow from the assumptions. Amy also mentioned that one item that was missing

from the second retreat was not mentioned. Those "out of the box" thoughts were not included, such as collaborating with Redmond, and fully funding the cultural council.

Ellen reported that she spoke with Redmond to see if there was any interest in merging or having that City provide staffing for this council. Both options would require a lot more conversation, but neither option seemed very feasible given the amount of money that Redmond provides for their councils versus how much Kirkland has to offer in terms of budget. Redmond is also in a transition regarding staffing, specifically the location of the arts in the City organization. So the timing would be challenging for coming up with a proposal in time for the May deadline of this analysis. Ellen met with the staff and the chair of the arts advisory council. They currently are not interested in merging, but are very interested in collaborating on the promotion of the arts across both cities. Joining together in communicating and promoting was something they thought would raise consciousness of arts in the region.

One final item from Amy is concern that the research was not integrated in the report. Rather than using that information to think creatively, it was relegated to an attachment and is a somewhat wasted effort or a lost opportunity.

BUDGET DISCUSSION

Julie and Ellen reported on the budget. \$3730 is before Kurt to be decided whether it will be allowed to be carried over. The council has \$4,000 from the \$25,000 allocated from the City Council, and another \$8,000 from 4Culture. The Cultural Council is concerned that the funds received as donations will remain with the cultural council. Council would like to focus on the money that it does have. If the funds are not carried over, the council would like to see the accounting from last year.

COMMITTEE REPORTS

CACHET

Joyce Culpepper-Smith would like photos of the band. The only negative feedback was the food. Otherwise it was a great event.

Artilization

Preliminary conversations about chairing the artilization committee have been had, and these will continue. Leah mentioned that there are some new and exciting things going on in this arena. There are a few new galleries. Leah would like there to be more outreach to the galleries. Also it may be an opportunity to reach out to the schools. Leah would like to send a letter from the Cultural Council to the music teacher that won the teacher-of-the-year award. Leah would like a letter sent to the Heritage Society saying how nice those banners were during heritage month. New Executive Director of the Chamber of Commerce, Bruce Wynn, is very interested in music in the restaurants and bars. Council would like him invited to the next Cultural Council meeting.

Bhaj connected with SIFF and Theatre Simple. SIFF was happy to get Cultural Council and Tourism funding. Theatre Simple is booked for 2012 so unable to come to Kirkland.

Public/Private Art

Public Art committee recommends that the Cultural Council renew a loan contract for three years for the "Nesting" sculpture on Park Lane. Cathy motioned to accept the loan contract, motion carries.

Date: April 6, 2012
To: Kirkland City Council
From: Kirkland Cultural Council
Subject: Proposal for the future of the Kirkland Cultural Council
Memo:

The Kirkland Cultural Council recognizes that the City of Kirkland is facing extraordinarily challenging economic times and that difficult decisions have been made time and again. We recognize the Cultural Council is just one of many entities that has been impacted. But we also recognize that the Cultural Council has made invaluable contributions to the City of Kirkland for nearly a decade and its loss would be deeply felt.

Since its inception in 2002, the members of the Kirkland Cultural Council have made immeasurable contributions to our community including (but certainly not limited to):

- Curating Kirkland’s public art collection
- Advocating for and securing 1% for Art
- Fostering and providing seed funding for important annual events like the Kirkland Artist Studio Tour and SIFF at KPC
- Developing and promoting thriving downtown Art Walks
- Facilitating pop-up art shops that generate revenue in empty storefronts
- Building a strong, collaborative network of invested arts supporters through the Kirkland CACHET initiative

These achievements represent just the tip of the iceberg. All of these things and more we have done as a group dedicated to the highest good of Kirkland as a city, representing the city and acting as a liaison from the city to our many partners in the business and nonprofit community.

We strongly and unanimously believe that the City of Kirkland must maintain a city-sponsored entity dedicated to the arts in Kirkland. Through extensive research into the arts funding structures and support of our regional neighbors, we have collected data from 4Culture and city representatives from throughout King County. These cities represent a cross section of our region with widely varying priorities, city brands, and economic conditions.

City	Population	City Funding of LAA
Auburn	68,000	\$418,000
Bellevue	123,000	\$448,000
Burien	48,000	\$300,000
Kent	115,000	\$850,000
Redmond	54,000	\$325,000
Renton	91,000	\$75,000
Sammamish	46,000	\$52,000
Shoreline/Lake Forest Park	66,000	\$63,000

Despite their differences, each of these cities clearly recognizes the immeasurable value that arts and culture bring to their cities, to their citizens, and to the many visitors attracted to their cultural offerings.

Kirkland is a city that has always prided itself on a strong arts identity and brand. To eliminate (or functionally debilitate) our city board for the arts would signal to the entire region that we no longer value or cultivate our arts identity. We believe that Kirkland can ill afford to fall so far out of step with other cities unless we are prepared to forfeit that brand -- and the economic rewards that come with it -- to our neighboring communities.

The arts, culture, and heritage have a profound economic impact on Kirkland, driving cultural tourism and economic development.

- They generate hundreds of thousands of dollars (or more!) in business receipts and income for dozens of local arts-related businesses and non-profits each year
- Thousands of people are employed in Kirkland's "creative economy," and those people in turn spend money to live, eat, shop, and play in Kirkland.
- *The arts, culture, and heritage attract and retain new talent and businesses*
 - Google is one example of a business that is attracting needed young professionals. Like spawns like.
 - Quality of life and cultural resources are deciding factors, especially for CEO's, when choosing locations both for their businesses and for their homes.

On a shoestring budget and countless volunteer hours, the Cultural Council's Artilization project and other efforts have brought more tourists and residents (\$\$\$\$) to our downtown than have been yielded by the big dollars spent on bringing at least 5 different economic development consultants/media visitors to study and make recommendations about economic revitalization!

The Cultural Council is making a difference!

In the absence of higher funding and staffing levels, the Cultural Council has become an extremely active, volunteer working board. **Each year, our board donates well over 1000 hours of service to the city, which equates to more than \$20,000 of unpaid staff time.** These hours of service have made a huge impact. After 2010 when the Cultural Council was defunded entirely, we:

- Continued our efforts to develop and grow our Art Walks
- Grew a listserv that now serves hundreds of people invested in Kirkland Arts
- Hosted multiple networking and educational events for our creative community
- Created and awarded the Kirkland Cultural Council and Mayor's CACHET Award to recognize outstanding contributions to Kirkland's arts, culture, and heritage
- Sought and received extensive media coverage (425 Magazine, Kirkland Reporter, Kirkland Patch, Currently Kirkland...), which has shone a spotlight on Kirkland Arts and the tremendous contributions that the Cultural Council is making to our city

All of this we did with only a small pool of carried over funds and the grant monies we received from 4Culture, even before our city funding was reinstated through 2012.

Truly, no other city commission has ever done so much with so little, and no one else is performing these functions. By providing expertise, passion, connections, and committed service, the Cultural Council fills an entirely unique niche that cannot be readily filled by any other entity. To eliminate or debilitate a board that contributes so much to our city would represent an enormous and tragic opportunity loss.

We know and affirm the vital role a city board plays in fostering a vibrant community where arts and culture contribute significantly to the quality of life, livability, and economic vitality of our city. However, given the current economic difficulties faced by the city, **we recommend that the Kirkland Cultural Council be restructured and renamed the Kirkland Arts Commission. Through this new arrangement, we will refine and reduce the scope of our work, thus significantly simplifying our demands for both staff time and operational funds.**

The Kirkland Arts Commission would retain only the most critical and cost-effective functions of the Cultural Council by streamlining its functions and responsibilities in the following ways:

- Reduce meetings to 8 or fewer per year instead of monthly (thus reducing use of staff time by at least 33%)
- Engage city partners (like the Kirkland Chamber and Kirkland Arts Center) to absorb functions once performed by the Cultural Council (monthly Art Walks, for example)
- Focus our Arts Commission efforts on the following:
 - Curating and acquiring pieces for the public art collection
 - Managing the implementation of 1% for Art projects
 - Encouraging art in private development
 - Stimulating increased cultural tourism through partnerships with neighboring cities
 - Building collaboration among the city's arts and arts related businesses, organizations, and individual artists through networking and educational programs (CACHET events)
 - Selecting and presenting the annual Mayor's CACHET Award for the arts

To perform these very basic functions, we will require a minimal investment of funding. We request .25 FTE -- much of which can be funded by a 4Culture grant -- and \$5000/year in operational funds. For this modest investment, we will continue to cultivate Kirkland's brand as an arts city and we will continue to foster the relationships and collaboration that have made our community so strong.

What's more, our continued existence will stand as an irrefutable symbol to our community, our region, and our state that Kirkland is STILL very much an arts and culture destination... where quality of life is a fundamental value... where residents, workers, and visitors alike are drawn for entertainment, cultural engagement, and shared community experiences. Let there be no doubt. A clear, unambiguous investment in a Kirkland Arts Commission will announce to the entire region for once and for all that *Kirkland Arts are open for business.*

Thank you for your consideration,
The Kirkland Cultural Council



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Eric Shields, Planning Director
Date: May 7, 2012
Subject: Planning Work Program

RECOMMENDATION

Determine the sequence of the following two projects in the Planning Work Program:

- Zoning Regulations and Comprehensive Plan Policies for the Houghton Business District
- MRM private amendment request

If the Council would like the Houghton Business District project to proceed first, pass the attached resolution amending the Planning Work Program.

BACKGROUND DISCUSSION

The City Council adopted the 2012 - 2014 Planning Work Program on May 1, 2012. At the meeting, City Council members expressed an interest in accelerating work on the regulations for the Houghton Business District and asked staff to provide information on how this might be accomplished. As shown in attachment 1, this project (task 4.2) is scheduled to be accomplished in 2013 after completion of the MRM private amendment request (task 1.3). If Council desires, the Houghton Business District project could be sequenced prior to the MRM request.

Staff is currently engaged in three long range planning projects: Totem Lake zoning code amendments; miscellaneous zoning code amendments, and zoning code amendments for commercial zones (phase 1: BN & BC zones). These projects will be completed in June, July and August, respectively. At that time, work on the following new projects will begin: Totem Lake comprehensive plan amendments, 2012 comprehensive plan amendments (including the Howard and Parker private amendment requests) and phase 2 of zoning code amendments for commercial zones (including CBD ground floor uses). In addition to the above projects, staff has the capacity to start one additional project in the near future.

The work program adopted on May 1 indicates that the additional project will be the MRM private amendment request. The first step will be to determine the geographic scope for which an amendment should be considered. For example, the amendment may be appropriate for a larger portion of or even the entire CBD 5 zone. We will also

need to determine the extent of SEPA review required. Preliminarily, an EIS is likely to be required to supplement the environmental review prepared for the Park Place comprehensive plan and zoning code amendments. Given these requirements, it is not possible to complete the MRM request in time to be adopted with the 2012 comprehensive plan amendments in December.

As an alternative, work on the Houghton Business District could begin this year and the MRM project could be delayed until 2013. Given the policy work already included in the Houghton Neighborhood plan, staff believes it would be possible to complete this project this year. In addition to preparing new zoning regulations for the business district, amendments to the Everest Neighborhood Plan would be needed and could be incorporated into the 2012 plan amendments.

A further alternative would be to proceed with both projects in 2012 and delay another project. The only other project easily able to be delayed would be the Totem Lake comprehensive plan amendments. Staff does not recommend delaying the Totem Lake amendments as proceeding with them is consistent with the adopted Totem Lake Action Plan and the adopted 2012 City Work Program which prioritizes Totem Lake revitalization.

Council Direction Needed

Staff is seeking direction on whether the Council wishes to prioritize the Houghton Business District for 2012 and delay the MRM private amendment request until 2013. If so, the Council should adopt the attached resolution amending the Planning Work Plan. If the Council prefers to leave MRM first and take up the Houghton Business District in 2013, no action is needed.

RESOLUTION R-4921

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND
ADOPTING THE 2012–2014 PLANNING WORK PROGRAM.

WHEREAS, the Kirkland City Council and the Kirkland Planning Commission met at a joint meeting on April 3, 2012, to discuss the proposed planning work program tasks and to set priorities; and

WHEREAS, the Kirkland City Council reviewed the work program at the April 19, 2012, study session and provided direction to staff for revisions; and

WHEREAS, the Kirkland City Council reviewed a revised work program at its May 1, 2012, regular meeting and passed Resolution R-4919 adopting the revised work program; and

WHEREAS, the Kirkland City Council further revised the work program at its May 15, 2012, regular meeting;

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

Section 1. The 2012-2014 Planning Work Program for the City of Kirkland, attached as Exhibit A, is adopted.

Section 2. This adopted Planning Work Program shall be generally used by the City staff and Planning Commission in scheduling work tasks and meeting and hearing calendars.

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

Passed by majority vote of the Kirkland City Council in open meeting this 15th day of May, 2012.

Signed in authentication thereof this _____ day of May, 2012.

Mayor

Attest:

City Clerk



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Director of Finance & Administration
Sri Krishnan, Financial Planning Manager

Date: May 8, 2012

Subject: Preliminary 2013-2018 Capital Improvement Program

RECOMMENDATION:

City Council reviews the Preliminary 2013 to 2018 Capital Improvement Program (CIP). The Preliminary CIP may change significantly based on Council decisions at the May 15th Study Session regarding potential parks and roads ballot measures.

BACKGROUND:

The Preliminary CIP for 2013 to 2018 is presented with this memo for Council consideration. The Preliminary 2013-2018 CIP is presented in two volumes:

- (1) A summary document including the 19-page introductory narrative, summary tables and graphs, and brief project descriptions. A binder with the hard copy of the summary document was provided for Council review on May 10, and
- (2) A project detail document which contains the individual funded and unfunded project sheets.

Both documents are available at: <http://www.kirklandwa.gov/CIPdocument>. Staff suggests that the Council focus on the introduction if there is not time to review the entire set of documents.

The Council meeting scheduled for May 15th is the first meeting to discuss the CIP. Depending on issues and questions that arise from the CIP discussion, further study session(s) may be scheduled. A public hearing on the CIP will be held on September 18th, 2012. Adoption of the CIP occurs by Council resolution and is scheduled for the first meeting in December, 2012.

The Introduction section of the Summary document contains detailed discussions of the policy issues whose outcome may significantly change the Preliminary 2013-18 CIP. Of particular note are two issues and the related assumptions used to present them in the Preliminary CIP:

- **Transportation Benefit District (TBD)** – Street preservation projects to be funded with revenues to be received from the potential implementation of the \$20 car tab from the TBD in 2013 are included as funded project under the Transportation category; and
- **Park Funding Exploratory Committee (PFEC) recommendations** – The projects recommended by the PFEC to be funded through the proposed voted Parks levy are included as unfunded projects under the Parks category. If a ballot measure passed, the projects would be moved to “funded.”

The Final 2013-18 CIP to be adopted along with the 2013-2014 Budget in December 2012 will incorporate Council decisions made through the rest of this year on the series of policy issues identified in the Preliminary CIP.



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

MEMORANDUM

To: Kurt Triplett, City Manager **QUASI-JUDICIAL**

From: Angela Ruggeri, AICP, Senior Planner
Eric Shields, AICP, Planning Director

Date: May 2, 2012

Subject: AMENDMENT TO BEST HIGH SCHOOL MASTER PLAN TO INCLUDE
NORTHSTAR MIDDLE SCHOOL ON BEST CAMPUS, PCD FILE NO. ZON12-
00006

RECOMMENDATION

Staff recommends that the City Council:

Pass the enclosed resolution to grant the Process IIB application for the Northstar Middle School move to the BEST High School campus as recommended by the Hearing Examiner with an amendment in response to the challenge submitted by the Lake Washington School District.

Prior to voting on the resolution:

- Allow LWSD to speak about the content of their challenge; and
- Pass a motion to allow the vote on this Process IIB application to occur at the May 15th meeting, rather than at the following (June 5th) meeting.

BACKGROUND DISCUSSION

City Council Rules of Procedure

Under the Council Rules of Procedure, Section 26, the City Council shall consider a Process IIB application at one meeting and vote on the application at the next or a subsequent meeting. The City Council may, by a vote of at least five members, suspend the rule to vote on the matter at the next meeting and vote on the application at this meeting.

Quasi-Judicial Decisions

This application is reviewed under Process IIB in which the Hearing Examiner holds a public hearing and then makes a recommendation to the City Council for the final decision. It is a quasi-judicial process. Quasi-judicial processing is for permits that:

- Require a hearing (held by the Hearing Examiner);
- Involve discretionary criteria for approval; and
- Require the decision-maker to review the facts and applicable code in order to issue a decision (similar to a judge).

City Council Consideration

The City Council must consider the Process IIB application based on the record before the Hearing Examiner and the Houghton Community Council and the recommendation of the Hearing Examiner. Process IIB does not provide for testimony and oral arguments at the Council meeting. However, the City Council, in its discretion, may ask questions of the applicant and the staff regarding facts in the record, and may request oral argument on legal issues. LWSD should also be given an opportunity to speak regarding their challenge to the Hearing Examiner's recommendation.

The City Council has four options when reviewing a Process IIB application:

- Grant the application as recommended by the Hearing Examiner (approve the enclosed resolution without the wording included in brackets in Sections 1 and 2 of the resolution); or
- Modify and grant the application (the enclosed resolution slightly modifies the Hearing Examiner recommendation in response to a challenge submitted by the Lake Washington School District - as shown by the language in brackets in Sections 1 and 2; or
- Deny the application; or
- If the Council determines that the record compiled by the Hearing Examiner is incomplete or inadequate for the Council to make a decision, direct that the application be considered at a reopening of the hearing before the Hearing Examiner and Houghton Community Council and specify the issues to be considered at the rehearing.

This application is subject to the disapproval of the Houghton Community Council. The decision of the City Council will not be effective unless and until it is affirmed by the Community Council or the Community Council does not disapprove of the decision within 60 days.

BEST High School Site History

In 1997, the buildings on the site, which were formerly used as the administrative offices for the LWSD, were converted for use by BEST High School. The BEST School Master Plan was approved in January of 2000. The master plan included a new

gymnasium, but a 2.5 foot height variance for the gymnasium was denied. A modification to the BEST School Master Plan for renovation of the existing playfield was approved in September of 2004.

Northstar Middle School/BEST High School Project Proposal

The Lake Washington School District is requesting approval of an amendment to the BEST High School Master Plan to relocate Northstar Junior High School onto the BEST campus. A zoning permit is required to locate four 1800 square foot portable buildings and an outdoor 900 square foot covered classroom area on the existing BEST High School campus (see Enclosure 1).

Northstar Junior High is a choice school serving students throughout LWSD. In addition to the relocation, LWSD plans to transition Northstar from its current grade 7-9 format (Junior High) to grades 6-8 (Middle School).

BEST High School is an alternative high school that serves students from throughout LWSD. Enrollment at BEST has been limited to 190 students, but is currently only 83 students.

The BEST High School campus also accommodates the district's Family Learning Center (FLC), which provides programs and classes to assist parents and students who are home-schooled. None of the existing services or operating capacities at BEST High School or the FLC are proposed to be changed with this relocation.

Major elements of the original proposal include the following:

- Removal of the southern portion of the main parking lot including the loss of 32 parking stalls for location of Northstar portables.
- Northstar capacity and staffing will remain the same as it is at its present location at Lake Washington High School. Current capacity is 90 students and 5 staff. Total site enrollment including Northstar and BEST will be limited to 280 students.
- Completion of the project is anticipated by the beginning of the 2012 school year.
- A student drop-off/pick-up loading zone shared by Northstar and BEST High School will be established along the southern edge of the main parking lot off of NE 53rd Street. This loading zone will be able to accommodate 12 to 15 vehicles before reaching 53rd. Street.

Public Comment

The initial public comment period ran from February 27 to March 16, 2012. The Planning Department received a total of 4 comment emails and letters during this comment period. The issues raised are summarized below.

- Traffic Impacts

There is concern about traffic and pedestrian safety at 108th and 53rd that is associated with the four schools in the area (Kirkland Children's School, BEST School, 7th Day Adventist School and Northwest University). Drivers pass around the METRO buses that stop on both sides of 108th Avenue NE. There is concern that the

intersection at 53rd and 108th Avenue is not safe for pedestrians or cars.

- Parking in the Neighborhood
Parking on NE 53rd Street - the issues mentioned were related to parking by Northwest University and Seventh Day Adventist School parties during the week and by Antioch Bible Church patrons on Sundays.
- Lighting and Noise Impacts
Noise and nighttime light glare from the new portables.
- Green space
Maintain existing open space.

Public Hearing

Prior to the hearing, Staff prepared an Advisory Report that was forwarded to all parties of record, the Hearing Examiner and the Houghton Community Council. The report recommended approval of the application subject to conditions.

The Hearing Examiner and the Houghton Community Council held a joint open record public hearing on March 26, 2012. City Staff, the applicants and representatives, and 3 individuals testified during the hearing. The agenda and audio recording of the hearing are available at the following link.

http://kirkland.granicus.com/MediaPlayer.php?view_id=16&clip_id=2403

Testimony at the hearing addressed concerns brought up during the initial public comment period.

The Hearing Examiner left the record open through April 11, 2012 to receive the recommendation of the Houghton Community Council, which requested clarification of information presented at the hearing.

Houghton Community Council Recommendation

On April 9th, the Houghton Community Council deliberated and drafted a recommendation to the Hearing Examiner (see Enclosure 2). The Houghton Community Council concurred with the staff analysis and the recommendation of approval and recommended additional conditions including: (1) BEST High School enrollment will be capped at 178 unless the school district can demonstrate that the parking supply can accommodate the maximum capacity enrollment of 190; (2) the development of a plan to address pedestrian safety and traffic issues on 108th Avenue NE and LWSD's contribution of up to \$35,000 to assist in the implementation of this plan; (3) extension of the turn lanes on NE 53rd Street; (4) wider and more direct pedestrian pathways from the parking lot to the ball fields; (5) and a limit of 21 students who are allowed to drive to BEST High School.

Hearing Examiner Recommendation

On April 17, 2012, the Hearing Examiner recommended that the City Council approve the application subject to the conditions outlined in her report (see Enclosure 3). The Hearing Examiner agreed with staff and the Houghton Community Council's recommended conditions with one exception:

HCC recommendation #4 stated: "The parking study is based on a maximum of 21 BEST students driving to school. Therefore, there should be a limit of 21 students who can drive to school."

The Hearing Examiner stated that it was not clear how the School or the City could enforce a limit on the number of BEST students driving and so recommended the following condition instead of HCC recommendation #4 that would take steps to reduce parking demand if necessary.

"The applicant shall be required to provide the City with updated parking demand information, if requested by the City, after the relocation has occurred. The City may also require the applicant to identify methods to reduce parking demand if it exceeds the demand estimated in the applicant's parking studies."

Challenge to Hearing Examiner Recommendation

LWSD submitted a challenge to the City of Kirkland Hearing Examiner's recommendation on April 25, 2012 (see Enclosure #4). The City did not receive a response to this challenge from any of the parties of records. The District challenged the following two recommendations from the Hearing Examiner:

1. Hearing Examiner Recommendation 4 states that Road Impact fees must be paid. Road impact fees of \$3787 are required for this project. The project would not create significant additional traffic impacts that would require specific offsite traffic mitigation. The intersection of 108th Avenue NE/NE 53rd Street does not meet the City's threshold requirements for off-site traffic mitigation, but LWSD voluntarily offered up to \$35,000 to assist in a plan to address pedestrian safety and traffic issues on 108th Avenue NE. The Hearing Examiner Recommendation 7 states that the LWSD shall contribute up to \$35,000 to assist in implementation of the plan.

In its challenge, LWSD stated that \$35,000 is the maximum amount it will contribute and that it will not pay the additional \$3787 in impact fees for the project. There is not the option, however, for the City to waive impacts fees. Alternatively, if the Council agrees that the total contribution by LWSD should be capped at \$35,000, the condition of the Hearing Examiner could be modified to require a contribution of \$31,213 to address pedestrian safety and traffic issues on 108th Avenue NE and \$3787 for impact fees. This would be a total of \$35,000.

Staff Recommendation: Require LWSD to pay \$3787 in impact fees and to contribute up to \$31,213 to address pedestrian safety and traffic issues. The total amount that LWSD will pay is \$35,000. This recommendation is included in the bracketed areas of the attached resolution.

2. The Community Council recommended that there be a limit of 21 BEST students who can drive to school in the future. The Hearing Examiner revised this recommendation (see Hearing Examiner Recommendation #4) and removed the 21 student limit as stated in the previous section. The Hearing Examiner's recommendation does not refer to specifically who is using the parking stalls. It does allow the City to require updated parking demand information and to identify methods to reduce parking demand, if necessary.

LWSD challenged any condition placed on BEST High School that is not based on the number of parking stalls. It challenged any condition that would be based on who the driver is that is using the on-site parking. Although this restriction was recommended by the Houghton Community Council, there is no such condition in the final Hearing Examiner recommendation.

Staff Recommendation: Leave Hearing Examiner Recommendation #4 as it is. It is not based on who the driver is that is using the on-site parking and so does not conflict with LWSD's comments in their challenge.

ENCLOSURES

1. Site Plan
2. Houghton Community Council Recommendation
3. Hearing Examiner Recommendation
4. LWSD Challenge



Campus Site Plan
Scale: 1" = 60'-0"

Enlarged Site Plan
Scale: 1" = 10'-0"

NORTHSTAR MIDDLE SCHOOL
10903 NE 53RD ST, KIRLAND, WA 98033 01.25.12

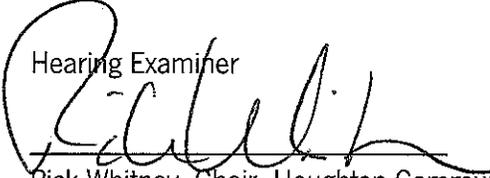
**Houghton Community Council****CITY OF KIRKLAND**

123 Fifth Avenue, Kirkland, WA 98033 425.587-3225

www.ci.kirkland.wa.us

MEMORANDUM**To:**

Hearing Examiner

From:
Rick Whitney, Chair, Houghton Community Council**Date:**

April 9, 2012

Subject:NORTHSTAR SCHOOL RELOCATION TO BEST HIGH SCHOOL CAMPUS
FILE NO. ZON12-00006
RECOMMENDATION OF HOUGHTON COMMUNITY COUNCIL**Recommendation to the Hearing Examiner:**

After consideration of the testimony and record presented at the public hearing on File ZON12-00006 held on March 26, 2012, and the additional information requested and provided by the applicant and staff for the April 9, 2012 meeting, the Houghton Community Council (HCC) concurs with the staff analysis and the recommendation of approval including the additional conditions added by the Public Works Department outlined below.

In addition to paying road impact fees, the proposed project shall include the following conditions:

- BEST High School enrollment will be capped at 178 students unless the school district can demonstrate that the parking supply can accommodate maximum capacity enrollment (this is a change to Condition 2 of the March 16 staff report).
- Northstar Middle School enrollment will be capped at 90 students.

In addition, the HCC recommends the following:

Recommendation 1

The City should work with METRO, the school district and other stake holders to develop a plan that addresses pedestrian safety and traffic issues on 108th Avenue NE. The plan will address the issue of cars passing METRO busses and may include relocating the bus stop, installation of c-curbing to prohibit passing, installation of a "No Passing" sign or a RRFB pedestrian signal. In addition, the school district will provide an easement for a relocated METRO stop if needed without monetary compensation. Finally, the school district will contribute up to \$35,000 to assist in the implementation of the plan that is developed.

The City should work to convene the stake holders and develop the plan as soon as possible, but that this should not delay occupancy of Northstar.

Recommendation 2

The City should extend the turn lanes to the maximum extent possible on NE 53rd Street.

Recommendation 3

The pedestrian pathway from the parking lot to the fields south of Northstar should be wider and more direct than the original proposal from the school district.

Recommendation 4

The parking study is based on a maximum of 21 BEST students driving to school. Therefore, there should be a limit of 21 students who can drive to school.

Motion – To approve this recommendation regarding the Northstar Relocation to BEST High School Campus as written. (6 yes, 0 no)

Exhibits

A March 16 Staff Report

B April 5 memo from Thang Nguyen and attached memo from TENW

C Materials presented at the April 9 meeting

Exhibits to the Houghton Community Council Recommendation to the Hearing Examiner have been included in the Hearing Examiner Report (Enclosure 3) as follows:

Exhibit A (to the HCC recommendation): March 16 Staff Report is included as HE Recommendation, Exhibit 1.

Exhibit B (to the HCC recommendation): April 5 memo from Thang Nguyen and attached memo from TENW is included as HE Recommendation, Exhibit 2.

Exhibit C (to the HCC recommendation): Materials presented at the April 9 meeting is included as HE Recommendation, Exhibit 3.

**CITY OF KIRKLAND
HEARING EXAMINER
FINDINGS, CONCLUSIONS AND RECOMMENDATION**

APPLICANT: David Zeitlin, Lake Washington School District

FILE NUMBER: ZON12-00006

APPLICATION:

1. Site Location: 10903 NE 53rd Street
2. Request: The applicant is requesting approval of an amendment to the BEST High School Master Plan to relocate Northstar Junior High School onto the BEST campus. A zoning permit is required to locate four 1800 square foot portable buildings and an outdoor 900-square foot covered classroom area on the existing BEST High School campus (see Ex. 1, Attachment 2).

Northstar Junior High is a choice school serving students throughout Lake Washington School District (LWSD). In addition to the relocation, LWSD plans to transition Northstar from its current grade 7-9 format (Junior High) to grades 6-8 (Middle School).

BEST High School is an alternative high school that serves students from throughout LWSD. Enrollment at BEST is limited to 190 students but would be limited to 168 students under the proposed conditions of approval.

The BEST High School campus also accommodates the District's Family Learning Center (FLC), which provides programs and classes to assist parents and students who are home-schooled. None of the existing services or operating capacities at BEST High School or the FLC are proposed to be changed with this relocation.

Major elements of the proposal include the following:

- a. Removal of the southern portion of the main parking lot including the loss of 32 parking stalls.
- b. Northstar capacity and staffing will remain the same as it is at its present location at Lake Washington High School. Current capacity is 90 students and 5 staff. Total site capacity at Northstar and BEST is 280 students.
- c. Completion of the project is anticipated by the beginning of the 2012 school year.
- d. A student drop-off/pick-up loading zone shared by Northstar and BEST High School will be established along the southern edge of the main parking lot off of NE 53rd Street. This loading zone will be able to accommodate 12 to 15 vehicles before reaching 53rd. Street.

Hearing Examiner Recommendation
File ZON12-00006
Northstar Middle School Relocation
Page 2 of 15

3. Review Process: Process IIB; Houghton Community Council and Hearing Examiner conduct a public hearing and make recommendations; City Council makes final decision. The Houghton Community Council has disapproval jurisdiction over the land use proposal.
4. Summary of Key Issues:
 - a. Compliance with Zoning Permit Approval Criteria
 - b. Compliance with Applicable Development Regulations

RECOMMENDATIONS:

Planning and Community Development:	Approve with conditions
Hearing Examiner:	Approve with conditions
Houghton Community Council:	Approve with conditions

PUBLIC HEARING:

The Hearing Examiner and the Houghton Community Council held a joint hearing on the application on March 26, 2012, in City Council Chambers, Kirkland City Hall, 123 Fifth Avenue, Kirkland, Washington. A verbatim recording of the hearing is available at the City Clerk's office. The minutes of the hearing and the exhibits are available for public inspection at the Planning and Community Development Department. The Examiner viewed the site on March 26, 2012.

The record was held open through April 11, 2012, to receive the recommendation of the Community Council, which had at hearing requested clarification of the information presented to them at the hearing. The Community Council has recommended approval with additional conditions set out in their April 9, 2012 memorandum to the Hearing Examiner.

PUBLIC COMMENT

The initial public comment period ran from February 27 to March 16, 2012. The Planning Department received four public comments during this period, which are shown at Attachments 4,5,6 and 7 to Ex. 1. The issues raised included traffic, pedestrian safety (especially related to transit stops along 108th Avenue NE), spillover parking onto nearby residential streets, light and noise, and loss of open space at the site. The Department reviewed the comments and responded to them in Ex. 1, Section C. At hearing, additional public comments were offered which raised the same concerns.

FINDINGS OF FACT AND CONCLUSIONS:

Having considered the evidence in the record and the recommendation of the Houghton Community Council, and after viewing the site, the Hearing Examiner enters the following Findings of Fact and Conclusions:

SITE DESCRIPTION

Site Development and Zoning:

Facts:

1. Size: 10.08 acres
2. Land Use: The subject property contains the existing BEST High School and Family Learning Center.
3. Zoning: The subject property is zoned RS 8.5 (Residential Single-family). A school is an allowed use within this zone, subject to approval of a Master Plan.
4. Terrain: The subject property slopes from east to west with an overall elevation change of approximately 40 feet.
5. Vegetation: The subject property contains numerous trees. Four non-significant trees located in one of the parking lot planting strips will be removed, in addition to four other viable trees located near the southeast corner of the existing parking lot (see Section II.G.7).

Conclusions:

1. Size, land use, and terrain are not constraining factors in the review of this application.
2. Zoning is a relevant factor in the review of this application, due to the fact that a School Use occupying a property of more than 5 acres must be approved through a Master Plan process.
3. Tree protection and retention on the subject property are factors in the review of the proposed development.

Neighboring Development and Zoning:

Facts: The neighboring properties to the south, west and east are zoned RS 8.5 and contain single-family residences. The property to the west also contains the Kirkland Children's School. The property to the north contains the Seventh Day Adventist School and Northwest University.

Conclusion: The neighboring development and zoning are factors in the review of the proposed Master Plan application.

HISTORY

Facts: In 1997, the buildings on the site, which were formerly used as the administrative offices for the LWSD, were converted for use by BEST High School. The BEST School Master Plan was approved on January 18, 2000 under

Hearing Examiner Recommendation
File ZON12-00006
Northstar Middle School Relocation
Page 4 of 15

file IIB-99-78. The master plan included a new gymnasium, but a 2.5 foot height variance for the gymnasium was denied. A modification to the BEST School Master Plan for renovation of the existing playfield was approved on September 10, 2004.

Conclusion: The history of the site is relevant in the review of the proposed Master Plan application.

PUBLIC COMMENT

Facts: The initial public comment period ran from February 27 to March 16, 2012. The Planning Department received a total of 4 public comments (see Ex. 1, Attachments 4, 5, 6 and 7) during this period. Additional public comment was received at the joint public hearing held by the Hearing Examiner and the Houghton Community Council.

Conclusion: The applicant and the City have responded to public comments with several recommendations.

STATE ENVIRONMENTAL POLICY ACT (SEPA)

Facts: Pursuant to WAC 197-11-926, LWSD assumed Lead Agency status for the project. Determination of Nonsignificance (DNS) was issued by LWSD on February 27, 2012. The Environmental Determination and Checklist are included as Ex. 1, Attachment 8.

Conclusion: LWSD has satisfied the requirements of SEPA.

CONCURRENCY

Facts: The Public Works Department has reviewed the application for concurrency. A concurrency test was passed for traffic on January 17, 2012 (see Ex. 1, Attachment 9). A Notice of Concurrency was distributed, published, and posted on February 27, 2012.

Conclusion: The applicant and City have satisfied Concurrency requirements

APPROVAL CRITERIA

Master Plan

Facts:

1. Kirkland Zoning Code (KZC) Section 15.10.030 Special Regulation 10 requires that a School Use with a property size of five acres or more receive Master Plan approval through a Process IIB review. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking locations, buffering, and landscaping.

2. The applicant has submitted development plans that show building locations and dimensions, roadways, utility locations, land uses within the Master Plan area, parking locations, buffering, and landscaping (see Ex. 1, Attachment 2).
3. Zoning Code Section 152.70.3 states that a Process IIB application may be approved if:
 - (a) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
 - (b) It is consistent with the public health, safety, and welfare.

Conclusions:

1. The application complies with the Master Plan requirements outlined in KZC Section 15.10.030 Special Regulation 10.
2. The proposal complies with the criteria in KZC Section 152.70.3. It is consistent with all applicable development regulations and the Comprehensive Plan. In addition, the proposal is consistent with the public health, safety, and welfare, because the project will provide the community with a location for the Northstar Middle School on the BEST campus while minimizing impacts on the surrounding neighborhood.

DEVELOPMENT REGULATIONS

School Location Criteria

Facts: KZC Section 17.10.030, Special Regulation No. 3, states that a school use may be located in a RS zone only if:

- It will not be materially detrimental to the character of the neighborhood in which it is located.
- Site and building design minimizes adverse impacts on surrounding residential neighborhoods.
- The property is served by a collector or arterial street (does not apply to existing school sites).

Conclusions:

1. The proposal is consistent with the criteria established in KZC Section 17.10.030, Special Regulation No. 3.
2. There is an existing school at the site which includes recreational, parking, and other facilities normally associated with a school use. The proposal as conditioned will not introduce new facilities or activities which would be materially detrimental to the character of the neighborhood. A limited increase in student enrollment is proposed and enrollment would be capped, in order to limit the impacts of off-site parking on the neighborhood. Other recommended conditions would address concerns about pedestrian safety.

Hearing Examiner Recommendation
File ZON12-00006
Northstar Middle School Relocation
Page 6 of 15

3. The new school portable buildings and site plan have been designed to minimize adverse impacts on surrounding residential development by designing the proposed addition to fit with the existing topography and to maximize tree retention. The location of the proposed new structures in the south section of the existing parking lot where there are substantial setbacks from adjoining residential properties will minimize view impacts for the neighbors. The redeveloped site provides land use buffers as required by the Zoning Code and existing significant trees are recommended for retention to the extent feasible.
4. The property is served by a collector street (NE 53rd Street) and a minor arterial (108th Avenue NE).

Student Enrollment

Facts: Student enrollment was originally proposed to include 90 students at Northstar and 190 students at BEST, for a total site enrollment of 280 students. KZC Section 15.10.030 Special Regulation 4 states that the maximum number of attendees at one time may be limited to reduce impacts on neighboring residential uses.

Conclusion: In order to minimize parking impacts on neighboring residential uses, the enrollment at BEST should be capped at 178 students, and the enrollment at Northstar capped at 90 students, for a total enrollment of 268 students. Any future enrollment increase would be subject to the District demonstrating that it can accommodate increased parking demand in accordance with the recommended conditions.

Passenger Loading Area

Facts:

1. KZC Section 15.10.030 Special Regulations 6 and 7 state the following:
 - (a) An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements.
 - (b) The location of passenger loading areas shall be designed to reduce impacts on nearby residential uses.
2. Public Works Staff reviewed the proposed passenger loading area and concluded that the size of the area is adequate.
3. The car passenger loading area is located within the interior of the site near the main parking lot and will have minimal impact on nearby residential uses.

Conclusion: The proposed passenger loading area complies with KZC Section 15.10.030 Special Regulations 6 and 7.

Traffic Impacts

Facts:

1. The applicant submitted a Traffic Impact Analysis (TIA) (see Ex. 1, Attachment 10) that was reviewed by the City's Transportation Engineer (see Ex. 1, Attachment 11). The applicant's transportation consultant provided additional analysis, and this was also reviewed by the City's Transportation Engineer; April 5, 2012 memo from Thang Nguyen to Angela Ruggeri.
2. With an enrollment of 178 students at BEST and 90 students at Northstar, the AM peak hour levels of service (LOS) at the intersection of 108th Avenue NE and NE 53rd Street would remain the same. The increase in delays and queues for all three controlled movements at this intersection are shown in Table 2 of the April 5, 2012 TENW Technical Memorandum. As shown in the TIA and the Technical Memorandum, currently, the westbound left-turn lane currently operates at LOS F with queuing during the peak 15-minute period in the morning; this LOS is expected to continue after relocation of Northstar.
3. Staff recommends approval of the proposed project with the condition that road impact fees be paid.
4. The Houghton Community Council recommends that the City extend the turn lanes to the maximum extent possible on NE 53rd Street to address congestion at this intersection.
5. Pedestrian safety concerns based on existing conditions near the site were identified in the public comments and by the Houghton Community Council. Drivers have been observed passing METRO buses which are stopped to pick up or drop off riders on 108th Avenue near NE 53rd Street. Southbound buses stop just north of the crosswalk that is located south of NE 53rd Street. Drivers may pass between the bus and the existing crosswalk island to pass the bus, posing a conflict with pedestrians who are walking west to east in front of the bus.
6. The City and the District have proposed several measures to address these safety concerns (Ex. 1, Attachment 11 and April 5, 2012 Memorandum from Thang Nguyen to Angela Ruggeri). To prevent vehicles attempting to pass the northbound buses, the City proposes to place c-curb on 108th Avenue.
7. To control vehicles passing buses in the southbound bus stop, the City has identified relocation of the METRO bus stop south of the crosswalk as the best solution, but METRO has thus far opposed this measure, because of cost and other factors. Therefore, the City recommends that a RRFP be installed to warn drivers of the presence of pedestrians in the crosswalk. The District has agreed to install a RRFP. In addition, the City will install a "No Passing" sign for southbound traffic on 108th Avenue NE.
8. The Houghton Community Council has recommended that the City work with METRO, the District, and other stake holders to develop a plan that

Hearing Examiner Recommendation
File ZON12-00006
Northstar Middle School Relocation
Page 8 of 15

addresses pedestrian safety and traffic issues on 108th Avenue NE; this recommendation references the relocation of the bus stop; the installation of c-curbing, the installation of a "No-Passing Sign" or a RFFB pedestrian signal. The Council also recommends that the District provide an easement for a relocated METRO stop if needed, without monetary compensation, and that the District contribute up to \$35,000 to assist in the implementation of the plan that is developed. The recommendation notes that the City should convene the stakeholders and develop the plan as soon as possible, but that occupancy of Northstar should not be delayed on account of this plan.

Conclusions:

1. Existing traffic conditions near the site are caused by existing uses. The information in the record shows that the proposed project would not create significant additional traffic impacts that would require specific offsite traffic mitigation. The intersection of 108th Avenue NE/NE 53rd Street does not meet the City's threshold requirements for off-site traffic mitigation (less than 5 percent proportional share).
2. The recommendations identified above (placement of c-curb, RFFB signal, no-passing signage, and a planning effort by the City, LWSD and other stakeholders to address pedestrian safety at this location) will address not only the proposal's impacts but existing conditions at this intersection.
3. Road impact fees shall be required.

Parking

Facts:

1. KZC Section 15.10.030 does not establish a required parking requirement for school uses. Instead, it defers to KZC Section 105.25, which authorizes the Planning Official to establish the number of required parking stalls based on the parking demand for the proposed use.
2. The current BEST campus has 122 parking stalls (112 general, 5 reserved and 5 ADA stalls). Of these, 97 general stalls are located in the main lot off of NE 53rd Street. As part of the project, 32 parking stalls in the main lot would be removed, so that the supply post-project would be 65 general purpose stalls and 3 ADA stalls in the main lot.
3. A parking demand study was prepared as part of the TENW Traffic Impact Analysis (Ex. 1, Attachment 10). The study predicted that, in 2012 with the project, there would be a surplus of 10 general purpose stalls in the main parking lot. The study assumed that all parking demand associated with Northstar would affect the main parking lot, and that demand would increase by 5 stalls, on account of additional staff in the future.

4. As noted above, the School District provided an updated analysis concerning future parking supply and demand. In the April 5, 2012 technical memorandum, TENW calculated the combined parking demand for Northstar and BEST, factoring in future enrollment growth at Northstar. The analysis estimated that if BEST's enrollment level increased from its existing 83 students to a future enrollment level of 178 (with 32 staff) and Northstar had 90 students and 5 staff, all on-site general parking stalls would be occupied.
5. The City's Transportation Engineer reviewed the parking demand study and the April 5, 2012 memo, and recommends that a condition be added to cap BEST High School enrollment at 178 students, and to cap Northstar to 90 students, to fit within the limits of on-site parking available at the site.
6. The Houghton Community Council recommended that, since the parking study is based on a maximum of 21 BEST students driving to school, there should be a limit of 21 students who can drive to school.

Conclusions:

1. With the recommended condition to cap enrollment at BEST to 178 students and enrollment at Northstar at 90 students, the applicant has proposed an adequate number of parking stalls to serve the proposed project as well as the entire school site.
2. The parking demand analysis assumes that a maximum of 21 BEST students will drive and use the on-site parking. If more students drive to school, it is possible that the supply of on-site parking will be exhausted, creating overspill parking impacts on nearby streets. The Community Council requested a limit on the number of BEST students driving, but it is not clear how the School or the City could enforce a limit. However, a condition could be added to require the applicant, if requested to do so by the City, to verify the parking demand if it appears that substantial overspill parking from BEST is occurring, and to take steps to reduce parking demand if necessary.

Landscaping Requirements

Facts:

1. KZC Section 15.10.030 requires School Use in a RS zone to comply with Landscape Category D.
2. KZC Section 95.42 contains the minimum land use buffer requirements for Landscape Category D. The subject property is surrounded on three sides (south, east and west) by single family residential uses; therefore this section requires the installation of a landscape buffer that complies with Buffering Standard 2. For standard 2, the applicant must provide a 5-foot-wide landscaped strip with a 6-foot-high solid screening fence or wall. Within the landscape strip, trees are required to be spaced 10 feet apart.

Hearing Examiner Recommendation
File ZON12-00006
Northstar Middle School Relocation
Page 10 of 15

3. KZC Section 95.42.8 states that if the subject property is occupied by a school, landscape buffers are not required along property lines adjacent to a street. This exemption applies to the north and west sides of the site.
4. The south and east sides of the property have existing vegetation that buffers the site from surrounding properties. There will also be more than a 100 foot setback from the east property line to the Northstar portables.

Conclusions:

1. Landscape buffers are not required along the north and west property lines as these property lines are adjacent to streets.
2. Existing vegetation was approved as adequate buffering to the south and east of the site with the original master plan when the gymnasium was built. Additional buffering is not required at this time.

Natural Features- Significant Landscaping

Facts:

1. Regulations regarding the retention of trees can be found in Chapter 95 of the Kirkland Zoning Code. The applicant is required to retain all trees with a moderate to high retention value to the maximum extent possible.
2. The applicant has submitted a Tree Retention Plan prepared by a certified arborist (see Ex. 1, Attachment 12).
3. The City's Urban Forester has reviewed the Tree Retention Plan and has made specific recommendations concerning the applicant's tree plan (see Ex. 1, Attachment 13), including revising plans to correct minor errors and making minor changes to the plans to retain trees.

Conclusions: The applicant has provided a Tree Retention Plan which has been reviewed by the City's Urban Forester. The applicant should retain, to the maximum extent possible, all trees during the construction of the school as shown in Ex. 1, Attachments 2 and 12, and comply with the specific recommendations of the City's Urban Forester as outlined in Ex. 1, Attachment 13.

Pedestrian Connectivity

Facts:

1. KZC Section 105.18 requires institutional uses, including schools, to provide pedestrian walkways designed to minimize walking distances from the building entrance to the right-of-way, and adjacent transit facilities. Pedestrian walkways are required to be five feet wide, distinguishable from traffic lanes by pavement texture or elevation, and have adequate lighting for security and safety. The site already contains numerous pedestrian walkways including ones designed to minimize walking distances from the building entrances to the right-of-way. There is also one new walkway section related to the Northstar buildings.

2. The Houghton Community Council has also recommended that the pedestrian pathway from the parking lot to the fields south of Northstar should be wider and more direct than the original proposal from the school district; HCC Recommendation 3.

Conclusions: As part of the building permit application, the applicant should submit detailed pedestrian walkway plans that comply with KZC Section 105.18, and address the intent of HCC Recommendation 3.

Site Lighting

Facts:

1. KZC Section 115.85.1 requires that the applicant use energy efficient light sources, comply with the Washington Energy Code with respect to the selection and regulation of light sources, and select, place, and direct light sources both directable and nondirectable so that glare produced by any light source, to the maximum extent possible, does not extend to adjacent properties or to the right-of-way.
2. The current submittal does not contain a detailed lighting plan that would show the location, height, fixture type, and wattage of proposed lights.

Conclusion: As part of its building permit application, the applicant shall submit a lighting plan showing the location, height, fixture type and wattage of all proposed exterior lights. The lighting plan shall be consistent with the requirements in KZC Section 115.85.

H. COMPREHENSIVE PLAN

Facts:

1. The subject property is located within the Central Houghton neighborhood. The Central Houghton Neighborhood Land Use Map designates the subject property as a public facility use (Ex. 1, Attachment 14).
2. The newly adopted Central Houghton Neighborhood Plan includes a policy, CH-8.1, which states "provide opportunities for early community involvement in any expansion plans for, modifications to, or changes in uses within schools".
3. The applicant had an open house to introduce the project to the neighborhood on January 25, 2012.

Conclusion: The proposal is consistent with public facility use designation and policies within the Comprehensive Plan.

DEVELOPMENT STANDARDS

Fact: Additional comments and requirements placed on the project are found on the Development Standards, Ex. 1, Attachment 3.

Hearing Examiner Recommendation
File ZON12-00006
Northstar Middle School Relocation
Page 12 of 15

Conclusion: The applicant should follow the requirements set forth in Ex. 1, Attachment 3.

SUBSEQUENT MODIFICATIONS

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

RECOMMENDATION:

Based on the Findings of Fact and Conclusions, the Hearing Examiner recommends approval of this application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided in Exhibit 1 to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed.
2. Enrollment at BEST shall be capped at a maximum of 178 students, and enrollment at Northstar Middle School will be capped at 90 students, unless the school district can demonstrate that the parking supply can accommodate maximum capacity enrollment.
3. The applicant shall be required to provide the City with updated parking demand information, if requested by the City, after the relocation has occurred. The City may also require the applicant to identify methods to reduce parking demand if it exceeds the demand estimated in the applicant's parking studies.
4. The applicant shall pay Road Impact fees for the project.
5. To the maximum extent possible, the applicant shall retain all trees shown for retention in Exhibit 1, Attachments 2 and 12, during the construction of the school.
6. As part of the building permit application, the applicant shall submit for approval by the Department of Planning and Community Development:
 - a. Plans showing additional tree retention requirements per the City's Urban Forester.

- (1) The applicant shall correct the tree protection fencing near the north parking lot trees, to allow for access to the site and indicate the fence openings at the northwest and northeast corners.
 - (2) Include arborist instructions for trees impacted west and south of the new portables on the site plan. These instructions are included on pages 23-24 of the arborist's report. Add tree numbers 1655, 1656, and 1657 to the list of trees to be protected.
- b. A lighting plan showing the location, height, fixture type and wattage of all proposed exterior lights. To minimize impact to adjoining properties, the lighting plan shall be consistent with the requirements in KZC Section 115.85.1.
7. The City shall work with METRO, the school district and other stake holders to develop a plan that addresses pedestrian safety and traffic issues on 108th Avenue NE. The plan will address the issue of cars passing METRO busses and may include relocating the bus stop. The plan shall also address installation of c-curb to prohibit passing, installation of a "No Passing" sign, and a rectangular rapid flashing beacon system (RFFB) pedestrian signal. The School District shall provide an easement for a relocated METRO stop if needed, without monetary compensation. The School District shall contribute up to \$35,000 to assist in the implementation of the plan. The City shall commence the planning as soon as possible, although the plan is not required to be finalized prior to the occupancy of Northstar.
 8. The City shall consider extension of the turn lanes on NE 53rd Street to the extent feasible.
 9. The site plan shall reflect a widening of the pedestrian pathway from the parking lot to the fields south of Northstar, and a more direct pathway.

Entered this 17th day of April, 2012, per authority granted by KZC 152.70. A final decision on this application will be made by the City Council.



Anne Watanabe
Hearing Examiner

**Hearing Examiner Recommendation
File ZON12-00006
Northstar Middle School Relocation
Page 14 of 15**

CHALLENGES AND JUDICIAL REVIEW

The following is a summary of the deadlines and procedures for challenges. Any person wishing to file or respond to a challenge should contact the Planning Department for further procedural information.

A. CHALLENGE

Section 152.85 of the Zoning Code allows the Hearing Examiner's recommendation to be challenged by the applicant or any person who submitted written or oral comments or testimony to the Hearing Examiner. A party who signed a petition may not challenge unless such party also submitted independent written comments or information. The challenge must be in writing and must be delivered, along with any fees set by ordinance, to the Planning Department by 5:00 p.m., _____, seven (7) calendar days following distribution of the Hearing Examiner's written recommendation on the application. Within this same time period, the person making the challenge must also mail or personally deliver to the applicant and all other people who submitted comments or testimony to the Hearing Examiner, a copy of the challenge together with notice of the deadline and procedures for responding to the challenge. Any response to the challenge must be delivered to the Planning Department within seven (7) calendar days after the challenge letter was filed with the Planning Department. Within the same time period, the person making the response must deliver a copy of the response to the applicant and all other people who submitted comments or testimony to the Hearing Examiner. Proof of such mail or personal delivery must be made by affidavit, available from the Planning Department. The affidavit must be attached to the challenge and response letters, and delivered to the Planning Department. The challenge will be considered by the City Council at the time it acts upon the recommendation of the Hearing Examiner.

B. JUDICIAL REVIEW

Section 152.110 of the Zoning Code allows the action of the City in granting or denying this zoning permit to be reviewed in King County Superior Court. The petition for review must be filed within twenty-one (21) calendar days of the issuance of the final land use decision by the City.

LAPSE OF APPROVAL

Under Section 152.115 of the Zoning Code, the applicant must submit to the City a complete building permit application approved under Chapter 152, within four (4) years after the final approval on the matter, or the decision becomes void; provided, however, that in the event judicial review is initiated per Section 152.110, the running of the four years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the required development activity, use of land, or other actions. Furthermore, the applicant must substantially complete construction approved under Chapter 152 and complete the applicable conditions listed on the Notice of Approval within six (6) years after the final approval on the matter, or the decision becomes void.

TESTIMONY

The following persons testified at the public hearing:

From the City:

Angela Ruggeri, Project Planner, Planning and Community Development
Nancy Cox, Development Review Manager, Planning and Community Development
Rob Jammerman, Development Engineering Manager, Public Works
Iris Cabrera, Transportation Engineer, Public Works

From the Applicant:

Rolf Rohr, Project Manager, Lake Washington School District
Dennis Erwood, Project Architect

From the Public:

Lisa McConnell
Marie Working
Erica Somm

EXHIBITS:

- Exhibit 1: Advisory Report and Attachments 1-13
- Exhibit 2: April 5, 2012 Memorandum from Thang Nguyen to Angela Ruggeri with Attachment 1 (TENW Technical Memorandum and attachments A-D)
- Exhibit 3: Slides presented at April 9, 2012 Houghton Community Council meeting
- Exhibit 4: April 9, 2012 Memorandum from Houghton Community Council

Exhibit 1: Advisory Report and Attachments 1-13 to the City of Kirkland Hearing Examiner Findings, Conclusions and Recommendation can be found at the following links:

[Staff Report through Attachment 2](#)

[Attachment 3 - 13](#)

CITY OF KIRKLAND

123 FIFTH AVENUE ● KIRKLAND, WASHINGTON 98033-6189 ● (425) 587-3000

**DEPARTMENT OF PUBLIC WORKS
MEMORANDUM**

To: Angela Ruggeri, Senior Planner

From: Thang Nguyen, Transportation Engineer

Date: April 5, 2012

Subject: Northstar Jr. High Development Additional Traffic Impact Analysis Review

This memo is a Public Works summary review of the proposed Northstar Jr. High Relocation traffic impact analysis (TIA) addendum dated April 5, 2012 prepared by TENW for the Lake Washington School District. The TIA addendum provides additional information that the Houghton Council requested. The outstanding issues are:

- Adequacy of Parking Supply with the capacity enrollment of the BEST High School Students along with the Northstar Jr. High School students.
- 108th Avenue NE/NE 53rd Street traffic operation with the capacity enrollment of the BEST High School Students and Northstar Jr. High School students.
- Transit Stops/Pedestrian Safety on 108th Avenue NE with the increase in BEST High School enrollment.

Parking

In review of the supplemental parking analysis, Public Works staff agrees that the resulting parking supply of 85 parking stalls will adequately accommodate the BEST High School with 178 students with 32 staff and Northstar Jr. High School with 90 students and 5 staff. Although Best High School has a maximum capacity of 190 students, the BEST High School enrollment should be capped at 178 students and the Northstar Jr. High School should be capped at 90 students in order to fit within the parking supply constraint.

108th Avenue NE/NE 53rd Street Operation

The TIA addendum included a level of service calculation at the intersection of 108th Avenue NE/NE 53rd Street with the assumption that there will be 178 students at the BEST High School and 90 students at the Northstar Jr. High School. Based on the analysis, the minor street westbound left-turn lane would operate at LOS-F with long queues. However, the queue was analyzed based on a peak 15-minute in the morning. Staff agrees that the 15 minute queue is not significant in the overall operation of the entire intersection throughout the AM and PM peak hour and day and is only limited to a short period. In addition, the City would not install a traffic signal unless signal warrant(s) are met or there is a safety hazard that can be eliminated with a traffic signal. This intersection does not meet any of those criteria. Therefore, a traffic signal is not warranted. Moreover, the City of Kirkland mitigation guideline requires mitigation only when a

April 5, 2012

Page 2 of 2

development impacts a LOS-F intersection with 5% or more proportional share impact or at a LOS-E intersection with 15% or more proportional share impact. The Northstar relocation impact to this intersection is less than 5%. Thus, traffic mitigation at this intersection is not warranted.

Transit Stop Safety

There are safety concerns about traffic passing METRO buses as they stop to pickup/drop-off passenger at both bus stops on 108th Avenue NE. To mitigate the problem for the northbound bus stop, the City will install c-curb to help mitigate the problem.

A more significant impact to pedestrians is vehicles passing the bus in the southbound stop next to the crosswalk. Most pedestrians using the crosswalk are METRO passengers and Lake Washington School District students. As documented in the staff report, the best solution is to relocate the bus stop south of west leg of NE 53rd Street. However, METRO is not supporting relocating the crosswalk because of cost and other factors. The second best option is to install a RRFB to warn drivers that there are pedestrians in the crosswalk. To further minimize the passing maneuver, a No Passing sign could be installed to restrict drivers from passing in the immediate area. These mitigations along with periodical police present would enhance safety for pedestrians using the crosswalk. The Lake Washington School District has agreed to install the RRFB and the City will install a No Passing sign to provide safe crossing for pedestrians.

Staff Recommendations

In addition to paying road impact fee, staff recommends approving the proposed project with the following additional conditions:

- Cap BEST High School enrollment to 178 students unless the school district can demonstrate that the parking supply can accommodate its enrollment maximum capacity.
- Cap Northstar Jr. School enrollment to 90 students.
- The School district will install a RRFB at the crosswalk adjacent to BEST High School on 108th Avenue NE.
- The City will install a NO Passing sign for the southbound traffic on 108th Avenue NE.
- The City will install c-curb to restrict passing on the northbound direction on 108th Avenue NE.

If you have questions or need clarification, please contact me at 425-587-3869.

cc: EnerGov

TECHNICAL MEMORANDUM

DATE: April 5, 2012

TO: Thang Nguyen, P.E.
City of Kirkland

FROM: Jeff Haynie, P.E./Chris Forster, P.E.
TENW

SUBJECT: Northstar Junior High/Middle School Relocation
Traffic Impact Study Addendum
TENW Project No. 4547

This memorandum is an addendum to our January 26, 2012 Traffic Impact Study conducted for the proposed relocation of Northstar Junior High/Middle School to the BEST High School Campus in Kirkland. The BEST High School Campus also includes the Family Learning Center (FLC). This addendum provides updated information in response to the following issues raised by the Houghton Community Council:

- Parking Supply & Demand
- 108th Ave NE/NE 53rd Street Traffic Operations
- Transit Stops/Pedestrian Safety on 108th Ave NE

Existing and proposed site plans are included in **Attachments A and B**.

Parking Supply & Demand

Our parking supply and demand assessment was updated to address a potential scenario that assumes maximum enrollment at BEST High School. The current capacity of the BEST facility is 190 students. Even with 190 students at BEST, current operations at the Family Learning Center (FLC), and the addition of Northstar, our analysis showed a parking shortfall of only 3 stalls. To determine the maximum enrollment, a parking assessment was completed based on the following information that was provided by Lake Washington School District (LWSD):

- Current enrollment at BEST = 83 students
 - BEST has 16 existing teachers/staff. Future staff would be added at a rate of 1 new staff for every 20 students added
 - No more than 10 existing BEST students currently drive to school
 - Family Learning Center (FLC) has 7 certified staff on-site, and approximately 5 contract staff on-site at any one time
 - FLC operations are expected to remain constant in the future (equal to existing)
-

The above information enabled TENW to provide a breakdown of the existing parking demand on-site. Accounting for all parking on-site (main parking lot on 53rd, service lot on 53rd, and the lot on 108th Ave NE), TENW observed a weekday mid-day average peak demand of 64 vehicles parked on-site (January 2012). This resulted in a surplus of 53 parking stalls under existing conditions (117 total stalls less 64 vehicles = 53). Note this estimate does not include the 5 ADA stalls on-site.

With Northstar added to the campus, 32 parking stalls will be removed and a demand of 5 vehicles will be added (5 new staff members), resulting in a surplus of 16 parking stalls (85 total stalls less 69 vehicles = 16).

To address a potential future scenario if BEST HS increases enrollment, TENW factored the parking demand estimated for BEST staff and BEST students. BEST student parking was factored by the ratio of future enrollment to existing enrollment, while staff parking was added at a rate of 1 new staff member (1 new vehicle) for every 20 students added. TENW increased BEST enrollment until the surplus parking stalls were reduced to zero (i.e. the parking lots were fully occupied). Based on this methodology, BEST enrollment can increase from the existing enrollment of 83 students to a possible future enrollment of **178 students**.

The updated parking demand estimates are summarized in **Table 1**. A more detailed summary is provided in **Attachment C**.

Table 1
Parking Supply & Demand Summary

BEST/FLC/Northstar Site	Existing	Proposed Northstar	With Project = Existing + Northstar	With Northstar & BEST at Enrollment of 178
Parking Stall Supply	117	-32	85	85
Total Midday Site Parking Demand	64	5	69	85
BEST Teachers/Staff	16	0	16	21
BEST Students	10	0	10	21
FLC Teachers/Staff	12	0	12	12
FLC Parents	26	0	26	26
Northstar	0	5	5	5
Surplus Parking Stalls (Supply – Demand)	53		16	0

108th Ave NE/NE 53rd St Traffic Operations

Our traffic operations assessment at 108th Ave NE/NE 53rd St for the scenario with Northstar was included in our original January 2012 Traffic Impact Study. For this addendum we provided a potential scenario that assumes BEST High School increases over time from an existing enrollment of 83 students to a future enrollment of 178 students (per parking threshold as determined in the previous section). Additional discussion is also provided regarding mitigation requirements.

To assess operations for this scenario, we conservatively factored all traffic entering and exiting the main parking lot on NE 53rd St by the ratio of 178 students / 83 students = 2.14. This methodology is conservative since some of the traffic at the main parking lot is likely associated with the Family Learning Center, whose operations are expected to remain at existing levels. Factoring results in 51 additional inbound trips and 27 additional outbound trips during the AM peak hour at 108th Ave NE/NE 53rd Street. These trips were added to the year 2012 with Northstar traffic volumes as presented in our January 2012 Traffic Impact Study.

The results of the potential scenario with BEST HS at 178 students (including Northstar) are shown in **Table 2**. The results of the 2012 No Action and 2012 With Northstar from the January 2012 Traffic Impact Study are shown for comparison purposes. The LOS calculation sheet is included in **Attachment D**.

Table 2
108th Ave NE/NE 53rd St Intersection
AM Peak Hour LOS and Queue Summary

Controlled Movement	2012 No Action (Jan 2012 TIA)			2012 With Northstar (Jan 2012 TIA)			2012 With Northstar + BEST at enrollment of 178		
	LOS ¹	Delay ²	Queue ³	LOS ¹	Delay ²	Queue ³	LOS ¹	Delay ²	Queue ³
Westbound LT	F	98.1	125 ft	F	>100	225 ft	F	>100	350 ft
Westbound RT	B	11.3	25 ft	B	11.7	25 ft	B	12.2	25 ft
Southbound LT	A	8.3	<25 ft	A	8.5	<25 ft	A	8.7	25 ft

¹ LOS = Level of Service.

² Delay refers to average control delay for each stop-controlled movement.

³ Queues are 95th Percentile queues rounded to the nearest 25 feet. Assumes 1 vehicle = 25 foot queue.

As documented in the January 2012 Traffic Impact Study and confirmed in the City of Kirkland's Traffic Impact Analysis review memo dated March 8, 2012, the intersection of 108th Ave NE/NE 53rd Street does not meet the City of Kirkland's threshold requirements for off-site traffic mitigation (less than 5% proportional share).

Additional comments with regard to Northstar project impacts are provided below:

- Up to 45-50% of Northstar students are expected to arrive to school via Metro buses.
- As noted in our January 2012 traffic impact study, the operations analysis estimates the delays and queues experienced during the worst 15-minute period during the AM peak hour. **It is important to note that this level of congestion is limited to only a 15-minute time period before school begins. This relatively short period of longer delays is common at and around most schools, especially during the AM peak hour.**
- The City's requirements for when mitigation is required consider not only peak hour impacts and LOS, but also duration of impacts. Traffic added to this intersection by Northstar is concentrated into a relatively short period of time. While operations during the peak 15 minutes are expected to be congested, one must also consider relative impacts of a project over an entire day, which for a school like Northstar, are materially insignificant and very minor.
- The intersection has no documented safety deficiencies based on collision history. As documented in our January 2012 Traffic Impact Study, there was only 1 reported collision (in 2009) over the most recent 3 year period with available data.
- Traffic congestion at this intersection is not solely due to BEST/Northstar. The poor LOS is an existing condition, and there are other traffic contributors (Kirkland Children's School, 7th Day Adventist School, Northwest University).
- It is not uncommon for left turns from a minor street to experience delays during peak periods. Turning left at any stop-controlled intersection along 108th Ave NE is and will continue to be a challenge during the AM peak period. Mitigation options are limited in these situations. The intersection 108th Ave NE/NE 53rd Street does not currently meet signal warrant criteria; therefore, providing a signal would not be justified based on engineering standards.

Transit Stops/Pedestrian Safety on 108th Ave NE

The Houghton Community Council and residents have raised concerns about drivers passing around the METRO buses as they stop to pickup and drop off riders on 108th Ave NE in the vicinity of NE 53rd Street.

Northbound Transit Stop

It has been observed that some drivers heading northbound on 108th Avenue NE are driving in the opposing southbound left-turn lane to pass around METRO buses that stop north of NE 53rd Street. One option that has been suggested is to relocate the bus stop to a new location south of NE 53rd Street. Another option suggested by the City of Kirkland is to install c-curb to discourage this behavior.

Drivers passing buses in the northbound direction do not appear to have a direct impact on pedestrian safety, particularly for students at Northstar. A crosswalk on NE 53rd St at 108th Ave NE provides a safe crossing from the bus stop to the school grounds. Relocating the bus stop south of NE 53rd Street does not appear necessary given the reasonable alternative outlined by the City of Kirkland of installing c-curb. TENW believes the City's plan to install the c-curb (if the bus stop is not able to be relocated) is appropriate. No action is proposed by LWSD at this location.

Southbound Transit Stop

In the southbound direction, METRO buses stop just north of the crosswalk that is located south of NE 53rd Street. TENW and others have observed drivers squeezing between the stopped bus and the crosswalk island to pass around the bus, which presents a conflict with pedestrians crossing from west to east (in front of the bus). Several options to alleviate this potential safety hazard have been discussed with the City of Kirkland and were presented in the City's Traffic Impact Analysis review memo dated 3/8/12. These options included:

1. Increased police enforcement (police already notified per City of Kirkland staff)
2. Relocate the southbound bus stop south of NE 53rd Street away from the crosswalk.
3. Install a rectangular rapid flashing beacon system (RRFB) to alert drivers of pedestrians crossing
4. Install a No Passing sign at the crosswalk.

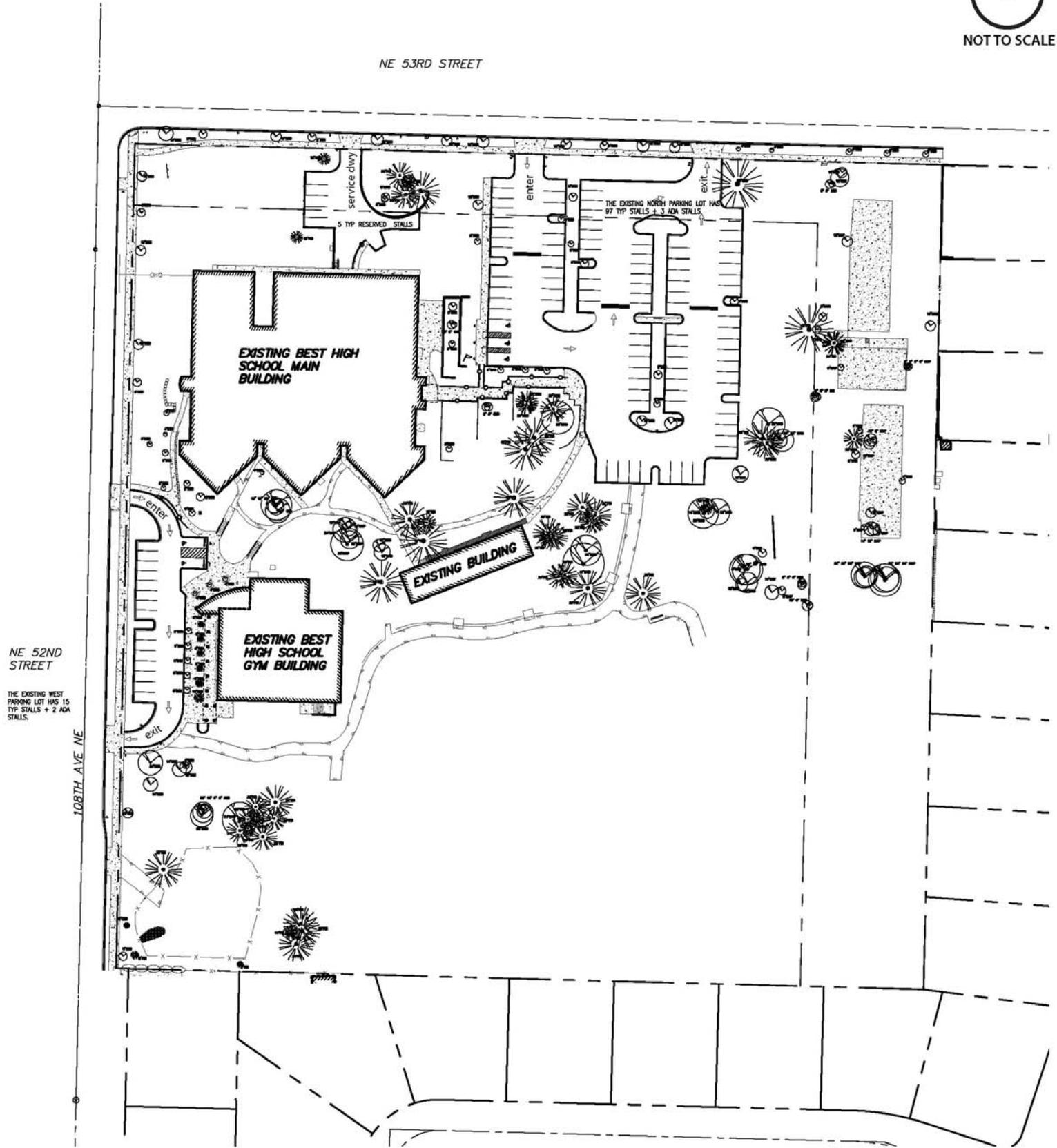
It should be noted that although LWSD will provide future Northstar students with METRO bus passes, the issues surrounding safety at the bus stops on 108th are not a project impact, and are also not solely related to existing BEST HS students. The stops are regularly used by the other schools in the neighborhood as well as local residents. Regardless of the relatively insignificant relationship of the Northstar relocation project to this particular issue, LWSD has agreed to voluntarily provide funding for an improvement at this bus stop location that will not only benefit LWSD students, but will also provide a significant benefit to the entire neighborhood. The most likely option being considered for LWSD funding is Option 3 (RRFB system), which we understand is supported and endorsed by City of Kirkland staff. The final decision will be made after further discussions with the City of Kirkland, Houghton Community Council, and LWSD.

cc: Forrest Miller, LWSD
David Zeitlin, LWSD

Attachment

ATTACHMENT A

Existing Site Plan

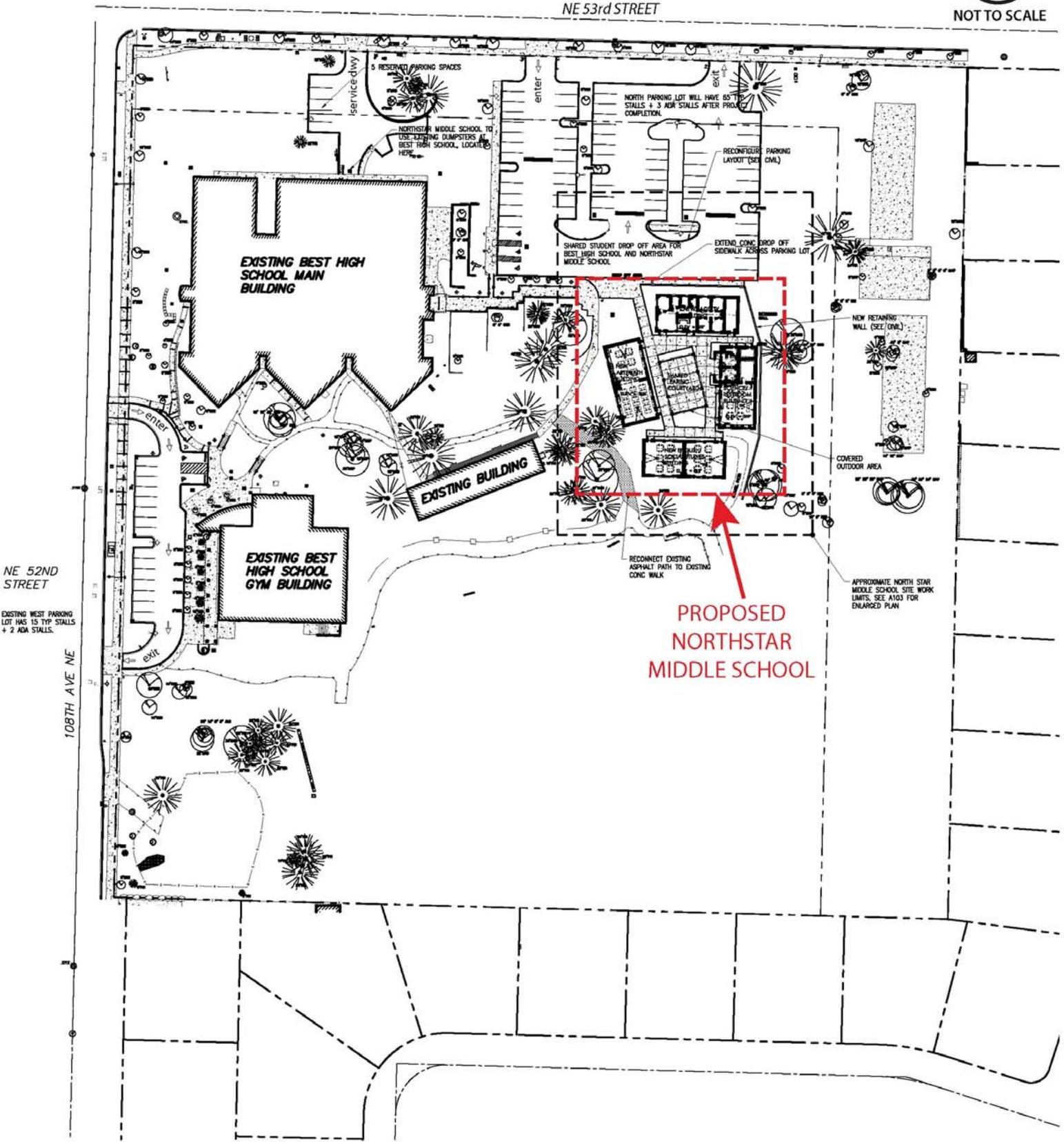


Attachment A: Existing Site Plan

4/4/12

ATTACHMENT B

Proposed Site Plan



Preliminary site plan provided by Studio Meng Strazzara on January 18, 2012.

Attachment B: Preliminary Site Plan

4/4/12



ATTACHMENT C

Parking Supply/Demand Analysis

ESTIMATED FUTURE MIDDAY PEAK PARKING DEMAND - TOTAL SITE

BEST/FLC/Northstar Site	EXISTING	PROPOSED NORTHSTAR	WITH PROJECT = EXISTING + NORTHSTAR
Parking Stall Supply¹	117	-32	85
Total Midday Site Parking Demand²	64	5	69
BEST HS Teachers/Staff	16	0	16
BEST HS Students	10	0	10
FLC Teachers/Staff (certs)	7	0	7
FLC Teachers/Staff (contract)	5	0	5
FLC Parents	26	0	26
Northstar	0	5	5
Surplus Parking Stalls (Supply - Demand)	53		16

WITH PROJECT WITH BEST AT 178 STUDENTS
85
85
21
21
7
5
26
5
0

Notes:

Northstar removes 32 stalls per the current site plan from LWSD

64 parked vehicles based on observations in Jan 2012, future is the sum of the forecasts for each type below

per LWSD, 16 teachers/staff at BEST existing, future staff added at a rate of 1 staff for every 20 new students added

per LWSD, 10 current students drive, estimated future student drivers derived per enrollment factor below

per LWSD, assumes all 7 existing certified staff on-site. No change to FLC in future per LWSD.

Assumes half of the contract staff there at one time (5 existing). No change to FLC in future per LWSD.

existing FLC parents assumed to be the remainder of parked vehicles. No change to FLC in future per LWSD.

5 staff require parking for Northstar per LWSD

1. Parking stall supply does not include 5 ADA stalls on the site. 117 = 97 in main lot + 15 in 108th lot + 5 in service lot

2. The BEST HS existing demand is the 2-day average maximum midday demand observed on Thursday, 1/5/12 and Tuesday, 1/10/12.

BEST HS students parking in future is based on existing demand times enrollment factor derived below:

	Current Enrollment	Future Enrollment	Enrollment Adjustment Factor
BEST HS	83	178	2.14

178 students at BEST results in full occupancy of on-site parking

ATTACHMENT D

108th/53rd LOS/Queue Worksheet
2012 with Northstar + BEST at 178 Students

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	TENW			Intersection	108th Ave NE/NE 53rd St			
Agency/Co.				Jurisdiction				
Date Performed	4/4/12			Analysis Year	2012 With Proj AM BEST			
Analysis Time Period	AM Peak Hour				178			
Project Description Northstar Junior High/Middle School								
East/West Street: NE 53rd Street				North/South Street: 108th Ave NE				
Intersection Orientation: North-South				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume	0	235	77	161	684	0		
Peak-Hour Factor, PHF	1.00	0.84	0.84	0.72	0.72	1.00		
Hourly Flow Rate, HFR	0	279	91	223	949	0		
Percent Heavy Vehicles	0	--	--	2	--	--		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	1	1	0		
Configuration			TR	L	T			
Upstream Signal		0			0			
Minor Street	Westbound			Eastbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume	93	0	134	0	0	0		
Peak-Hour Factor, PHF	0.60	1.00	0.60	1.00	1.00	1.00		
Hourly Flow Rate, HFR	154	0	223	0	0	0		
Percent Heavy Vehicles	1	0	1	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	1	0	1	0	0	0		
Configuration	L		R					
Delay, Queue Length, and Level of Service								
Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (vph)		223	154		223			
C (m) (vph)		1189	80		719			
v/c		0.19	1.92		0.31			
95% queue length		0.69	13.52		1.32			
Control Delay		8.7	545.0		12.2			
LOS		A	F		B			
Approach Delay	--	--	229.9					
Approach LOS	--	--	F					

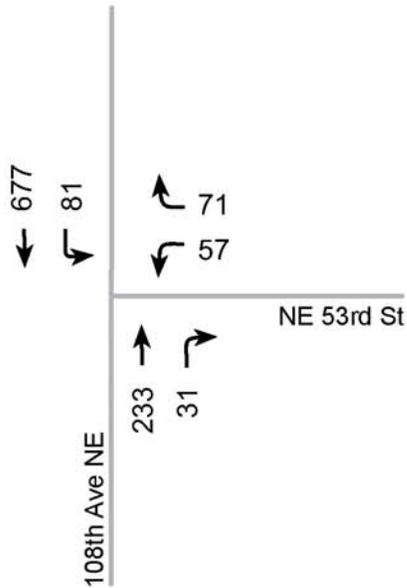
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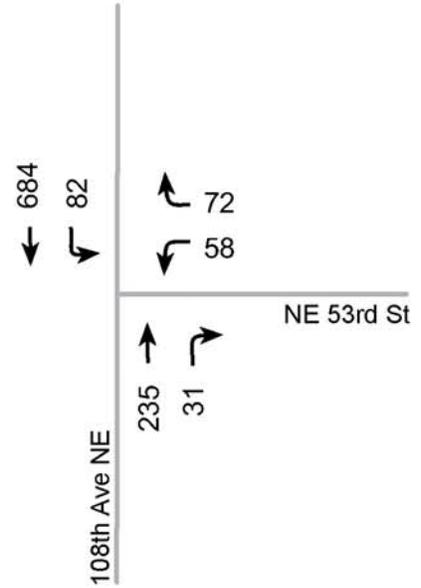
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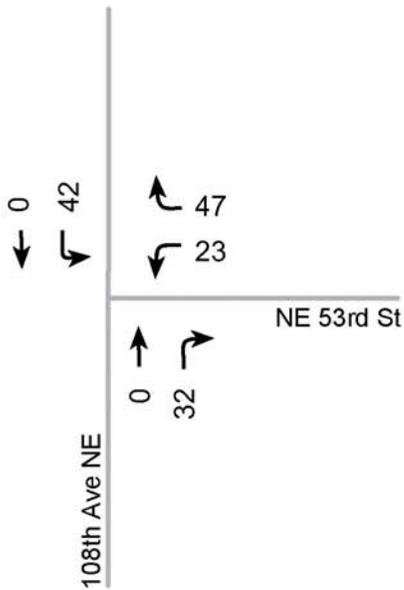
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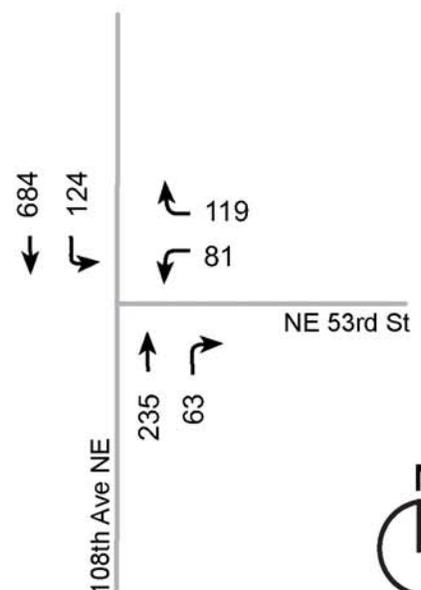
2011 Existing AM Peak



2012 AM Peak Without Project



AM Project Trip Assignment

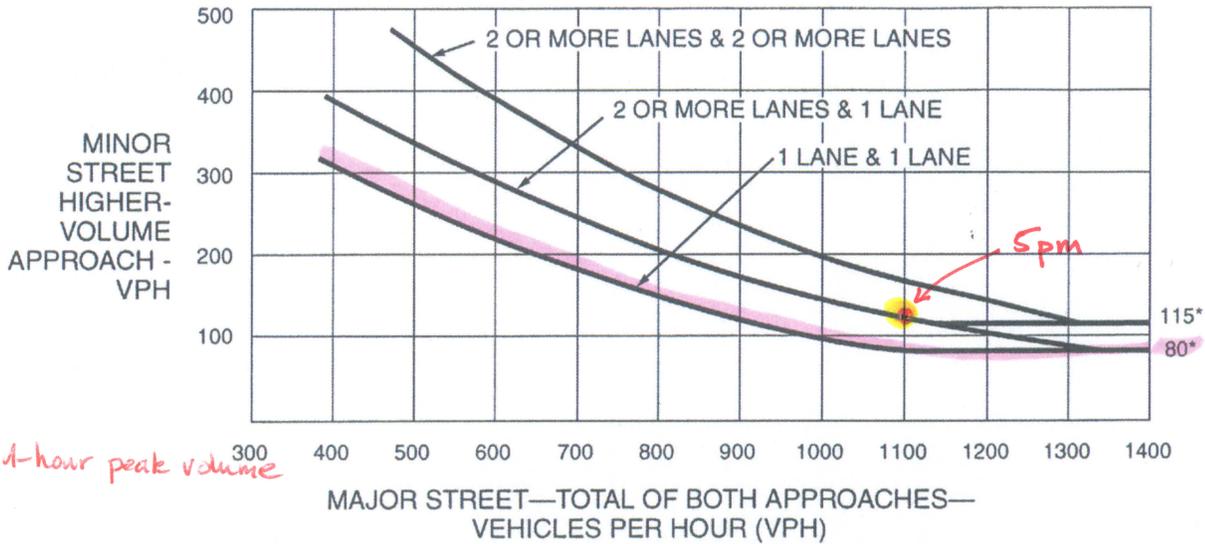


2012 AM Peak With Project



108th Avenue NE / NE 53rd Street: AM Peak Hour Traffic Volumes

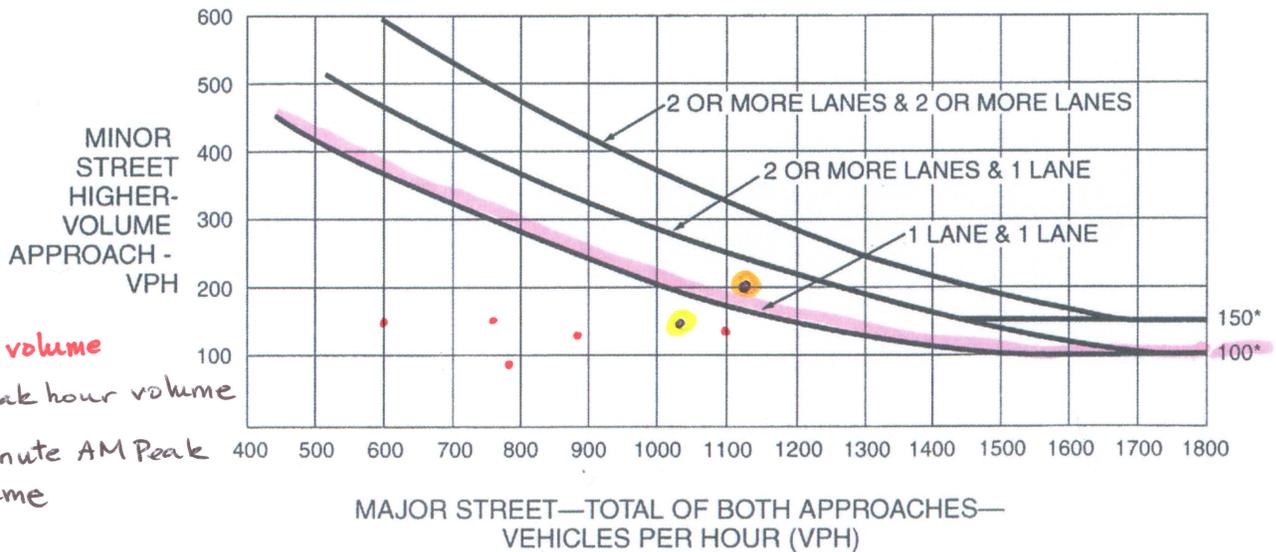
Figure 4C-1. Warrant 2, Four-Hour Vehicular Volume



• 2011 4-hour peak volume

*Note: 115 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 80 vph applies as the lower threshold volume for a minor-street approach with one lane.

Figure 4C-3. Warrant 3, Peak Hour



• 2011 hourly volume

• 2012 AM Peak hour volume

• 2012 15 minute AM Peak Volume

*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

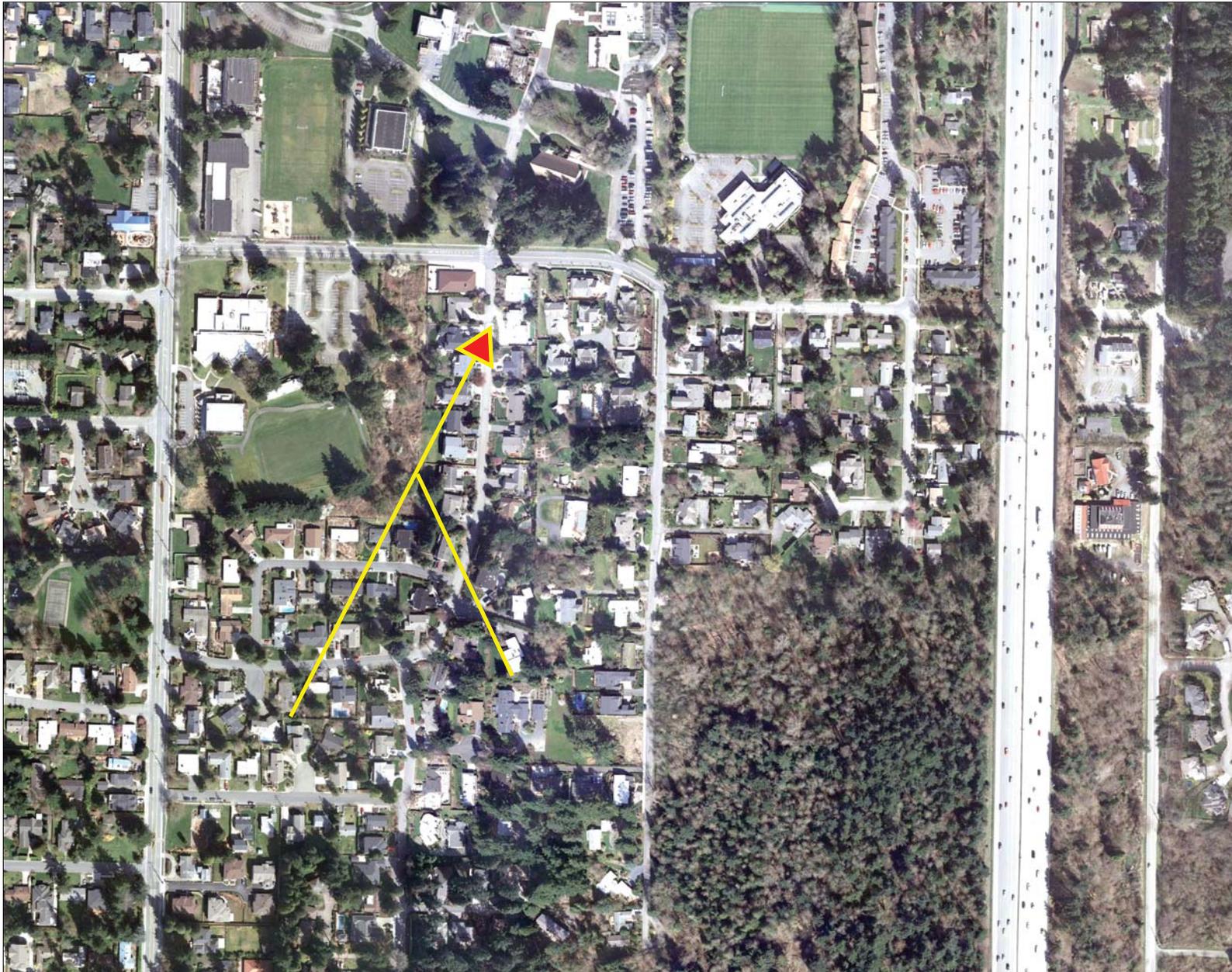
Warrant 1- Eight Hour Warrants

Requires When combination of Volumes exceed threshold for

	2011			
	Sum Major Street	WB	Warrant 1 A	Warrant 1 B
12:00 AM	37	8	no	no
1:00 AM	13	5	no	no
2:00 AM	7	2	no	no
3:00 AM	4	2	no	no
4:00 AM	11	5	no	no
5:00 AM	64	13	no	no
6:00 AM	216	32	no	no
7:00 AM	641	74	no	no
8:00 AM	757	151	no	yes
9:00 AM	612	74	no	no
10:00 AM	447	66	no	no
11:00 AM	527	87	no	no
12:00 PM	601	152	no	no
1:00 PM	530	118	no	no
2:00 PM	534	89	no	no
3:00 PM	595	162	no	no
4:00 PM	884	125	no	yes
5:00 PM	1102	121	no	yes
6:00 PM	772	91	no	yes
7:00 PM	384	55	no	no
8:00 PM	280	93	no	no
9:00 PM	214	36	no	no
10:00 PM	114	20	no	no
11:00 PM	70	11	no	no

A. Major >500vph Minor > 200 vph**B. Major >750 vph and minor > 100 vph**





Legend

z_Image09

- Red: Band_1
- Green: Band_2
- Blue: Band_3

1: 4,678



0.1 0 0.07 0.15 Miles

NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet
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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

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Notes

Enter Map Description

Exhibit 4: April 9, 2012 Memorandum from Houghton Community Council is included as Enclosure 2 to Council packet for 5/15/2012 Council meeting and is titled: HCC Recommendation to the HE.

LAW OFFICES

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April 24, 2012

City of Kirkland
 Planning and Community
 Development Department
 Attn: Ms. Angela Ruggeri
 123 Fifth Avenue
 Kirkland, WA 98033



**Re: City of Kirkland Hearing Examiner Findings, Conclusions,
 and Recommendation
 Challenge to Certain Conditions – File No. ZON12-00006**

Dear Ms. Ruggeri:

Our office is general counsel to Lake Washington School District (“District”) and on its behalf we are submitting this challenge to the Hearing Examiner’s written recommendations on File No. ZON12-00006, Northstar Middle School Relocation to BEST High School Campus. We are also sending a copy of the challenge to all other people who submitted comments or testimony to the Hearing Examiner, together with notice of the deadline and procedures for responding to the challenge, which response must be delivered to the Planning Department within seven (7) calendar days after the challenge was filed with the Planning department.

First, the District accepted and did not challenge the Findings, Conclusions, and Recommendations of the Planning Department issued to the Houghton Community Council (“HCC”) and the Kirkland Hearing Examiner dated March 16, 2012. A full public hearing was held on March 26, 2012 before the HCC and the Hearing Examiner. At the conclusion of the hearing, the record was held open to receive additional information from City staff regarding traffic impact and the final deliberation of HCC was held on Monday, April 9, 2012. The Community Council recommended approval with additional conditions to the Hearing Examiner.

The District only challenges the following two recommendations from the Hearing Examiner’s Recommendation (15 pages) dated April 17, 2012:

1. Traffic Impacts. The Hearing Examiner has concluded that existing traffic conditions near the site are caused by existing uses. The Traffic Impact Analysis and record show the

proposed project would not create significant additional traffic impacts that require specific off-site traffic mitigation as the impact is less than five percent. Conclusion 1 on page 8 of 15. Notwithstanding that, in good faith and as an accommodation to the neighborhood, the District agreed to contribute up to \$35,000 to assist in a plan between the City, METRO, the District, and other stakeholders to address pedestrian safety and traffic issues on 108th Avenue NE. That is the maximum the District agreed to contribute. Therefore, the District disagrees and challenges Conclusion No. 3 that "Road impact fees shall be required." Impact fees, if any, should be included in the contribution up to \$35,000 of the District.

2. Parking. The District funded a parking demand study which was done as part of the Traffic Impact Analysis Review. The City's Transportation Engineer reviewed the parking demand study and a Technical Memorandum from the District's traffic engineer and recommended that a condition be added to BEST High School to cap enrollment at 178 students, and to cap Northstar at 90 students. The District has no quarrel with capping the enrollment for either school. However, the Community Council recommended that since the parking study is based on a current maximum of 21 BEST students driving to school, there should be a limit of 21 students who can drive to school in the future. The Hearing Examiner's recommendation states in Conclusion No. 2 (page 9 of 15) that "The Community Council requested a limit on the number of BEST students driving, but it is not clear how the School or the City could enforce a limit." The District has no objection to the required number of parking stalls for the school site. The District must, however, object to a limit on the number of students who might drive and use the available on-site parking for the following reasons:

A. BEST High School is an alternative high school that serves students from throughout the District. There are currently 83 students at BEST. For many of the students, BEST High School offers their last available opportunity to obtain a high school education. The District, as well as the state of Washington, is under a federal mandate to improve graduation rates and to reduce the dropout rates for students.¹ Students who have been suspended, have attendance issues due to dysfunctional families, pregnancy, drugs and alcohol, and other situations experience instructional disruption and have serious difficulties returning to an educational setting and are more likely to drop out of high school.² BEST High School serves those students.

B. It is highly important for these students, as well as the community, to do all they can to support and encourage students to continue their education at BEST High School and to graduate. The future prospects for high school dropouts are dismal and students who drop out

¹ Washington State Office of the Education Ombudsman, Office of the State Superintendent of Schools, 2011.

² Suhyun Suh, Jingyo Suh, and Irene Houston, *Predictors of Categorical At-Risk High School Dropouts*, 85 JOURNAL OF COUNSELING AND DEVELOPMENT 196, 196-203 (Spring 2007).

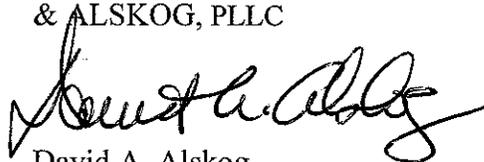
Page 3

are three and one-half times more likely to be arrested than high school graduates.³ Eighty-two percent of the adult prison population is composed of dropouts and eighty-five percent of the juvenile justice cases.⁴ The relationship between educational attainment and nearly every facet of adult productivity is very strong and very well documented.⁵

The District challenges any condition placed on BEST High School that is not based on the number of parking stalls but on who is the driver and using the on-site parking. To limit the on-site parking to a maximum of 21 BEST High School students does not serve the community and does not help promote a successful graduation, rather than a higher dropout rate for BEST High School students. If there are available parking spots on site (due to less staff or teachers that are driving), why shouldn't those additional on-site parking spots be used by BEST students, especially if the use also promotes the health and safety of our community.

Very truly yours,

LIVENGOOD, FITZGERALD
& ALSKOG, PLLC



David A. Alskog

DAA/maf

cc: Client
Nancy Cox, Development Review Manager
Rob Jammerman, Development Engineering Manager, Public Works
Iris Cabrera, Transportation Engineer, Public Works
Lisa McConnell
Molly Working
Erika Somm

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³ COALITION FOR JUVENILE JUSTICE, ABANDONED IN THE BACK ROW: NEW LESSONS IN EDUCATION AND DELINQUENCY PREVENTION 2 (2001).

⁴ Christine Christle, Kristine Jolivet, & Michael Nelson, *Breaking the School to Prison Pipeline: Identifying School Risk and Protective Factors for Youth Delinquency* 13(2) EXCEPTIONALITY 69, 70 (2005).

⁵ BRETT BROWN, KRISTIN MOORE, & SHARON BZOSTEK, CHILD TRENDS, A PORTRAIT OF WELL BEING IN EARLY ADULTHOOD: A REPORT TO THE WILLIAM AND FLORA HEWLETT FOUNDATION 4 (2003) available at <http://www.hewlett.org/NR/rdonlyres/B0DB0AF1-02A4-455A-849A-AD582B767AF3/0/FINALCOMPLETEPDF.pdf>

RESOLUTION R-4922

A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS IIB PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON12-00006 BY THE LAKE WASHINGTON SCHOOL DISTRICT BEING WITHIN A SINGLE-FAMILY RESIDENTIAL (RS) 8.5 ZONE, AND SETTING FORTH CONDITIONS OF APPROVAL.

WHEREAS, the Department of Planning and Community Development received an application for a Process IIB permit, filed by Lake Washington School District, the owner of the property described in the application, and located within a Single-Family Residential (RS) 8.5 zone; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, Kirkland Municipal Code Title 25, a concurrency application was submitted to the City of Kirkland, reviewed by the responsible Public Works official, the concurrency test has been passed, and a concurrency test notice issued; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), RCW Chapter 43.21C, and the Washington Administrative Code and local ordinance adopted to implement it, the Lake Washington School District, as SEPA Lead Agency, performed SEPA review for the application; and

WHEREAS, the environmental checklist and threshold determination have been available and accompanied the application through the entire review process; and

WHEREAS, the application was submitted to the Hearing Examiner who held a hearing at a special meeting on March 26, 2012; and

WHEREAS, after the public hearing and consideration of the recommendations of the Department of Planning and Community Development, the Hearing Examiner adopted Findings, Conclusions, and Recommendations and recommended approval of the Process IIB permit subject to the specific conditions set forth in said Hearing Examiner's recommendation; and

WHEREAS, the City Council, in open meeting, considered the environmental documents received from the responsible official, together with the recommendation of the Hearing Examiner;

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

Section 1. The Findings, Conclusions, and Recommendation of the Hearing Examiner as signed by the Hearing Examiner and filed in the Department of Planning and Community Development File No. ZON12-00006 are adopted by the Kirkland City Council as

though fully set forth in this resolution, [except that the Hearing Examiner's recommended condition No. 7 is amended to limit the School District's contribution, in addition to impact fees, to a maximum of \$31,213.]

Section 2. The Process IIB permit shall be issued to the applicant subject to the conditions set forth in the recommendations [as amended and] adopted by the City Council.

Section 3. Nothing in this resolution shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinance, or regulations applicable to this project, other than as expressly set forth.

Section 4. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Process IIB permit is subject shall be grounds for revocation in accordance with Ordinance 3719, as amended, the Kirkland Zoning Ordinance.

Section 5. Notwithstanding any recommendation previously given by the Houghton Community Council, the subject matter of this resolution and the permit being granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council and shall become effective within the Houghton Municipal Corporation upon either the approval or the failure of the Houghton Community Council to disapprove this resolution within sixty days of the date of the passage of this resolution.

Section 6. A complete copy of this resolution, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk and forwarded to the King County Department of Assessments.

Section 7. A copy of this resolution, together with the adopted Findings, Conclusions, and Recommendations shall be attached to and become a part of the Process IIB permit or evidence thereof delivered to the permittee.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2012.

Signed in authentication thereof this ____ day of _____, 2012.

MAYOR

Attest:

City Clerk

**CITY OF KIRKLAND**

Department of Parks & Community Services

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

www.kirklandwa.gov**MEMORANDUM**

To: Kurt Triplett, City Manager

From: Jennifer Schroder, Director, Parks and Community Services

Date: May 3, 2012

Subject: Six-month funding for Green Kirkland Partnership Program

RECOMMENDATION:

To authorize the repurposing of \$43,298 from unallocated Real Estate Excise Tax 1 (REET) to fund the Green Kirkland Partnership Program for the second half of 2012 (July–December). The funding is needed to cover the salary and benefits of the Environmental Education and Outreach Specialist (EEOS) and the on-call clerical support.

BACKGROUND DISCUSSION:

The staff support for the Green Kirkland Partnership program has been funded primarily from the Parks Capital Improvement Program (CIP) and by grants from the King Conservation District (KCD). In 2011, staff applied for a \$59,561 grant from KCD to fund half of the EEOS and 1,000 hours for on-call clerical assistance for 2012. KCD was unable to fund the full 12 months requested and instructed Kirkland to submit a grant request for \$35,600 to cover the first six months of 2012 and to re-apply in 2012 for the remaining six months.

In recent weeks, KCD announced a suspension of this year's grant program due to a court decision issued on February 16, 2012. The Washington State Supreme Court ruled 9-0 on the case of Cary v. Mason County that the Mason County Ordinance imposing a special assessment of \$5.00 per parcel plus zero cents per acre was invalid because it failed to meet the statutory requirement (RCW 89.08.400(3)) which requires counties to classify lands into suitable classifications according to benefits conferred.

Because KCD receives funding through a King County Ordinance that contains a classification of lands similar to that included in the Mason County Ordinance, KCD believes the assessment will likely be declared to be invalid on similar grounds. Therefore, KCD does not anticipate that there will be 2012 assessment funding available for District operations or District grants. A letter from the KCD explaining that there will be no authorized grants for 2012 is included as Attachment A.

The KCD (along with other Conservation Districts around the state) secured new state legislation regarding district funding that addresses the court case this year. Unfortunately revenues from the new legislation will not be available until 2013 at the earliest.

Also attached is a 2012 Service Package Request (Attachment B) that details the position costs and a fiscal note to support this request. Note that the Personnel Recap shows an assumed 10% increase in the EEOS position salary. A reclass for this position has been initiated with the Human Resources department and it is anticipated that the process will be completed in the next month. As the program has grown since 2005, so has the level of responsibility required of this position which has led to the need for a reclassification.

FUNDS TO SUPPORT THIS REQUEST:

Real Estate Excise Tax - Part of the mid-biennium budget update process included the opportunity to request \$100k in unallocated REET funds to restore service level reductions. Parks submitted a request for \$54,853 to fund staff support to open restroom facilities in neighborhood parks, landscape maintenance in parks and at the Cemetery as well as maintenance of benches, tables, gates and other park amenities. Based on the amount that was allocated from the \$100k of available REET, there is a fund balance of \$45,147. A fiscal note is included as Attachment C.

The intent is that this supplemental funding is only a one-time request. In addition to the potential new KCD funding, ongoing funding for the Green Kirkland program is also included in the potential parks maintenance ballot measure. So if the Council chooses to place the measure on the ballot and it is approved by voters, the program will be fully funded starting in 2013. If that does not happen, future funding of the Green Kirkland program will be evaluated during the 2013-2014 budget process.

- Att. A. KCD Letter of Funding Impacts
 B. Service Package
 C. Fiscal Note



King Conservation District

1107 SW Grady Way Suite 130 • Renton, WA 98057 • Phone (425) 282-1900 • Fax (425) 282-1898 • www.kingcd.org

March 20, 2012

Hello King Conservation District Partners, Cooperators and Friends,

I am writing to you today to let you know about some significant recent events that will impact the King Conservation District's services and grant programs in 2012. The long awaited Washington State Supreme Court ruling in the Cary v. Mason County case was issued on February 16, 2012. The Court ruled 9-0 that the Mason County Ordinance imposing a special assessment of \$5.00 per parcel plus zero cents per acre was invalid because it failed to meet the statutory requirement (RCW 89.08.400(3)) which requires counties to classify lands into suitable classifications according to benefits conferred. The Court ruled that a classification with a per acre rate of zero cents is not a suitable classification for lands that benefit from a district's activities.

Impact of the Ruling

Because King CD receives funding through a King County Ordinance that contains a classification of lands similar to that included in the Mason County Ordinance, our assessment will likely be declared to be invalid on similar grounds. As you may know, King CD has funded its grant programs as well as its core operations with assessment funds. As it stands right now, ***King CD does not anticipate that there will be 2012 assessment funding available for District operations or District grants.***

2013 and Beyond

In order to address previous legal challenges and arguments made by other property owners relating to the imposition of special assessments, a coalition of Conservation Districts, including King CD, Pierce CD and Spokane CD worked with legislators to introduce a bill (HB2567) to the state legislature which provides for a system of rates and charges as an alternative to the special assessment system. This bill has passed through the 2012 legislature and will be signed by the Governor today. The bill will provide an alternative option for the future. However, ***it cannot be implemented until 2013*** because of the clearly defined statutory process for adopting a new rates and charges system.

The Near Future

When conservation funding was more plentiful five to six years ago, the King CD Board prudently began building a reserve fund to temporarily cover its operations and core programs and thus be able to support its partners should a funding emergency occur. Unfortunately, the funding challenges that plagued conservation programs from 2006 forward prevented the District from growing its reserve to the level initially intended.

The District is currently moving forward on several fronts to ascertain what unanticipated expenses are, and will be incurred, in 2012 in order to cope with the new situation. ***Additionally, the District is working on an analysis of what cuts can be made to operations, programs and grants for 2012 and the first half of 2013 when new revenue will be available.*** King Conservation District will be consulting with King County, its jurisdictional partners, the watershed forums and partner NGOs, both directly and through its Advisory Committee, to mitigate disruption to the District's operations and grant programs until a new funding system can be developed and implemented. We ask for your understanding, support and assistance as we work together to find solutions to this challenge.

Bill Knutsen,

A handwritten signature in blue ink that reads "Bill Knutsen". The signature is written in a cursive, flowing style.

Chair, King Conservation District

CITY OF KIRKLAND 2012 SERVICE PACKAGE REQUEST

TITLE	Forest/Habitat Restoration	3	
DEPARTMENT	DIVISION	FUND	
PCS	Administration	General Fund	
CITY PHILOSOPHIES			
Environmental Stewardship, Investment in Infrastructure, Community Involvement			
DESCRIPTION AND JUSTIFICATION			
Continue 2012 level of service, expand adding one restoration site per year, recruit and train one volunteer steward per year. Highlights of program to-date: six restoration sites, 38 acres in restoration, 16 volunteer stewards, 8,000 volunteer hours per year and 87 volunteer restoration events.			
Is this Service Package tied to a CIP Project? <input type="checkbox"/> No <input type="checkbox"/> Yes CIP # _____			
NUMBER OF FTE's REQUESTED	1.00		
COST SUMMARY	2012		Total
	Ongoing	One-Time	
Personnel Services	\$ 133,908	\$ -	\$ 133,908
Supplies & Services	\$ -	\$ -	\$ -
Capital Outlay	\$ -	\$ -	\$ -
Total Service Package Cost	\$ 133,908	\$ -	\$ 133,908
Expenditure Savings	\$ -	\$ -	\$ -
Offsetting Revenue	\$ 90,611	\$ -	\$ 90,611
Net Service Package Cost	\$ 43,298	\$ -	\$ 43,298

2012 SERVICE PACKAGE REQUEST

TITLE Forest/Habitat Restoration	3
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Description	Org Key	Object	2012				Total
			Ongoing	One-Time	Ongoing	One-Time	
PERSONNEL SERVICES							
Regular Salary (1.0FTE)	010 110 7910	5 10 01 00			\$ 78,349		\$ 78,349
Regular Benefits	010 110 7910	5 20 01 00			\$ 31,672		\$ 31,672
Hourly Wages (1,000 hrs)	010 110 7910	5 10 02 00			\$ 20,190		\$ 20,190
Hourly Benefits	010 110 7910	5 20 02 00			\$ 3,697		\$ 3,697
							\$ -
							\$ -
Total			\$ -	\$ -	\$ 133,908	\$ -	\$ 133,908

SUPPLIES & SERVICES							
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
Total			\$ -	\$ -	\$ -	\$ -	\$ -

CAPITAL OUTLAY							
							\$ -
							\$ -
Total			\$ -	\$ -	\$ -	\$ -	\$ -

CORRESPONDING EXPENDITURE SAVINGS (if applicable)							
							\$ -
							\$ -
							\$ -
							\$ -
Total			\$ -	\$ -	\$ -	\$ -	\$ -

CORRESPONDING OFFSETTING REVENUE (if applicable)							
Est CIP Funding .5FTE EEOS	310 000 0000				\$ 55,011		\$ 55,011
KCD Grant 2012	010 000 0000	3 37 08 05			\$ 35,600		\$ 35,600
Total			\$ -	\$ -	\$ 90,611	\$ -	\$ 90,611

NET SERVICE PACKAGE REQUEST	\$ -	\$ -	\$ 43,298	\$ -	\$ 43,298
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FISCAL NOTE

CITY OF KIRKLAND

Source of Request

Jennifer Schroder, Director Parks and Community Services

Description of Request

Request for \$43,298 from the Real Estate Excise Tax (REET 1) Reserve to provide one-time staffing support for the Green Kirkland Partnership (Green Kirkland) program due to the unavailability of planned grant funding.

Legality/City Policy Basis

Fiscal Impact

One-time use of \$43,298 of the REET 1 Reserve. This reserve is able to fully fund this request and falls within the REET flexibility program as set by Council.

Recommended Funding Source(s)

	Description	2012 Est End Balance	Prior Auth. 2011-12 Uses	Prior Auth. 2011-12 Additions	Amount This Request	Revised 2012 End Balance	2012 Target
<i>Reserve</i>	REET I Reserve	1,019,907	149,387	0	43,298	827,222	1,035,000
	2011-12 Prior Authorized Use of this reserve: \$94,534 in 2011 and \$54,853 in 2012 for Parks service level reduction restoration. There have been no authorized additions.						

Revenue/Exp Savings

Other Source

Other Information

Prepared By	Neil Kruse, Senior Financial Analyst	Date	May 3, 2012
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CITY OF KIRKLAND

Finance and Administration Department – City Clerk Division

123 Fifth Avenue, Kirkland, WA 98033 425.587.3100

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: May 7, 2012

Subject: Voting Delegates - Association of Washington Cities Annual Conference and Business Meeting
June 19-22, 2012
Hilton Vancouver Convention Center
Vancouver, WA

RECOMMENDATION

City Council designates three voting delegates to represent the City of Kirkland at the Association of Washington Cities (AWC) Annual Business Meeting.

POLICY IMPLICATIONS

The City of Kirkland is eligible to designate three voting delegates. The delegate or proxy must be present at the meeting to cast a vote. The recommended action is consistent with Council practice.

BACKGROUND DISCUSSION

The AWC annual business meeting will be held Thursday, June 21, 2012, 4:15 – 5:30 p.m., at the Hilton Vancouver Conference Center, in Vancouver, WA. Should the City Council wish to participate in the meeting, the voting delegates will need to be designated and their names must be filed with the AWC.



2012 Voting Delegates

City/Town of

Name:

Title:

Name:

Title:

Name:

Title:

Contact name:

Email:

Association of Washington Cities

1076 Franklin St. SE

Olympia, WA 98501

360-753-4137

<http://www.awcnet.org/>

awc@awcnet.org



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: Kari Page, Neighborhood Outreach Coordinator
Date: May 4, 2012
Subject: Upcoming City Council Meetings with the Moss Bay neighborhood

RECOMMENDATION:

City Council finalizes the agenda for the City Council Meeting in the Moss Bay neighborhood.

BACKGROUND:

The Council is scheduled to meet with Moss Bay neighborhood residents on Monday, May 21, 2012 6:45–8:45 p.m. at Heritage Hall, 203 Market Street.

Unless otherwise instructed by Council, staff will continue to format the meeting similar to the last City Council meeting with the Lakeview Neighborhood.

The agenda for the meeting is as follows:

- 6:45-7:00 p.m. Informal Casual Conversations
- 7:00-7:05 p.m. Welcome and Introduction—Mayor Joan McBride
- 7:05-7:10 p.m. Comments from the Moss Bay Neighborhood Chairs Don Winters and Mark Eliassen
- 7:10-7:30 p.m. Introductions from City Council Members
- 7:30-8:45 p.m. General Discussion and Questions from Audience
- 8:45 p.m. Social Time

The following topics were submitted to the Moss Bay Neighborhood Chairs for discussion at the meeting. These will be added to the list of questions submitted online by residents and answers will be distributed at the meeting and posted online.

- Explain regulations pertaining to open garages in the downtown. Port Smith resident is concerned about cars, gasoline smell, and noise if McCloud building is allowed to have an open garage.
- Invite representative from Touchstone to provide an update on Parkplace. Community would like to dispel rumors of businesses being forced to leave, learn what major leases have been signed, and what the timeline for construction will be.

- Report on whether the City Council has considered banning plastic shopping bags at local grocery stores. This seems appropriate since Kirkland is striving to be a "green" city.
- Explain what the City does to support and promote Kirkland businesses.
- Describe what the City does to make it a priority to contract with local businesses for products and services it needs.
- Provide an update on any changes in the works for BN zoning.
- Provide an update on Potala Village and share what the Council is doing to address the community concerns.

Attachment A outlines the remaining 2012 timeline for receiving the questions and answers in advance of the meetings and a map of the areas. Staff will collect and respond to questions until May 15th. Council will receive copies of the answers to be distributed on May 16th. If you have any suggestions or changes to this schedule, please contact Kari Page at (425) 587-3011.

2012

January							February							March						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4					1	2	3
8	9	10	11	12	13	14	5	6	7	8	9	10	11	4	5	6	7	8	9	10
15	16	17	18	19	20	21	12	13	14	15	16	17	18	11	12	13	14	15	16	17
22	23	24	25	26	27	28	19	20	21	22	23	24	25	18	19	20	21	22	23	24
29	30	31	26	27	28	29	25	26	27	28	29	30	31							

April							May							June							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
1	2	3	4	5	6	7				1	2	3	4	5					1	2	
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	
29	30	27	28	29	30	31	24	25	26	27	28	29	30								

July							August							September						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4							1
8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8
15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22
29	30	31	26	27	28	29	30	31	23	24	25	26	27	28	29	30				

October							November							December						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3							1
7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8
14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15
21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22
28	29	30	31	25	26	27	28	29	30	23	24	25	26	27	28	29	30	31		

Approved Spring 2012 and Proposed Fall 2012 City Council Meetings in the Neighborhoods	
	Moss Bay Neighborhood: Monday, May 21, 2012
	Everest Neighborhood: <i>Proposed</i> September 25, 2012 (not yet confirmed with Neighborhood)
	North Rose Hill Neighborhood: <i>Proposed</i> November 19, 2012 (not yet confirmed with Neighborhood)

Milestone	
	Residents receive mailing and submit questions
	Regular Council meeting to finalize agenda
	Directors answer questions from residents
	City Council receives questions and answers
	City Council meeting with the Neighborhood

