
CITY OF KIRKLAND

CITY COUNCIL



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

Vision Statement

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

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

AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chamber
Tuesday, May 20, 2014
6:00 p.m. – Study Session
7:30 p.m. – Regular Meeting

COUNCIL AGENDA materials are available on the City of Kirkland website www.kirklandwa.gov. 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.

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
 - a. Cross Kirkland Corridor Master Plan
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
 - a. National Public Works Week Proclamation
6. *COMMUNICATIONS*
 - a. *Announcements*
 - b. *Items from the Audience*
 - c. *Petitions*
7. *SPECIAL PRESENTATIONS*
 - a. Kirkland Youth Programs and Recognition:
 - (1) Kirkland Teen Union Building (KTUB) Report
 - (2) Kirkland Youth Council Reports

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.

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.

(3) Honoring the Kirkland Youth Council Graduating Class of 2014

(4) Eileen Trentman Memorial Scholarship Recipients

b. Kirkland 2035 Update #13

8. *CONSENT CALENDAR*

a. *Approval of Minutes:* May 6, 2014

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

c. *General Correspondence*

d. *Claims*

e. *Award of Bids*

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

(1) Totem Lake Culvert Replacement Project, Scarsella Brothers, Inc., Seattle, WA

(2) 2013 Crosswalk Initiative Project, Forma Construction, Seattle, WA

(3) Lee Johnson Field Lighting Project, Musco Lighting Systems, Muscatine, IA

g. *Approval of Agreements*

(1) Resolution R-5051, Intending to Participate as a Joint Agreement City Under the King County Community Development Block Grant (CDBG) Home Investment Partnership Program (Home) Consortium and Authorizing the City Manager to Sign the Appropriate Agreements.

h. *Other Items of Business*

(1) Ordinance O-4443 and its Summary, Granting Astound Broadband, LLC a Non-Exclusive Franchise for the Transmission of Telecommunications In, Through, Over and Under the Rights-Of-Way of the City of Kirkland.

(2) Resolution R-5052, Authorizing Investment of City of Kirkland Monies in the Local Government Investment Pool (LGIP) and Authorizing the Director of Finance and Administration to Contribute and Withdraw Monies To and From the LGIP.

(3) Resolution R-5053, Authorizing Application for Funding Assistance for Boating Facilities Program Project to the Washington State Recreation and Conservation Office as Provided in Chapter 79A.25 Revised Code of

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.

Washington and Washington Administrative Code Title 286, and Subsequent Legislative Action.

- (4) Resolution R-5054, Relinquishing Any Interest the City May Have, Except For a Utility Easement, In An Unopened Right-Of-Way as Described Herein and Requested By Property Owners Lane and Jill Savitch.
- (5) Resolution R-5055, Ratifying Amendments to the King County Countywide Planning Policies.
- (6) Resolution R-5056, Authorizing the City Manager to Allocate \$25,000 From the City Council Special Projects Reserve Fund to Provide Operational Support of Nourishing Networks Central.

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

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

- a. MRM Private Amendment Request, File No. ZON11-00006

11. NEW BUSINESS

- a. Approving Potential Acquisition of the Spirit of America 9/11 Memorial Statue
- b. Ordinance O-4444 and its Summary, Authorizing and Providing for the Acquisition of Interests in Land for the Purpose of the Billy Creek Ravine Stabilization Phase 2 Project Within the City of Kirkland, Providing for the Cost of Property Acquisition and Authorizing the Initiation of Appropriate Eminent Domain Proceeding in the Manner Provided for by Law.

12. REPORTS

a. City Council Reports

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

b. City Manager Reports

- (1) Calendar Update

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

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.

ITEMS FROM THE AUDIENCE
Unless it is 10:00 p.m. or later, speakers may continue to address the Council during an additional Items from the Audience period; provided, that the total amount of time allotted for the additional Items from the Audience period shall not exceed 15 minutes. A speaker who addressed the Council during the earlier Items from the Audience period may speak again, and on the same subject, however, speakers who have not yet addressed the Council will be given priority. All other limitations as to time, number of speakers, quasi-judicial matters, and public hearings discussed above shall apply.

**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: May 8, 2014

Subject: Cross Kirkland Corridor Master Plan Update

RECOMMENDATION:

It is recommended that the Council receives its final update on the Cross Kirkland Corridor (CKC) Master Plan. The purpose of this update is for Council to review a near final Master Plan in preparation for adoption of the Plan on June 17. Ideally, all changes or issues of concern to Council will be discussed at this study session.

BACKGROUND DISCUSSION:*General Background*

Council last received a CKC briefing during a regular session on April 15. Information was presented on a number of issues including how plan elements fit together, treatments for access from single family residences, economic development and priorities for implementation. Council's comments on these and other items are summarized in the following sections and were incorporated into the latest draft of the plan.

Because of its size, the latest version of the Master Plan is posted on line with a viewing program at www.kirklandwa.gov/CKCmasterplan.

This memo is structured in parallel with the draft plan; for each section of the plan, both items that are new and comments and questions for Council are identified.

Chapter 1 Introduction*What's new*

Section 1: Layout for forward is completed. It will feature Council and City Manager quotes supporting a central piece of text.

Section 2: Text is revised to better describe public process.

Comments/Questions

- If this approach is acceptable to Council, Staff will be contacting Councilmembers and the City Manager to get quotes to include in the Forward.

Chapter 2 Overall Corridor Considerations

What's new

Section 1: Paragraph added to explain that zone names are "handles" for the purposes of the plan and not meant to necessarily be used beyond the plan.

Section 2: At their meeting on April 15, Council directed staff to revise the section on single family residences. The current language allows single family access points but calls for them to be permitted. It also indicates that facilities for motorized vehicles crossing the CKC should be allowed only after careful vetting and sets the stage for Council to implement a permitting process for crossings with final approval by the Council.

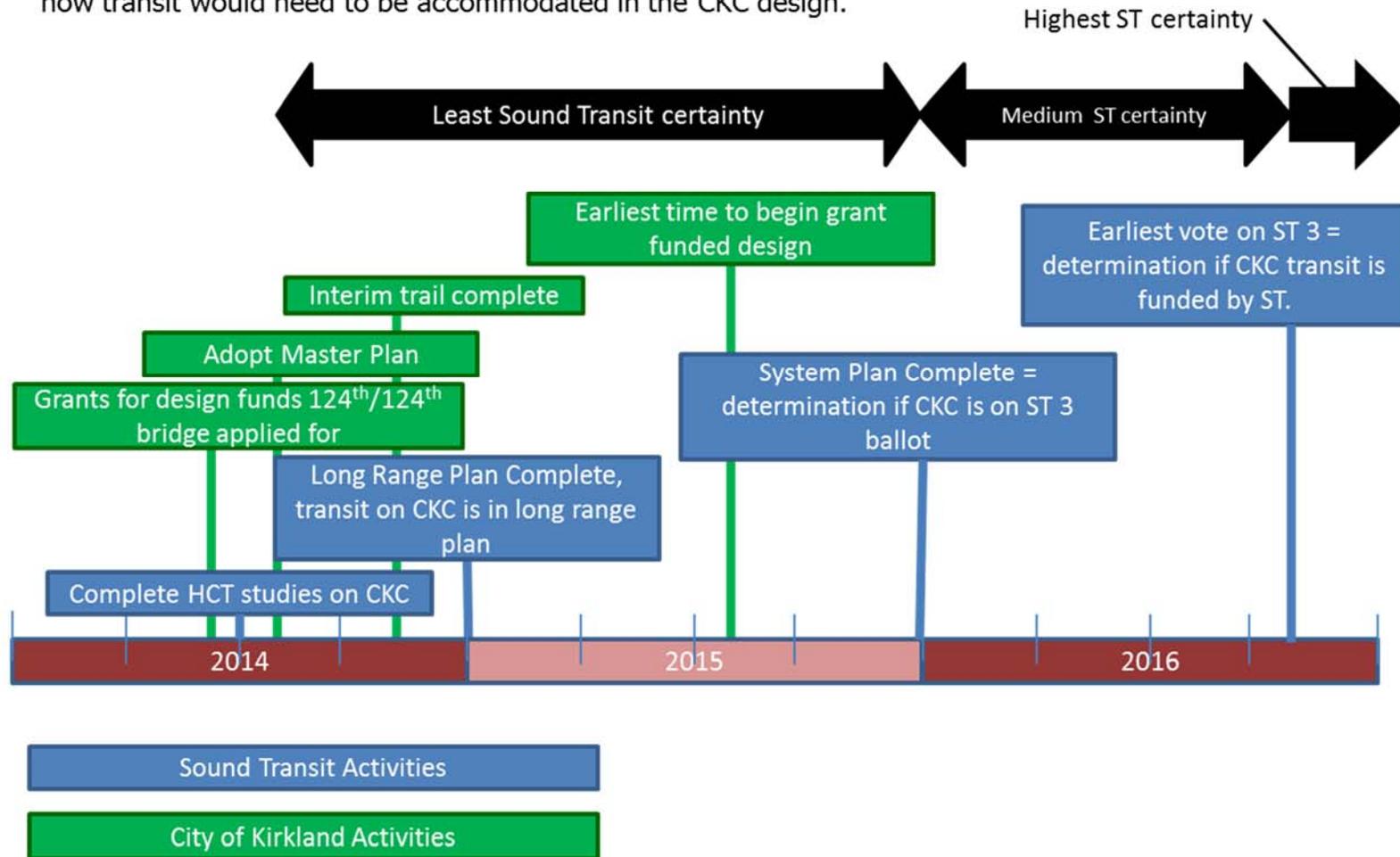
Section 3: New text on the Role of the Master Plan. Council has received information on this topic previously it is now written in the Plan. One element of this section will address how the material in the Master Plan will be valuable regardless of how Sound Transit proceeds with regard to transit on the corridor.

Section 4: New section on connections to the region shows the CKC within the context of the region.

Section 5: New section on transit. One of the outcomes of the April 15 Council meeting was a desire on the part of Council to more clearly emphasize the work that has been done to plan for transit and to more prominently display the fact that the vision for the corridor includes Transit. Previously, the plan covered transit in Chapter 7. This discussion has been moved forward to Chapter 2. This switch raises transit's prominence and better reflects the connection of transit to the overall corridor. Also some of the material previously in the appendix, showing how a potential transit envelope, a trail system and existing utilities can coexist will be moved to Chapter 2. Chart 1 on the next page illustrates potential timing of CKC design and Sound Transit planning decisions. That chart is included here to better explain the process, it will not be in the Plan.

Chart 1. Relationship of Sound Transit Planning and CKC design.

As the Sound Transit process proceeds, there is more certainty about how transit would need to be accommodated in the CKC design.



The following text was added on page 25:

Throughout the development of this master plan, transit options, their potential footprints on the corridor and their possible interactions with existing utilities were considered. Sound Transit and the City of Kirkland collaborated on this planning for typical transit modes such as light rail. Sound Transit is in the midst of a study of possible transit on the CKC which is intended to inform the contents of a possible Sound Transit ballot measure to expand their system scheduled no sooner than 2016. The City of Kirkland also has explored advanced transit technologies, as highlighted by a symposium on the subject held in February of 2014.

Even as transit is considered, it is recognized that the City of Kirkland, the owner of the corridor and the leader of this masterplan effort, is not currently a transit operator. Therefore, elements of the transit design on the corridor may ultimately rest in the hands of others. While the City may not singlehandedly determine mode or timetable of possible future transit, it can determine an optimal location for transit in combination with a trail system. Based on the Transit and Utility Study a general alignment of a transit envelope has been identified on the eastern edge of the corridor. This study, including possible considerations with existing and future utilities is included in "transit and infrastructure" in the appendix.

As design of the corridor takes place, the status of transit will be carefully monitored, especially during the near term (2014-2016) when the City is beginning to seek funding for design and the content of Sound Transit's next transit package is being established. If and when the corridor is determined to be an appropriate home for transit, whether along the whole of its length, or on select stretches, the city is committed to welcoming it.

Comments/Questions

- Is there an interest on the part of Council in renaming the Buzz zone? If so, staff can develop several alternatives for consideration.
- Is transit adequately addressed with the proposed changes?

Chapter 3 Prototypical Corridor Elements

What's new

Section 1. Minor edits to text and cross-section titles. Typical trail width of 12' inside a 16' trail envelope drawn more clearly.

Section 5. Minor edits to text

Comments/Questions

None.

Chapter 4 Corridor Experience + Ecology

What's new

Sections 1 -6 and 8

Although concepts and graphics have been presented previously in these areas of the plan, the accompanying text has not been available. That text has been drafted in the areas of *Purpose, Events, Eddies, Art, Friction, Activities, History* and *Planting*. Composition of the History element benefited from a session between the consultant team, a Kirkland resident with an interest in, and a collection of, Northern Pacific Railroad history (the CKC was previously a Northern Pacific rail line), a Seattle based railroad historian and Loita Hawkinson of the Kirkland Heritage Society.

Section 7

This section has been amplified to include a fuller discussion of stormwater and strategies for developing trails appropriately in areas of streams and stream buffers. In particular, the Highlands Pass area is mentioned. This is a location where developing a side path away from the shared use path may be the most appropriate treatment given surface water concerns.

Comments/Questions

- Since there is a significant amount of new text, Council may have questions or concerns.

Chapter 5 Corridor Layout

What's new

Text has been added to introduce the layouts. Numerous call outs have been added to the graphics and enhancements have been made to the sheet legends.

Comments/Questions

- There may be locations with callouts that need explanation or locations where Council would like to see callouts added.
- Is the structure of this section clear?

Chapter 6 Character Zone Scrapbook

What's new

Sections 1-9 Council is familiar with the concept of the scrapbook and its role for inspiration and guidance in design of improvements, additional text has been added to many of the Character Zone descriptions and numerous callouts have been added.

As an additional emphasis of the place of transit in the Plan, a 40' space on the east side of the corridor is now delineated on the drawings (see Figure 1 below). This is not to indicate that any transit that comes to the corridor would necessarily go in or be limited to this particular space but rather to emphasize that transit can be accommodated in the future. Forty feet was selected because it is adequate to support the highest impact transit modes.

Comments/Questions

- Is transit adequately addressed with the proposed changes?
- Are there any areas that need additional explanation

Figure 1. Buzz Zone Scrapbook illustration showing potential future transit area (orange dashed lines)



Chapter 7 Realizing the Vision

What's new

Section 1 A discussion of the implementation priorities identified by Council on April 15 is in this section and the ability to fund corridor improvements with Impact Fees will also be discussed.

Sections 2 -4 Planning level cost estimates have been prepared for the corridor. Two levels of improvements were estimated: 1) Development with the full vision of the trail system, and 2) A basic single paved trail. Costs for the basic trail are derived by removing items from the full vision estimate. Because the Master Plan does not include any transit improvements, costs for transit are not included in the estimates. Initial cost estimates are shown in Figure 2. The cost of selected single items with a high cost, bridges for example, are included in the section costs, but noted with asterisks and shown separately below the zone costs. The costs shown in Figure 2 are rounded from more detailed estimates. An example of a detailed cost sheet is shown in Figure 3. These sheets will be in an Appendix (see below). Costs are currently being reviewed and revised upward to better capture the costs of potential surface water mitigation, permitting and other issues. Estimated costs for Maintenance and Operations are also being explored with staff from Public Works and Parks. More complete information will be available at the May 20 Council Study Session.

Figure 2. Initial cost estimates for various sections of the CKC; full vision and a single basic paved trail.

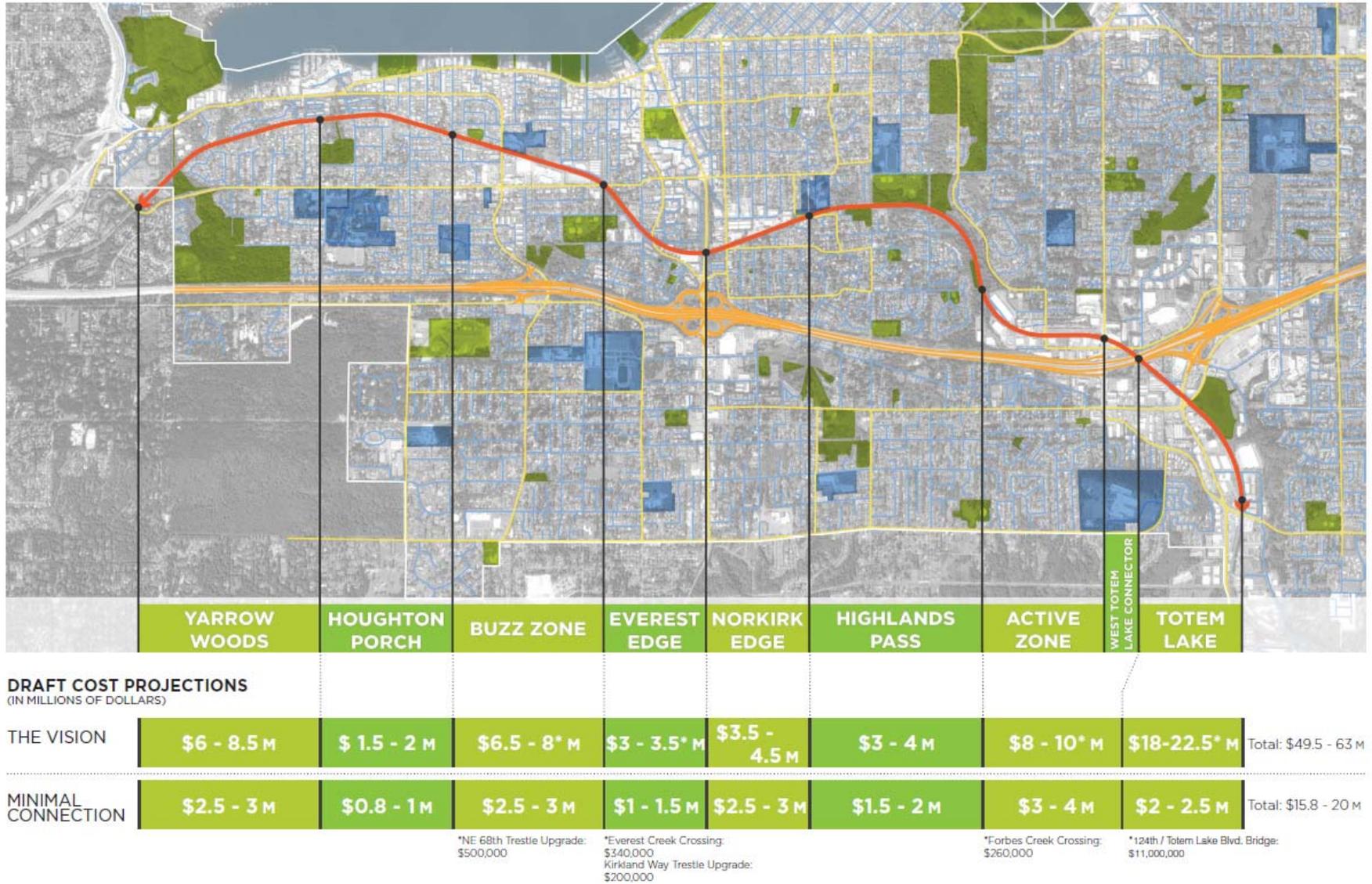


Figure 3. Sample detailed cost estimate, Houghton Porch

Houghton Porch						
Site Preparation						
Clearing and Grubbing	122,160	SF	1.00	\$122,160.00		\$122,160.00
Rough Grading (Typical Profile)	1,700	CY	23.00	\$39,100.00		\$39,100.00
Rough Grading (at Retaining Walls)	350	CY	30.00	\$10,500.00		\$5,250.00
Retaining Walls	1,148	FF	80.00	\$91,840.00		\$45,920.00
Site Civil Infrastructure (Not Included in Cost)						
Water	1	Allow.	20,000.00	\$20,000.00		-
Sewer	0	Allow.	15,000.00	\$0.00		-
Electrical	0	Allow.	10,000.00	\$0.00		-
Site Improvements						
Trail						
Primary Trail - 12' wide asphalt	3,054	LF	60.00	\$183,240.00		\$183,240.00
Increased Width Primary Trail - 16' wide asphalt	0	LF	75.00	\$0.00		-
Secondary Trail - 8' wide crushed rock	3,062	LF	20.00	\$61,240.00		-
Safety railing	1,320	LF	20.00	\$26,400.00		\$26,400.00
Guardrail	350	LF	50.00	\$17,500.00		\$8,750.00
Art	1	Allow.	5.0%	\$47,444.00		-
Events / Eddies						
Micro Shelters	4	Ea.	55,000.00	\$220,000.00		-
Prototypical Mixing Zones	0	EA	33,400.00	\$0.00		-
Prototypical Seating Eddies	4	EA	12,500.00	\$50,000.00		-
Landscape (Baseline)						
Restoration Planting	213,780	SF	0.50	\$106,890.00		\$106,890.00
				Houghton Porch Subtotal	\$996,314.00	\$537,710.00
Construction Soft Costs						
				Escalation (undetermined %)	\$0.00	\$0.00
				Subtotal	\$996,314.00	\$537,710.00
				Design Contingency (20%)	\$199,262.80	\$107,542.00
				Subtotal	\$1,195,576.80	\$645,252.00
				General Conditions (5%)	\$49,815.70	\$26,885.50
				Subtotal	\$1,245,392.50	\$672,137.50
				Contractor Overhead (5%)	\$49,815.70	\$26,885.50
				Subtotal	\$1,295,208.20	\$699,023.00
				Contractor Profit (6%)	\$59,778.84	\$32,262.60
				Subtotal	\$1,354,987.04	\$731,285.60
				Total Construction Contract Amount	\$1,354,987.04	\$731,285.60
Design & Administrative Soft Costs						
				Sales Tax (8.8%)	\$119,238.86	\$64,353.13
				Subtotal	\$1,474,225.90	\$795,638.73
				Permitting and Mitigation Fees	N.I.C.	N.I.C.
				Subtotal	\$1,474,225.90	\$795,638.73
				Estimated Design Fees (15% Total Construction Contract Amount)	\$203,248.06	\$109,692.84
				Subtotal	\$1,677,473.96	\$905,331.57
				Administrative Costs (10% Design Fees)	\$20,324.81	\$10,969.28
				Subtotal	\$1,697,798.76	\$916,300.86
				Houghton Porch Grand Total	\$1,697,798.76	\$916,300.86

In Chapter 7 of previous drafts, a section on Land Use has been included as a placeholder. This portion of the plan has been drafted and describes how development can be used to activate the edges of the corridor. More detail on this section will be presented at the Study Session on May 20.

As presented at the April 15 Council Meeting, a brief discussion of Economic Development is included in this chapter. A draft report that more fully describes the benefits of trail development to Economic Development is part of Additional Material described below.

Comments/Questions

- Since this material is all new, Council may have questions or comments on a number of issues.

Acknowledgements

An Acknowledgement page will be developed that lists those that have contributed to the plan's development.

Appendices

What's new

No new material is presented here. For the final version, information on costs will be presented along with the public outreach reports.

Comments/Questions

None

Additional Material

The City Manager's Office has recently prepared documents covering Economic Development (Attachment 1) and Advanced Transportation (Attachment 2). Although not part of the Plan or its Appendices, this material will be packaged with the Master Plan.

Other topics

Community Future Day April 26

Participants in the Build a Better Kirkland exercise were asked to simulate "spending" funds across choices in Parks, Transportation and the CKC. The amount of funds available for allocation was modeled on the funding currently allocated to Parks and Transportation. Similarly, the types of funds were also modeled on current funding and therefore in addition to dedicated sources for Parks and Transportation, general fund dollars were also distributed to participants.

Two choices of CKC funding were available - the full vision trail and the more basic trail. About 40% of the total funding was "spent" on the basic vision and about 60% on the full vision. More information on the results and implications of the April 26 exercise will be available at the May 20 study session.

SEPA

A SEPA review is being conducted on the action of Council adoption of the Master Plan. A SEPA checklist has been completed and is anticipated that the review will result in a Determination of Non-Significance. An update on this process will be available at the May 20 Study Session.

Schedule

It's anticipated that all remaining questions and comments can be gathered at the May 20th Study Session. The current schedule calls for these comments and questions to be addressed in a final plan which will be brought to Council on June 17.

Economic Development and the Cross Kirkland Corridor

Overview

The mission of economic development in Kirkland is to create and support public and private initiatives that promote job creation, business retention and recruitment, and increase goods and services to residents and businesses.

A healthy economy is an integral part of Kirkland's high quality of life and an important community value. Kirkland's economy allows residents to access job opportunities as well as goods and services. It provides revenue sources that help to ensure needed public services. Economic development should not compromise residential neighborhoods or the natural environment.

Seven key goals help guide the way to the achievement of Kirkland's economic development mission. They are:

- 1) Foster a strong and diverse economy consistent with community values, goals and policies.
- 2) Promote a positive business climate.
- 3) Strengthen the unique role and economic success of Kirkland's commercial areas.
- 4) Develop and implement economic development strategies that reflect the role of Kirkland businesses in the regional economy.
- 5) Provide the infrastructure and public facilities to support economic activity and growth.
- 6) Foster collaborative partnerships among community interest groups to achieve Kirkland's desired economic goals.
- 7) Recognize Kirkland's artistic, cultural, historic and recreational resources as important contributors to economic vitality.

Purchase and Redevelopment of the Cross Kirkland Corridor

The most recent major initiative that has a significant economic development component is the purchase and redevelopment by the City of Kirkland of the abandoned Burlington Northern Santa Fe Corridor. Renamed the Eastside Rail Corridor, it is a 42-mile stretch of right-of-way, currently in multiple ownerships, with the Kirkland Segment of 5.75 miles owned by the City of Kirkland. The redevelopment of rail corridor for bike, pedestrian and transit use, for recreation and transportation is the plan, and the result will be transformative, particularly in regard to the redevelopment of the business districts in Kirkland and elsewhere that lie along it and the jobs that could be realized.

The segment of the corridor that passes through Kirkland once carried freight trains that served among other industries, aerospace. With locations in Renton and Everett, Boeing depended on suppliers along the BNSF line for manufacture and assembly of airplane parts. Vestiges of this can be seen in many warehouse and manufacturing spaces in Totem Lake that date from this era.

That the corridor could be redeveloped, particularly for transit, could be a defining factor in decisions by tech companies and others to locate in Kirkland as their workforces can benefit from home to work connections and recreational opportunities.



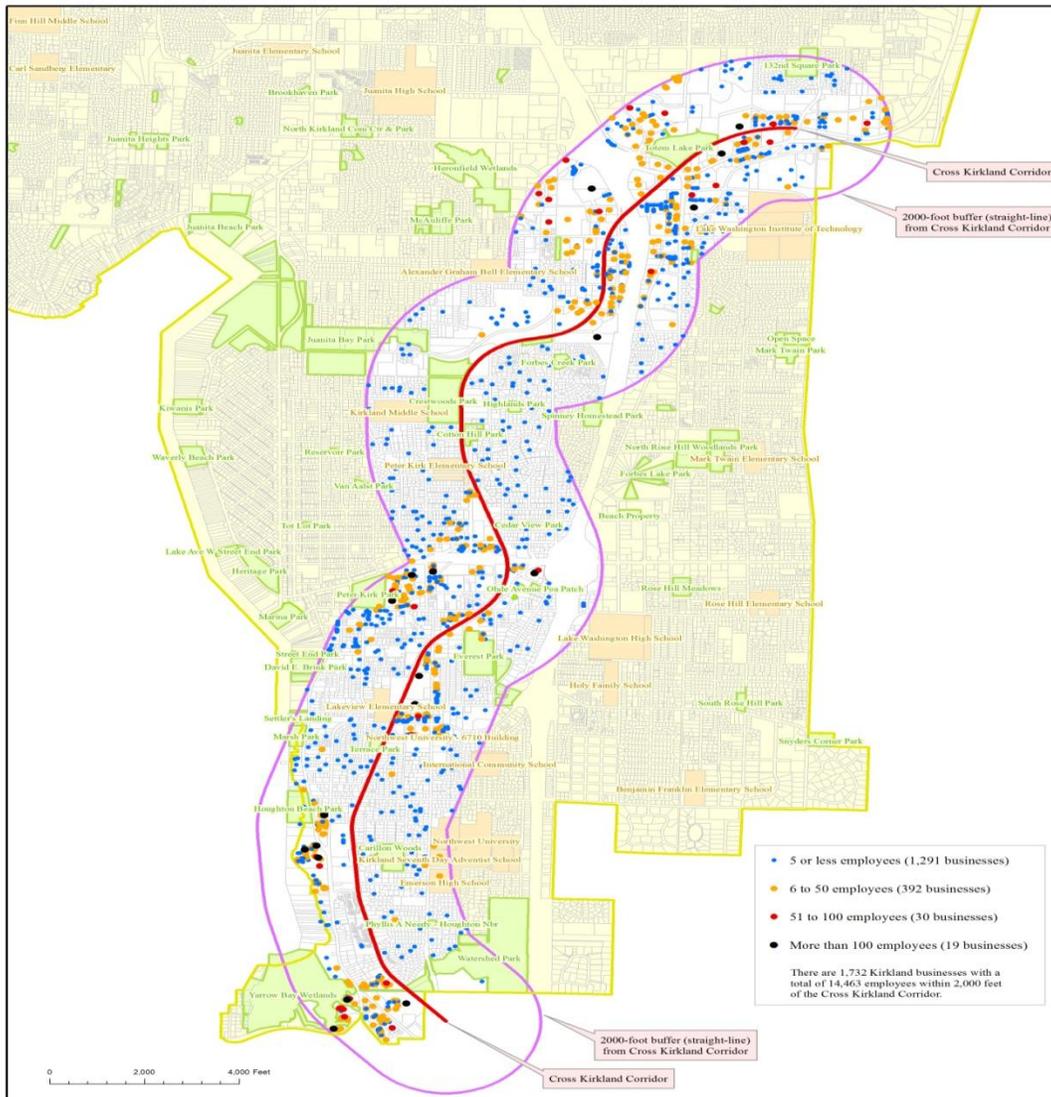
Eastside Tennis Center in Totem Lake, former warehouse that backs onto the Cross Kirkland Corridor



Macro Technologies in Totem Lake, located near the Cross Kirkland Corridor

At present, 1,173 businesses with a total of 10,904 employees are located within 2,000 feet of the centerline of the corridor. These include several of the largest businesses in Kirkland – Evergreen Health, Google, Nintendo, Astronics and Kenworth Truck (Paccar).

In the Parmac area of the Totem Lake Business District alone, the commercial zones that lie adjacent to the corridor are currently zoned to accommodate approximately 5.8 million square feet of redeveloped office space. Using a figure of four employees per 1,000 square feet of office space, this equates to an additional 23,200 employees, and could accommodate Kirkland’s entire share of the regional target for employment growth it must demonstrate that it can handle in the 2035 Comprehensive Plan.



Businesses within 2000' of Cross Kirkland Corridor

In the event that this is realized, \$1.7 million in additional annual business and property taxes could be collected and put back into redevelopment of the corridor.

Placemaking

The High Line in New York City is an elevated former subway line that has become one of Manhattan’s must-explore city parks. It has a variety of attractions along its length, spurring reinvestment in bordering commercial districts.

The rezoned area has provided opportunities for new residential and commercial development, facilitated the reuse of the High Line as a unique park, created and maintained affordable housing, and enhanced the neighborhood’s art gallery district.

Since the rezoning, a total of 1,374 new housing units—132 of which are affordable units—and just under 500,000 square feet of commercial office space were completed or put into construction from Gansevoort Street to 30th Street.

A total of 33 new housing, commercial, retail, non-profit and gallery projects are completed, in construction, or in the planning stage as a result of the new economic development opportunities provided by the High Line.



High Line, New York, NY

Decades of improvements have transformed the San Antonio River from a corridor of danger to a corridor of civic pride. The San Antonio Riverwalk has spurred hotel, restaurant and convention center development with water taxis running along the lively pedestrian promenade



San Antonio Riverwalk, San Antonio, TX

The Burke-Gilman – Sammamish Trail is a 27-mile multi-use recreational path built on an abandoned Seattle Lake Shore and Eastern Railway corridor. The City of Seattle manages the Burke-Gilman Trail, which connects directly to the Sammamish River Trail in Bothell. It continues through Redmond and Issaquah.



Burke-Gilman Trail, Seattle, WA

The 150-mile Great Allegheny Passage connects with the 184.5-mile C&O Canal Towpath at Cumberland, Maryland to create a 334.5-mile traffic and motorized vehicle-free route between Pittsburgh, PA and Washington, DC.

The Trail Town Program is an economic development initiative along The Great Allegheny Passage. It fosters a corridor of revitalized trailside communities that reap the economic benefits of trail-based tourism and recreation as part of a larger, coordinated approach to regional economic development. The long-term economic viability of participating communities is to be achieved through concentrated business development efforts that capitalize on the trail user market. The goals of the program are simple:

- Retain existing businesses.
- Expand and increase revenues of existing businesses.
- Recruit sustainable businesses.
- Adopt the Trail Town vision and integrate its concept of a visitor-friendly environment in community planning.



Great Allegheny Passage

Redevelopment Benefits



Impetus for Locational Decisions

3400 Stone in Seattle, WA -- Global Headquarters for Brooks Sports

Seattle's Burke-Gilman Trail served as a major drawing card in the location decision process for the new global headquarters building for Brooks Sports which opened in 2013. The company occupies approximately 80,000 square feet of the 120,000 square foot building, located across the street from the popular trail in the vibrant Fremont/Wallingford area. The manufacturer of running footwear and apparel has a mission of inspiring people to run and be active. Its first floor retail location adjacent to the Burke-Gilman Trail is meant to serve as a welcoming trailhead for runners, walkers and others who will gather at Brooks to meet friends and begin their workouts.

Enhanced Property Values

In 1987, nine years after the Burke-Gilman Trail was constructed, a study was conducted to determine what effect, if any, the Burke-Gilman Trail had on property values and crime affecting property near and adjacent to the trail.

The study found that the Burke-Gilman Trail is regarded by real estate companies as an amenity that helps to attract buyers and to sell property. Single-family homes, condominiums and apartments are regularly advertised as being near or on the Burke-Gilman Trail. Property near but not immediately adjacent to the trail was found to be significantly easier to sell, and according to realtors, sells for an average of six percent more as result of its proximity to the trail.

The existence of the trail has had little, if any, effect on crime and vandalism experienced by adjacent property owners. Police officers interviewed stated that there is not a greater incidence of burglaries and vandalism of homes along the trail.

Numerous other examples across the United States support the contention that greenways help to support the property values of the communities in which they are located. Examples include:

- Apex, NC: The Shepard's Vineyard housing development added \$5,000 to the price of 40 homes adjacent to the regional greenway---and those homes were still the first to sell.
- Front Royal, VA: A developer who donated a 50-foot-wide, seven-mile-long easement along a popular trail sold all 50 parcels bordering the trail in only four months.
- Salem, OR: Land adjacent to a greenbelt was found to be worth about \$1,200 an acre more than land only 1000 feet away.

- Oakland, CA: A three-mile greenbelt around Lake Merritt, near the city center, was found to add \$41 million to surrounding property values.
- Brown County, WI: Lots adjacent to the Mountain Bay Trail sold faster for an average of nine percent more than similar property not located next to the trail.
- Dayton, OH: Five percent of the selling price of homes near the Cox Arboretum and park was attributable to the proximity of that open space.
- In metro-Denver, 73% of real estate agents and 57% of homeowners living adjacent to a trail perceived the trailside location as an asset and priced the homes higher.

Business Growth, Retention and Increased Sales Taxes

Along with increased property values, the economic benefits associated with greenways include increased business growth and expansion, improved retention and collection of incremental sales tax revenues. Examples include:

- Glendale, CO: The city attributes \$40 million in economic benefit from the \$4 million investment that Arapahoe County, CO has provided through Open Space Program funding to support the development of Infinity Park.
- Leadville, CO: In the months following the opening of the Mineral Belt Trail, the city reported a 19 percent increase in sales tax revenues.
- The Outer Banks, NC: Bicycling is estimated to have an annual economic impact of \$60 million and 1,407 jobs supported from the 40,800 visitors for whom bicycling was an important reason for choosing to vacation in the area. The annual return on bicycle facility development in the Outer Banks is approximately nine times higher than the initial investment.
- Damascus, VA: At the Virginia Creeper Trail, a 34-mile trail in southwestern Virginia, locals and non-locals spend approximately \$2.5 million annually related to their recreation visits. Of this amount, non-local visitors spend about \$1.2 million directly in the Washington and Grayson County economies.
- Morgantown, WV: The 45-mile Mon River trail system is credited by the Convention and Visitors Bureau for revitalizing an entire district of the city, with a reported \$200 million in private investment as a direct result of the trail.
- Tallahassee, FL: The Florida Department of Environmental Protection Office of Greenways & Trails estimate an economic benefit of \$2.2 million annually from the 16-mile St. Marks Trail.
- San Antonio, TX: Riverwalk Park, created for \$425,000, has surpassed the Alamo as the most popular attraction for the city's \$3.5-billion tourism industry.
- Allegheny Passage, PA: The direct economic impact of the trail exceeded \$14 million a year, encouraging the development of several new businesses and a rise in property values in the first trailhead town.
- Dallas, TX: The 20-mile Mineral Wells to Weatherford Trail attracts 300,000 people annually and generates local revenues of \$2 million.

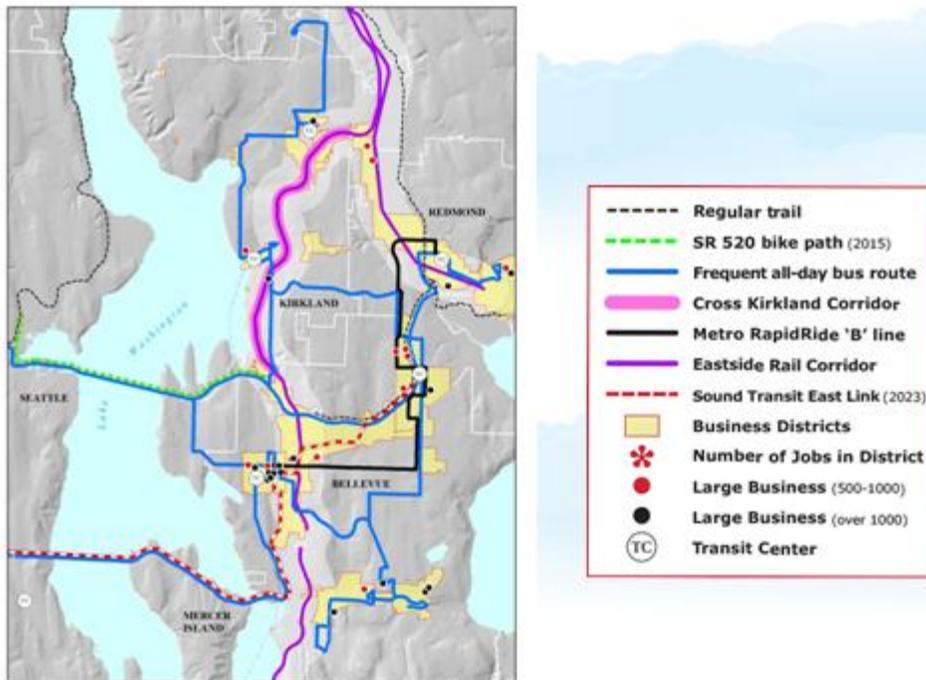
Lure to New Uses and Adaptive Reuse of Older Industrial Buildings

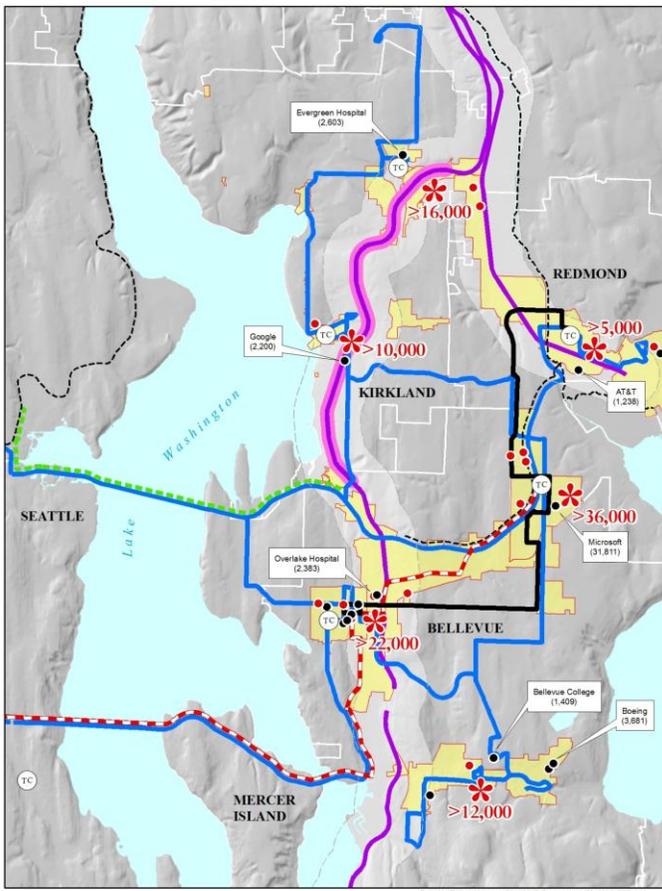
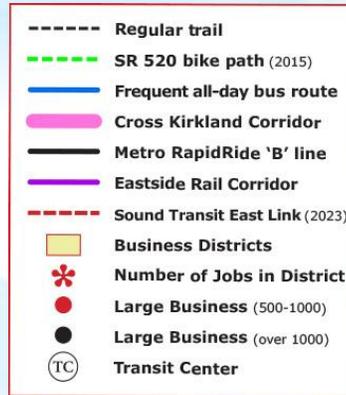
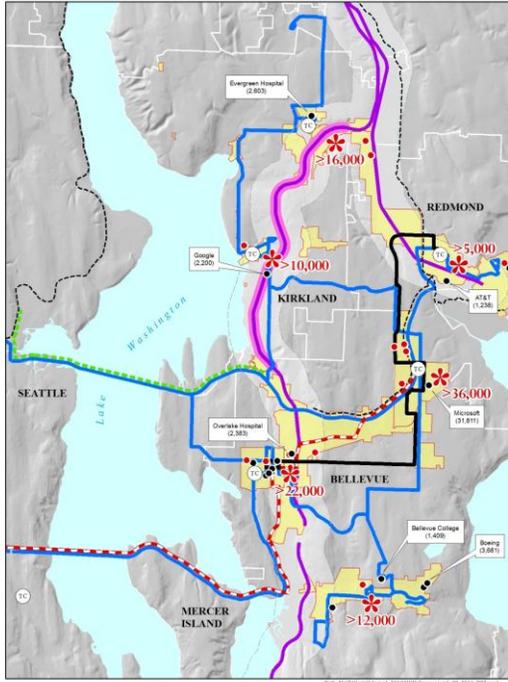
In Kirkland, interim zoning has been adopted for the parcels that border the corridor in Totem Lake to attract retail uses that have been associated with corridors nationally. In particular, restaurants, breweries, wineries and distilleries are now allowed in areas of Totem Lake that were formerly zoned for industrial use only, with the expectation that high tech office would eventually transform the district. The hope is that the retail uses will generate excitement, thereby spurring further redevelopment to high tech office. One brewery and three wineries have already located along the corridor and other breweries are looking for space.

Interconnected Eastside Transportation Network

Without connections to other locations however, especially in nearby Redmond, Bellevue and Woodinville – that either complete the journey from home to work to play, or link to hubs for light rail and bus rapid transit, thus picking up additional ridership, it is hard to maximize the current 5.75 miles as an economic development driver. Linkages to these transit hubs (Sound Transit2 light rail project at Bellevue Hospital District), I-90 bus rapid transit, as well as the regional trail systems, will need to be implemented.

The following three diagrams depict the potential for a fully integrated, interconnected, multi-modal transportation system on the Eastside:





BY 2031...

City of Kirkland Growth Targets:

- +8,570 households
- +20,850 jobs

King County Growth Targets:

- +233,000 households
- +428,000 jobs

Plans underway

Google

Phase II of the Google campus will contain approximately 180,000 square feet of office space and 720 parking stalls in two underground levels of parking. It is located directly adjacent to Google's current campus. The current campus and the Phase II campus are separated by the Cross Kirkland Corridor, which will be improved as part of Phase II providing the necessary vehicular, pedestrian and infrastructure improvements to connect the two phases. Construction is scheduled to be complete in 2015.



Google Campus Phase II

South Kirkland Transit Oriented Development

The South Kirkland Park and Ride – Transit Oriented Development project is currently under construction and due to be completed in the fall of 2014. It is a mixed-use project that will include 58 affordable apartments, 185 market rate apartments, commercial buildings, and parking for transit users, apartment dwellers and retail shoppers. It will serve as the southernmost access point to the Cross Kirkland Corridor.



SOUTH KIRKLAND TRANSIT ORIENTED DEVELOPMENT | Market Rate Housing

Totem Lake Park Master Plan

The Kirkland City Council has approved the Totem Lake Park Master Plan, which would turn the 17-acre parcel of land and lake into a park with a looping boardwalk, a restroom facility and a play area. Implementation of the plan will help to give the Totem Lake Business District a sense of place, and encourage redevelopment of the Totem Lake Malls immediately to the north.



Totem Lake Park Master Plan rendering of spiral overpass

Summary

Kirkland is committed to fostering economic development initiatives that lead to job creation, business retention and recruitment and the provision of goods and services to residents and businesses.

The purchase and redevelopment of the Cross Kirkland Corridor represents an important opportunity that can be embraced to support all of these economic development goals.

From the High Line in New York City, to the nearby Burke-Gilman Trail, there are numerous examples of greenways across the United States that have been successfully repurposed to become community assets that promote active transportation, recreation and economic vibrancy.

Development activity is already occurring within Kirkland along the corridor. Google is undergoing a major campus expansion on the western side of the corridor from its present campus. The South Kirkland Transit Oriented Development will serve as a southern gateway to the corridor, and provide connections between employers and their workforces. New businesses have been established near the corridor, and cited their proximity to it as an important element of their business model.

As the owner of the corridor, the City of Kirkland can continue to take the lead on championing its responsible development into a world class multi-modal transportation link and recreational asset that catalyses economic activity.

Exploration of 21st Century Transit Options for Kirkland

Background

Current regional transportation plans do not bring transit to Kirkland as quickly as the businesses and citizens of Kirkland have anticipated. And, even when regional transit does come to Kirkland, it will not connect to the ‘last mile’ or the dispersed development pattern that defines this Eastside suburb. Therefore, the City of Kirkland believes that it is necessary to think ‘outside the box’ and examine alternative advanced transportation technologies. These technologies are able to connect the first and last mile, thereby functioning as ‘feeders’ to traditional transit, and have the potential to be implemented ahead of traditional transportation at a lower cost.

Advanced transit and autonomous transportation technology are growing at an exponential rate and should be considered and included in long-range planning and strategy documents of planners and policy makers. In fact, nothing in RCW Chapter 81.112, Regional Transit Authorities, would prevent one or another advanced transit technology from being deployed by the regional transit authority, in this case Sound Transit. To the contrary, Section 81.104.100 states that “Nothing in this chapter shall restrict development, construction, or operation of a personal rapid transit system by a city or county.” Further, light, heavy, or rapid rail systems, monorail, inclined plane, funicular and trolley are all technologies enabled in Chapter 81.104.015 and deemed appropriate to study “to ensure an appropriate range of technologies and service policies can be evaluated” (81.104.100) in the process of planning regional transportation systems. Accordingly, the City of Kirkland examined some potential advanced transportation technologies at a February 8, 2014 [Advanced Transportation Symposium](#) that explored 21st Century Suburban Mobility Solutions for the Cross Kirkland Corridor.

The purpose of the symposium was to bring together government and private sector transportation interests to share their knowledge about advanced transit options that are being developed and implemented throughout the world. These applications currently deployed in cities, airports, and on college campuses could be adapted to connect the ‘first and last mile’, linking suburban business and residential districts to high capacity transit hubs.

The day’s presentations and discussions focused on the potential of deploying small-scale transit as an interim use on the Cross Kirkland Corridor (e.g. ahead of light rail service) or, possibly on the entire 42-mile Eastside Rail Corridor. [The event was filmed and available to view.](#)

Economic Benefits of Transit

The advantage of advanced transit is its ability to increase employee mobility with economic benefits to businesses. Approximately 70% of Kirkland residents work outside of Kirkland, the majority traveling to neighboring communities with their primary home to work routes often congested. Similarly, major businesses in Kirkland are reliant on a workforce that is spread over the Puget Sound Region. With cuts in bus service and congested roadways, commute times are lengthy, resulting in reduced family or personal time. Additionally, there are continued negative environmental consequences of primarily single occupancy vehicle travel modes.

For businesses that border the Cross Kirkland Corridor and the 42-mile Eastside Rail Corridor, the potential of deploying some form of transit on the Corridor can mean an appreciable lowering of costs for employee overhead, as many could opt for some form of advanced transit as their preferred transportation choice. Businesses also can brand themselves as “Green” given their ability to offer a sustainable mode of transportation as well as a recreational amenity to their employees. There are approximately 10,000 employees in Kirkland who work in businesses located a half-mile from the centerline of the corridor, and potentially 42,000 employees that could benefit from a transit service if the communities of Bellevue and Redmond also participate in the reuse of the corridor for transit.

Other benefits of transit have to do with the cost of development. In the Puget Sound Region, particularly the cities of Bellevue and Seattle, we are experiencing the rise of business districts that have as a primary asset the availability of transit. The South Lake Union District in Seattle is a current beneficiary, and the Spring District, a major mixed-use development, is planned alongside the Sound Transit 2 Light Rail link between Seattle, Bellevue and Redmond. In addition, downtown Bellevue is seeing extensive office and residential development and a low office vacancy rate of 4% due in part to its current bus accommodations and the promise of future light rail service.

In Kirkland, the reverse is true. Although proximity to I-405 does provide development opportunities, in recent years, development has been stymied given the cost of building structured parking in lieu of transit service. A case in point is the Parkplace mixed-use project (1.3 million square feet), whose failure to launch can in part be ascribed to the multi-layered structured parking that is part of the currently adopted master plan that needs to be built prior to the construction of various office and retail spaces. Similarly, businesses have moved given limited transit options, most recently Market Leader in the I-405 Office Park in Totem Lake.

Economic Development Potential with Cross Kirkland Corridor Transit Development

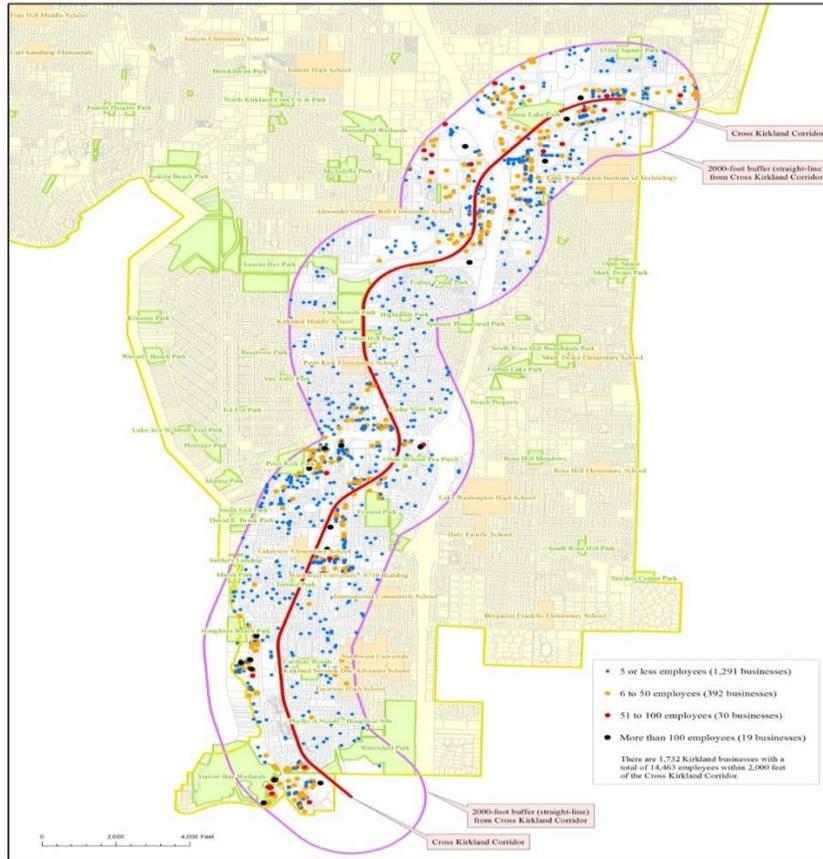
Corridor redevelopment with transit, could be a defining factor in decisions by tech companies and others to locate in Kirkland as their workforces can benefit from home to work connections and recreational opportunities.

As noted previously, 1,173 businesses with a total of 10,904 employees are located within 2,000 feet of the centerline of the Corridor in Kirkland alone. These include several of the largest businesses in Kirkland – Evergreen Health, Google, Nintendo, Astronics and Kenworth Truck (Paccar).

In the Parmac area of the Totem Lake Business District, the commercial zones that lie adjacent to the Corridor are currently zoned to accommodate approximately 5.8 million square feet of redeveloped office space. Using a figure of four employees per 1,000 square feet of office space, this equates to an additional 23,200 employees, and could accommodate Kirkland’s entire share of the regional target for employment growth that it must demonstrate it can handle in the 2035 Comprehensive Plan.

In the event that this is realized, \$1.7 million in additional annual business and property taxes could be collected and put back into redevelopment of the Corridor. Further detail on economic development

potential for the Cross Kirkland Corridor can be found in “Economic Development and the Cross Kirkland Corridor” another companion document to the Cross Kirkland Corridor Master Plan.

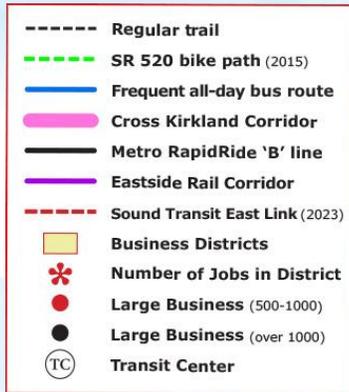
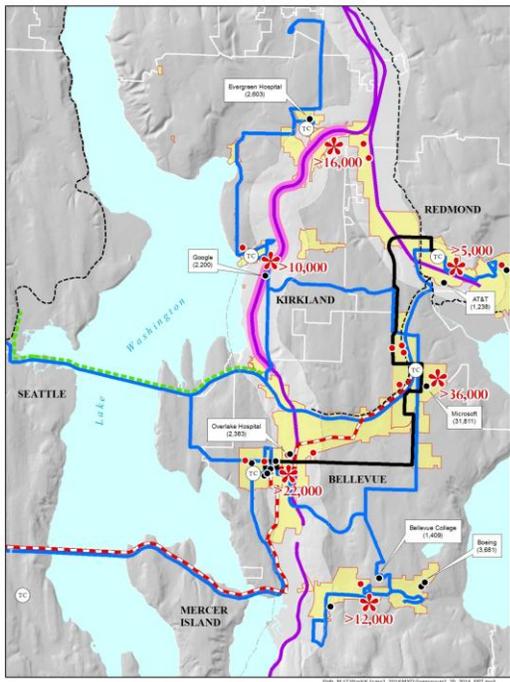
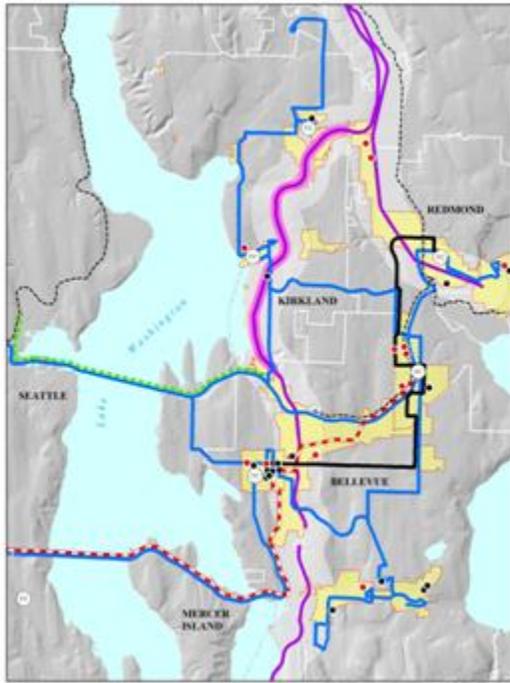


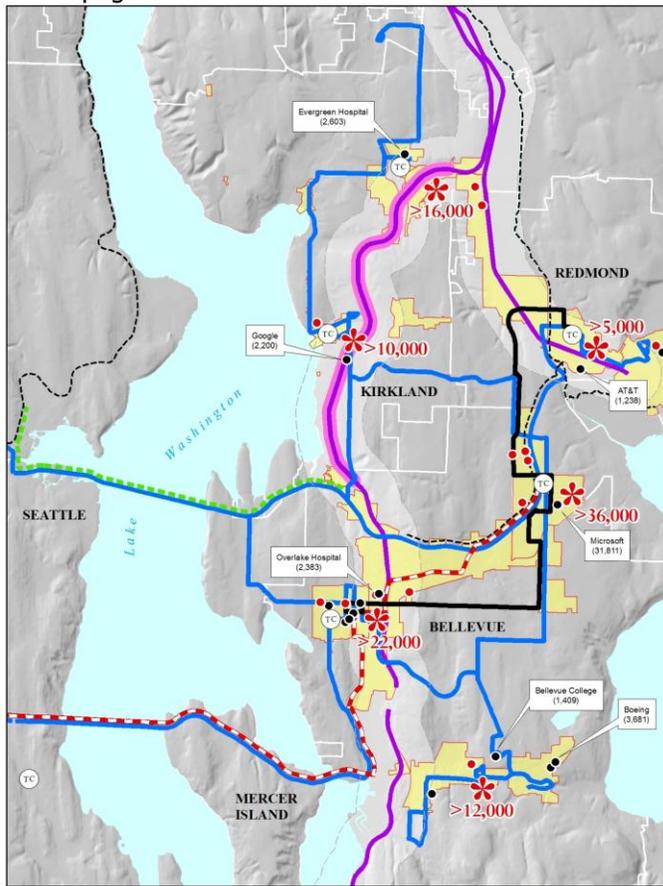
Businesses within 2000' of Cross Kirkland Corridor

An Interconnected Eastside Transportation Network Could Yield Major Mobility and Economic Development Benefits

Without connections to other locations however, especially in nearby Redmond, Bellevue and Woodinville – that either complete the journey from home to work to play, or link to hubs for light rail and bus rapid transit, thus picking up additional ridership, it is hard to envision the current 5.75 miles as an economic development driver. Linkages to these transit hubs (Sound Transit 2 light rail project at Bellevue Hospital District), I-90 bus rapid transit, as well as the regional trail systems, will need to be implemented.

The following three diagrams depict the potential for a fully integrated, interconnected, multi-modal transportation system on the Eastside:





BY 2031...

City of Kirkland Growth Targets:

- +8,570 households
- +20,850 jobs

King County Growth Targets:

- +233,000 households
- +428,000 jobs

Advanced Transportation Alternatives for the Cross Kirkland Corridor

Realizing the potential for a fully integrated, interconnected, multi-modal transportation system on the Eastside, the City of Kirkland brought [panelists](#) together to describe various types of advanced transit that may have the potential to be implemented ahead of traditional transportation. Models included manually operated and automated vehicles running on tires, rail, guideway, and cable. Deployed in airports, college campuses and major cities, these systems could be adapted to connect suburban residential and employment centers, schools, hospitals, shopping and recreation areas and high capacity transit hubs. Proponents note that these advanced technologies are energy efficient, less costly to build and operate than traditional transit, with designs that scale to people and neighborhoods.

Technology presenters and audience members at the Advanced Transportation Symposium were asked to address the following considerations in describing how their transit technology could be implemented for the Cross Kirkland Corridor and larger Eastside transit needs:

Initial Considerations in Evaluating Transportation Modes on the Cross Kirkland Corridor

- **Physical Appearance**
 - What is the footprint of the system?
 - Are there customization opportunities for the system to fit the CKC parameters?
 - What other facilities are required for operation?
 - What might the spacing of stations be?

- **Cost**
 - What is the infrastructure cost per mile?
 - What are the operating and maintenance costs?

- **Funding Opportunities**
 - What funding or cost sharing opportunities are available?

- **Capacity**
 - How many people will the vehicle accommodate?
 - What is the maximum number of passengers per hour?
 - How flexible is the system in responding to surges and off peak ridership times?

- **Transportation Time**
 - How does trip-time compare to alternatives such as car, bike and bus?
 - What is the normal operating speed?

- **Compatibility to Connect with Regional Systems**
 - How would the system connect to other systems?
 - How would the system stations accommodate the different ways people might arrive at the station such as walking, biking or driving?

- **Safety Standards**
 - What regulatory permits and approval is needed? What is the estimated timeframe for this?

- **Environmental Standards**
 - What is the environmental impact of the system and the results of any environmental impact studies that have been performed?

- **Readiness**
 - What is the estimated time to the build, implementation and obtain regulatory approval?

Technologies Presented at the Advanced Transportation Symposium

The first panel at the Advanced Transportation Symposium looked at traditional transit modes in the Puget Sound Region including King County Metro Buses and Sound Transit Light Rail Service.

Following was an introduction to Advanced Transit Technology that looked at several Personal Rapid Transit (PRT) and Group Rapid Transit (GRT) systems that are in operation around the world. These systems included:

Personal rapid transit (PRT), or **podcars**, which are a transit mode featuring small automated vehicles operating on (a network of) dedicated guideways. A PRT system provides direct origin-to-destination connections and typically operates on demand. The size of the vehicles accommodates an individual or small group (4 adults, 2 children) traveling together by choice. Systems described at the symposium include:

- [2getthere](#) operating in [Masdar City](#)
November 28, 2010 marked the first day of the operations of the PRT system at Masdar City. The system runs through the ‘undercroft’ providing it multiple lanes of exclusive right-of-way, connecting remote parking and the Masdar Institute of Science and Technology.
- [Ultra Global](#) operating at [Heathrow Airport](#)
21 PRT vehicles facilitate the journey between the stations at the business car park and Terminal 5. The system’s infrastructure is smoothly interwoven in between the access roads to the terminal. It greatly improves the link and offers a superior service to travelers.
- [Vectus](#) operating in [Suncheon Bay](#)
The PRT System, consisting of 40 vehicles, will facilitate the transportation of visitors between Suncheon City Garden Expo site and the world famous Suncheon Coastal Wetlands Park along a 4.6 km bi-directional guideway.

Group Rapid Transit (GRT) systems feature larger vehicles (up to 25 passengers) and can be installed both in line and network configurations – offering a middle ground between mass and personally oriented systems. Systems described at the symposium include:

- [West Virginia University](#) (Morganstown, US)
The very first in the ‘70s is still operational today, with modifications taking place to optimize and improve the system. Originally built by Boeing, the application consists of 71 vehicles accommodating up to 18 passengers per vehicle – although named ‘PRT’ it is configured as a Group Transit application.
- [2getthere Rivium](#) ParkShuttle (Netherlands)
A unique GRT application in the sense that it is the only system installed at grade, with at grade crossings. With the first generation realized in 1999, the second generation debuted in 2007 with the track extended and additional stations added.

The Symposium also looked at opportunities for emerging technology on the Cross Kirkland Corridor. The Cross Kirkland Corridor offers a closed system that could be utilized as a pilot operation for emerging technology in need of regulatory approval. Technologies that were presented include:

- [LEVX](#)
LEVX® Transportation Systems are comprised of three core technical advancements that when combined offer achievable and sustainable options for mobility and the environment. Energy free [magnetic suspension](#) eliminates both static and magnetic drag from the system, dramatically slashing overall energy requirements. Each LEVX® carriage remains suspended continuously, never touching down on the guideway rails and may be moved forward or backward with minimal force.
- [SkyTran](#)
An elevated on demand two person vehicle system that is called for by computer, tablet, or smart phone and arrive almost instantaneously for a quick departure. SkyTran's magnetic levitation system can easily be powered by clean energy sources such as solar and wind making it the greenest mass transportation system available.
- [CyberTran](#)
CyberTran is a unique passenger rail system that works more like an elevator than a traditional transit system. Rather than running on a defined schedule, a computer-controlled system responds to passenger needs in real time. Passengers input their destinations at a station, and after a small amount of time has passed, vehicles arrive to deliver the passengers directly to their destinations. Multiple small vehicles and off-line stations allow for this level of flexibility and responsiveness.
- [Cable Propelled Transit](#)
While not a new concept Cable-Propelled Transit is emerging in urban landscapes. Cable-Propelled Transit (CPT) is a transit technology that moves people in motor-less, engine-less vehicles that are propelled by a steel cable. Top supported systems, also known as aerial cable systems, are supported from above via a cable. Bottom supported systems are supported by tracks or rails underneath, yet are still propelled by a cable.

Conclusion

The Advanced Transportation Symposium was the start of a conversation to determine innovative, efficient and effective transit on the Cross Kirkland Corridor and the Eastside Rail Corridor that increases transit opportunities by connecting the first and last mile. A technical evaluation of the options presented as well as others (e.g. autonomous vehicles) not included in the symposium should be

conducted. An extensive list of systems can be found at <http://www.advancedtransit.org/advanced-transit/systems>.

At the staff debrief of the symposium immediately following the event, a plan for moving forward was developed:

Key Issues identified include the insufficiency of traditional modes of transportation to meet the needs of Kirkland residents and business as well as the economic need to promote transit on the Cross Kirkland Corridor.

Next Steps should include continuing to assume a leadership role in the advocacy of advanced transit solutions in the region in order to shape future discussion in the regional transportation sphere. One way of doing so is to include Advanced Transit considerations in Master Plan documents. Additionally, private investment in a multi-employer advanced transit solution should be explored.

Advanced transit and autonomous transportation technology are growing at an exponential rate and should be considered and included in long range planning and strategy documents of planners and policy makers. The Puget Sound Regional Council held a workshop in April, 2014 examining driverless technology to include in their 2040 plan. It would behoove cities within the Puget Sound Region to consider and plan for advanced transportation technology implementation. This will encourage a coordinated and collaborative effort in efficient and effective regional transportation to benefit the long term economic, environmental and livability of the region.



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Pam Bissonnette, Interim Public Works Director
Date: April 15, 2014
Subject: PUBLIC WORKS WEEK PROCLAMATION – MAY 18-24, 2014

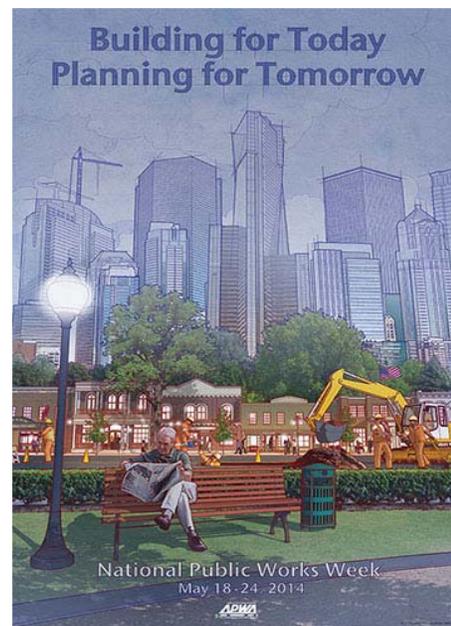
RECOMMENDATION:

It is recommended that the Mayor proclaims May 18-24, 2014 as National Public Works Week in Kirkland.

BACKGROUND DISCUSSION:

Each year the American Public Works Association promotes Public Works Week throughout the nation. Cities, counties and special districts celebrate and acknowledge Public Works Week. The theme for 2014 is ***Building for Today, Planning for Tomorrow.***

Public Works is a time-honored term that refers to the infrastructure necessary to support the development of cities, countries, and civilizations. History shows that the Roman Empire had public works directors to oversee water aqueducts, streets, drainage, sewers, and other improvements that were “cutting edge” at the time. Thousands of years later, residents have the same needs – good safe drinking water, adequate sanitation, smooth streets and roads, and the development of safe and convenient homes and businesses. As the Romans built for their “today,” they could not have foreseen the creative development of future infrastructure that we enjoy in the 21st century.



Public Works Week is an opportunity for citizens to reflect on the value they receive for their investments in public works through the physical infrastructure necessary to support their daily needs as well as to appreciate the efforts of its public works professionals. Citizens benefit by services including a transportation network, solid waste disposal and recycling, clean, fresh drinking water, reduced flooding and erosion, wastewater collection and treatment, and other services. A robust capital investment program ensures quality facilities and infrastructure in the future.

Ongoing educational programs inform the citizens of the role they play in making good choices to help maintain their public physical infrastructure and the natural environment. Specifically, solid waste recycling, water conservation, travel by alternative modes to single occupancy vehicles, promoting natural runoff, protecting and enhancing water quality, and reporting problems with spills and the infrastructure are some ways citizens can participate in managing and protecting the public works system, natural resources, and the environment.



Spill Response Team in 2013

As we have learned from the ancient Romans, investments in infrastructure and streets can have a lasting impact on the quality of life of its citizens as well as in planning for the future. Kirkland is proud of its efforts to provide a city with great public works infrastructure that attracts businesses and residents to its lakefront, residential, and industrial areas.

Finally, enclosed within this packet is a proclamation for designating May 18-24, 2014 as Public Works Week in the City of Kirkland. The Public Works Managers will be on hand to receive the proclamation at the Tuesday, May 20th City Council meeting.



A PROCLAMATION OF THE CITY OF KIRKLAND

Designating May 18-24, 2014 as "National Public Works Week" in Kirkland, Washington

WHEREAS, the American Public Works Association acknowledges "National Public Works Week" each year in the third week in May as a way to honor the tens of thousands of men and women in North America who provide and maintain the infrastructure and services collectively known as public works; and

WHEREAS, the theme for the 2014 campaign is *Building for Today, Planning for Tomorrow*; and

WHEREAS, the City of Kirkland City Council has long recognized that because of Kirkland Public Works Department, many essential services of a quality life, such as clean water, adequate drainage, safe roads and pedestrian crosswalks, reliable wastewater collection, safe walk routes to school, timely solid waste collection and recycling opportunities, street and public right-of-way maintenance, and permitting and inspection of new land development, are provided; and

WHEREAS, the City of Kirkland, through City Council action and support, has been a leader in development and maintenance standards, capital investments, sustainability, recycling, pedestrian and bicycle safety; and

WHEREAS, these services are provided by a diverse workforce with a variety of backgrounds and experience levels that share a common mission: "Caring for your infrastructure to keep Kirkland healthy, safe and vibrant;" and

WHEREAS, Kirkland citizens and Public Works employees are essential stewards of the City's infrastructure;

NOW, THEREFORE, I, Amy Walen, Mayor of Kirkland, do hereby proclaim the week of May 18-24, 2014 as "National Public Works Week" in the City of Kirkland, Washington, and call upon all citizens to join in celebrating their investment in the public works of their City.

Signed this 20th day of May, 2014

Amy Walen, Mayor



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 of Parks and Community Services
Michael Cogle, Deputy Director of Parks and Community Services
Regi Schubiger, Youth Services Coordinator

Date: May 12, 2014

Subject: Youth Services Report: Kirkland Youth Council, Kirkland Teen Union Building,
and Eileen Trentman Memorial Scholarship Recipients

RECOMMENDATION

That the City Council receives presentations from representatives of the Kirkland Youth Council, Youth Services and Kirkland Teen Union Building (KTUB), and recognize recipients of the Eileen Trentman Memorial Scholarship program.

BACKGROUND DISCUSSION

Representatives of the Kirkland Youth Council, Youth Services and KTUB are pleased to have the opportunity to update the City Council on the many exciting programs and initiatives that they have been working on during the 2013-14 school year.

Members of the Kirkland Youth Council Leadership team will report on some key programs and events undertaken by KYC, including the 2014 Kirkland Youth Summit, production of "We've Got Issues" video regarding suicide prevention, Teen Traffic Court, community service projects, and plans for the upcoming Friday Market season.

Youth Services Coordinator Regi Schubiger will recognize the two KYC members who will be graduating; Morgan Figueroa and Hayden Stockwell.

Emily Smith, Director of KTUB will share information on the Teen Center's many program offerings that focus on three areas: Workforce Development, Service and Leadership, and Youth Development.

Finally, Regi Schubiger and a representative from the Kirkland Firefighter Benevolent Association will award the 2014 Eileen Trentman Scholarship to Malika Elkayssi and Evelyn Guerra.



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Marilynne Beard, Deputy City Manager
Marie Jensen, Communications Program Manager

Date: May 7, 2014

Subject: KIRKLAND 2035 PUBLIC INVOLVEMENT UPDATE #13

RECOMMENDATION:

City Council receives an update on public involvement activities and progress on plan updates related to Kirkland 2035 (K2035) initiative.

BACKGROUND DISCUSSION:

This is the thirteenth in a series of updates to the City Council about Kirkland 2035 initiatives.

Comprehensive Plan Update

Staff is working on updating the various chapters of the Comprehensive Plan. The Planning Commission has begun to review the Land Use, Economic Development and Housing Elements. The scoping for the Environment Impact Statement (EIS) has begun with comments due by June 20, 2014. To that end, private requests for land use changes will need to be identified in order to be evaluated with the EIS. The following table was included in the prior K2035 update memo, but bears repeating so that the public is aware of the deadline for private land use requests which is June 20, 2014. The schedule allows for numerous public comment opportunities. During the upcoming neighborhood plan meetings, staff will present any citizen requests submitted as of the meeting.

Event/Deadline	Time Frame	Description/Opportunities for Public Comment
Neighborhood Plan Meetings Session #2	May/June 2014	Land use change requests received as of the meeting dates will be provided to participants. Staff will discuss the process and timeline for consideration. Participants will be able to see submitted requests at the meeting.
Deadline for citizen requests for land use changes	June 20, 2014	This deadline is recommended in order for requests to be reviewed and included in the EIS.
Planning Commission review of requests for land use	July 2014	The Planning Commission will make a determination whether all or some of the land

changes		use change requests are consistent with the vision and guiding principles and whether they should be considered and incorporated in the EIS. The public can comment on proposed land use change requests during the public comment period of the Planning Commission meetings or submit written comments.
Preparation of Draft Environmental Impact Statement	May 2014- May 2015	The EIS will evaluate the impacts of plan update and any proposed land use change requests. Public comment can be provided at any Planning Commission meeting and specific hearings will be scheduled in 2015 on the Draft EIS.

The second session of neighborhood plan meetings began on May 13 and will continue in June (see table below for a complete schedule).

Date	Neighborhoods	Location
Tuesday, May 13	Houghton, Everest, Lakeview	City Hall
Wednesday, June 4	S Rose Hill, N Rose Hill, Bridle Trails, Totem Lake	Lake Washington High School
Thursday, June 5	Highlands, Norkirk, Market, Moss Bay	City Hall
Tuesday, June 10	Finn Hill, Juanita, Kingsgate	Kirkland Stake Center

The format for the meetings will be somewhat changed from the first set of meetings based on the comments received. The meetings will again be facilitated by Penny Mabie of EnviroIssues. The meetings will include the following elements:

- Staff will present the draft vision statement and guiding principles that were developed since the last set of meetings. The vision and principle become the basis for evaluating all elements of the Comprehensive Plan and any changes proposed.
- Next, a summary of comments heard during the first meeting set and that apply citywide will be presented including a response from staff about how those issues will be addressed. At that time, private land use change requests received to date will also be presented.
- At that point, the audience will be invited to view wall displays showing the results of the previous meeting set for their neighborhoods. The comments will be displayed as those pertinent to the neighborhood plan, specific transportation issues that will be addressed through the Capital Improvement Program (CIP) or the Transportation Master Plan and neighborhood comments that need further clarification.
- The group will be called back together to focus on business districts. Comments from the previous meetings will be shared, an introduction to the “10 minute neighborhoods” concept will be presented.

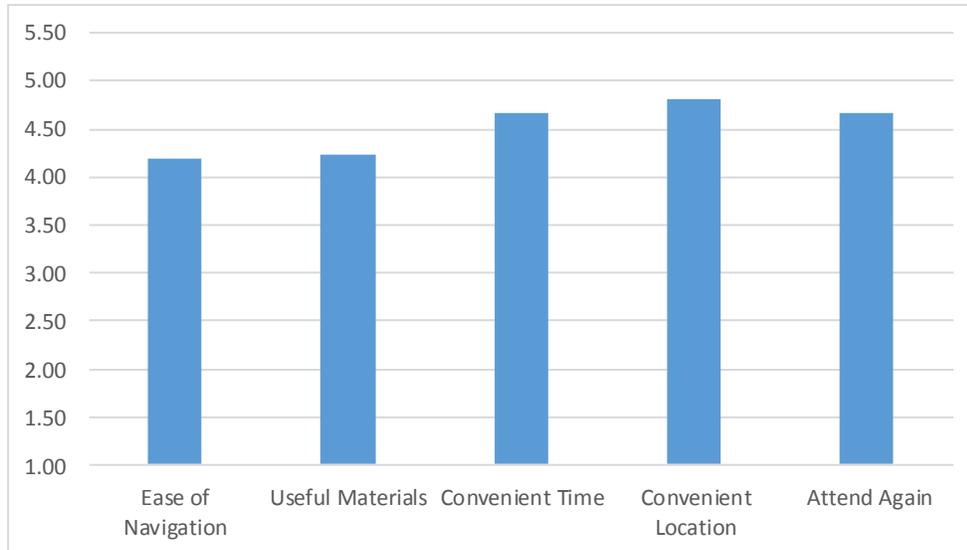
- The final activity will be a discussion about neighborhood-level comments that need further clarification or reconciliation of conflicting comments.

Staff will work to incorporate as many changes to neighborhood chapters as possible into the Comprehensive Plan update. Outstanding issues will be added to the Planning Work Program as will development of the neighborhood plans for new neighborhoods. The Finn Hill Neighborhood Alliance is actively working toward developing a neighborhood plan. Although it may not be completed at the same time as the Comprehensive Plan adoption, significant progress will have been made.

Community Future Day

Community Future Day was held on Saturday, April 26, 2014 from 10 a.m. to 2 p.m. at Kirkland City Hall. The general open house format was used and participants were able to drop in any time during the four-hour period. Approximately 125 participants attended the event. All participants were asked to rate the event and 44 response cards were received. Participants were asked to rate the event in five areas on a scale of one to five. The chart and table below summarize the results of the comment cards:

Future Day Event Feedback	Average Rating
Ease of Navigation	4.18
Usefulness of Materials	4.23
Convenient Time	4.67
Convenient Location	4.82
Would you attend again?	4.66



A 90-minute Neighborhood University (“Neighborhood U”) session on land use planning and transportation was held and included brief presentations by Mark Hallenbeck, Director of the Washington State Transportation Center at the University of Washington and David Godfrey, Kirkland’s Traffic Engineering Manager. A panel of experts were then available to answer and comment on audience questions. Anecdotal feedback from the session was very positive. The session can be viewed [on the City’s website](#) from the K2035 website (www.kirklandwa.gov/kirkland2035) or [On-Demand page](#). Approximately 50 people attended.

Participants visited a variety of displays and talked with staff about the topic areas including the Comprehensive Plan Update and the Capital Improvement Program. Displays for the Park Lane Enhancement, Juanita Drive Corridor Study and the NE 85th Street Corridor projects were also available.

Participants were then invited to “Build a Better Kirkland” on the lower level of City Hall. They were first directed to displays to learn about the major plans under development.

- Cross Kirkland Corridor (CKC) Master Plan
- Transportation Master Plan
- Parks, Recreation and Open Space Plan
- Surface Water Master Plan

After visiting the plan displays, participants went to the “Kirkland 2035 Bank” to receive “Kirkland Bucks” to allocate among the many projects planned for Kirkland’s future. This exercise simulated the allocation of limited and restricted funds to the capital needs of the City. Participants were able to indicate their preferred level of investment in major plans currently in development. Over 60 people participated in the exercise.

Each participant was given an envelope with \$240 million to be allocated for twenty years’ worth of projects. Since the exercise was a self-selected group of participants and the exercise

was not an exact exercise in project funding, it would be difficult to characterize the results as a reflection of the general population's preferences. Nonetheless, a few trends emerged:

General spending trends

Participants chose to redistribute significant funds to spend on the Cross Kirkland Corridor (CKC), with a mix of transportation, general fund, and parks money being spent on corridor projects. Parks had the largest percentage of funding redirected to the CKC, while Transportation dollars made up most of the CKC funding.

Preferences within Transportation

The majority of transportation funds were spent on transportation, but 15% was moved to the CKC. Spending choices on transportation projects were mostly balanced between the four major transportation modes – Autos (21%), Bikes (26%), Pedestrian (26%) and Transit (27%).

Preferences within Parks

Spending on parks projects revealed preferences for open space and forest restoration (33%), community and waterfront parks (25%), while other projects received less of the funding with neighborhood park renovations collecting 20%, new neighborhood parks taking in 15% and new sports fields finishing with 7% of the parks spending.

Preferences within Surface Water

Participants spent all of the surface water funds that they were allocated within surface water since it could not be spent anywhere else, with the final tally revealing preferences to spend more on water quality (33%) and infrastructure replacement (28%), while fish habitat (21%) and flooding (18%) received fewer project dollars.

Preferences within the Cross Kirkland Corridor

The CKC was a popular spending choice among participants, drawing funds from transportation, parks, and general purpose dollars. The CKC spending options offered a choice between building the fully developed "Character Zones" along the corridor or simply paving the corridor. "Character Zones" received 60% of the funding dollars while the other 40% were for the paving project.

Less than half of the participants went to the "bank" for a bond measure for an aquatic/recreation center, but those who did preferred to build an aquatic center and recreation center as opposed to just an aquatic center.

A graphical depiction of the results will be provided at the May 20 City Council meeting.

Status of Plan Updates

A number of plan updates have been provided to the City Council in the past five months and further updates and plan adoptions are scheduled for the next two months.

- May 20 Cross Kirkland Corridor Master Plan Update
- June 3 Parks, Recreation and Open Space Plan Update
Parks Levy Accountability Report
Transfer of Development Rights
- June 17 Cross Kirkland Corridor Master Plan Update
Parks, Recreation and Open Space Plan Adoption
- July 1 Surface Water Master Plan Update

The next Kirkland 2035 update will be presented at the June 17, 2014 City Council meeting.



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
May 06, 2014

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

- a. North East King County Regional Public Safety Communications (NORCOM)/ Eastside Public Safety Communications Agency (EPSCA) Update

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Scott Hatfield, Executive Director of the Eastside Public Safety Communications Agency (EPSCA), and Thomas Orr, Executive Director of the North East King County Regional Public Safety Communications Agency (NORCOM). Also contributing to the conversation were Police Chief Eric Olsen and Fire Chief Kevin Nalder.

4. EXECUTIVE SESSION

None.

5. HONORS AND PROCLAMATIONS

- a. Art Education Month Proclamation

Arts educator and Cultural Arts Commission Chair Melissa Nelson accepted the proclamation from Mayor Walen and Councilmember Marchione.

6. COMMUNICATIONS

- a. Announcements

Deputy City Manager Marilynne Beard announced that the 2014 Community Survey is underway and available on the City website for interested citizens.

b. Items from the Audience

Linda Benson
Maureen Baskin
Kylie Hensen
Christy Reichhelm
Taylor Holliday
Tom Grimm
Jack Arndt
Stewart Rogers
Jon Pascal
Trisna Tanus
Craig Krueger
Greg Rairdon

Council agreed to add an item under New Business, 11.e., to discuss a Nourishing Networks request.

c. Petitions

7. SPECIAL PRESENTATIONS

a. Community Emergency Response Team (CERT) Spring 2014 Graduation

Emergency Manager Pattijean Hooper reviewed the Community Emergency Response Team (CERT) program activities and introduced the 17th graduating class and their instructors.

b. Introducing Erin Devoto, Public Works Superintendent

Interim Public Works Director Pam Bissonnette introduced Ms. Devoto.

8. CONSENT CALENDAR

a. Approval of Minutes: April 15, 2014

b. Audit of Accounts: Payroll \$2,722,559.17

Bills \$6,056,779.61

run #1311 checks #552069 - 552224

run #1312 checks #552225 - 552263

run #1313 checks #552288 - 552289

run #1314 checks #552290 - 552304

run #1315 checks #552305 - 552470

run #1316 checks #552471 - 552588

c. General Correspondence

d. Claims

Claims received from Liane Donald-Scult and Jagdip Singh were acknowledged via approval of the Consent Calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) Resolution R-5048, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN THE 2014 AMENDMENT TO THE AGREEMENT FOR SEWAGE DISPOSAL BETWEEN THE CITY OF KIRKLAND AND KING COUNTY."

(2) Resolution R-5049, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SUBDIVISION AND FINAL PLAT OF WILLOWS BLUFF AND SETTING FORTH CONDITIONS TO WHICH THE SUBDIVISION AND FINAL PLAT SHALL BE SUBJECT. (DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SUB12-00382)."

(3) Ordinance O-4441, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BUSINESS LICENSE EXEMPTIONS FOR COMMUNITY PROGRAM VENDORS."

(4) Human Services Advisory Committee Resignation

Youth member Penelope Toland's resignation was acknowledged and the draft response letter approved via approval of the Consent Calendar.

(5) Report on Procurement Activities

Motion to Approve the Consent Calendar.

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

Vote: Motion carried 7-0

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

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

a. Cross Kirkland Corridor Update

Cross Kirkland Corridor Coordinator Kari Page provided an update on activities to date.

b. Disbursement of Waste Management Event Funds

Deputy Mayor Sweet recused herself from this portion of the Council discussion due to her involvement with Celebrate Kirkland. Special Projects Coordinator Philly Hoshko reviewed the three events that qualified for this funding: Concerts in the Park, Celebrate Kirkland, and Winterfest.

Motion to Approve the Waste Management funding option 2 allocating \$16,000 for Celebrate Kirkland, \$8,000 for Concerts in the Park and \$8,000 for Winterfest.

Moved by Councilmember Doreen Marchione, seconded by Councilmember Toby Nixon

Vote: Motion carried 7-0

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

c. Preliminary 2013 Street Maintenance and Pedestrian Safety Levy Accountability Report

Interim Public Works Director Pam Bissonnette provided a status report on the 2013 progress, accomplishments and implementation of the 2012 Street Maintenance and Pedestrian Safety Levy and a summary of the preliminary 2013 Accountability Report.

d. Resolution R-5050, Authorizing Additional Analysis of Sites and Uses to be Considered for a Potential Facility to Provide for the Recreation and Aquatic Needs of Residents and Authorizing the Parks and Community Services Department to Solicit Additional Resident Input.

Parks and Community Services Director Jennifer Schroder provided a summary of the proposed resolution and answered Council questions.

Motion to Approve Resolution R-5050, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING ADDITIONAL ANALYSIS OF SITES AND USES TO BE CONSIDERED FOR A POTENTIAL FACILITY TO PROVIDE FOR THE RECREATION AND AQUATIC NEEDS OF RESIDENTS AND AUTHORIZING THE PARKS AND COMMUNITY SERVICES DEPARTMENT TO SOLICIT ADDITIONAL RESIDENT INPUT."

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

Vote: Motion carried 7-0

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

Council recessed for a short break.

11. NEW BUSINESS

- a. Ordinance O-4442 and its Summary, Relating to Zoning and Land Use and Amending the Kirkland Zoning Code With Respect to Allowed Uses and Development Standards for Properties Adjoining the Cross Kirkland and Eastside Rail Corridors Including Amendments to the Following Zoning Code Chapters: 20, 25, 45, 48, 55, 56, 60, 90, 105, and 115; and Approving a Summary Ordinance for Publication, File No. CAM14-00269.

Planning Supervisor Jeremy McMahan summarized the proposed ordinance and Planning Commission Chair Jon Pascal provided background and summary of the Planning Commission recommendations. They then responded to Council questions.

Motion to Approve Ordinance O-4442 and its Summary, Relating to Zoning and Land Use and Amending the Kirkland Zoning Code With Respect to Allowed Uses and Development Standards for Properties Adjoining the Cross Kirkland and Eastside Rail Corridors Including Amendments to the Following Zoning Code Chapters: 20, 25, 45, 48, 55, 56, 60, 90, 105, and 115; and Approving a Summary Ordinance for Publication, File No. CAM14-00269, as amended.

Moved by Councilmember Jay Arnold, seconded by Councilmember Dave Asher
Vote: Motion carried 7-0

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

Motion to Amend Ordinance O-4442 so that the requirement for landscape islands does not apply to auto dealerships.

Moved by Councilmember Jay Arnold, seconded by Councilmember Doreen Marchione

Vote: Motion carried 6-1

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

No: Councilmember Shelley Kloba.

Motion to Amend Ordinance O-4442 so that item 3.a.iii, stating that "a pedestrian entrance facing the Corridor shall be provided with a pedestrian walkway connecting from the entrance to the Corridor," shall not be applied to auto dealers.

Moved by Deputy Mayor Penny Sweet, seconded by Mayor Amy Walen

Vote: Motion carried 4-3

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

No: Councilmember Jay Arnold, Councilmember Dave Asher, and Councilmember Shelley Kloba.

Motion to Amend Ordinance O-4442 so that the increased bike parking not be required for auto dealerships.

Moved by Councilmember Dave Asher, seconded by Councilmember Jay Arnold

Vote: Motion carried 7-0

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

Motion to accept the Houghton Community Council recommendations.

Moved by Councilmember Dave Asher, seconded by Councilmember Toby Nixon

Vote: Motion carried 7-0

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

Motion to Table Ordinance O-4442 and its Summary, Relating to Zoning and Land Use and Amending the Kirkland Zoning Code With Respect to Allowed Uses and Development Standards for Properties Adjoining the Cross Kirkland and Eastside Rail Corridors Including Amendments to the Following Zoning Code Chapters: 20, 25, 45, 48, 55, 56, 60, 90, 105, and 115; and Approving a Summary Ordinance for Publication, File No. CAM14-00269, pending preparation of final amendment text.

Moved by Councilmember Toby Nixon, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

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

b. Community Development Block Grant Options

Motion to Approve Community Development Block Grant Options as recommended by staff.

Moved by Councilmember Doreen Marchione, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

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

c. Juanita Drive Master Plan Corridor Study - Review Draft Plan

Capital Projects Supervisor Rod Steitzer and Don Samdahl of the consultants Fehr & Peers, Inc. provided a brief summary of the Juanita Drive Corridor Study and answered Council questions.

d. Association of Washington Cities (AWC) Voting Delegates

Motion to Designate Mayor Walen, Deputy Mayor Sweet and Councilmember Kloba as the official City voting delegates at the Association of Washington Cities annual

business meeting, with Councilmember Arnold as alternate.

Moved by Councilmember Jay Arnold, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

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

e. Nourishing Network Request

Motion to Direct staff to bring back a resolution to fund Nourishing Networks with \$25,000 from the Council contingency fund.

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

Vote: Motion carried 7-0

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

Council returned to Item 11.a. for further discussion

Motion to Take from the table the motion to approve Ordinance O-4422.

Moved by Councilmember Toby Nixon, seconded by Councilmember Jay Arnold

Vote: Motion carried 7-0

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

Motion to Adopt Amendment 1 incorporating previous changes made during the discussion of Item 11.a.

Moved by Councilmember Toby Nixon, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

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

12. REPORTS

a. City Council Reports

(1) Finance and Administration Committee

Chair Marchione reported on Council Policies and Procedures follow up; Capital Improvement Program update; review of the March financial dashboard with revenues and expenditures within expectations; investment report and the local government investment pool; development service fee model update.

(2) Planning, Housing and Economic Development Committee

Have not met.

(3) Public Safety Committee

Chair Sweet reported on the draft of the annual Fire and Emergency Services report; level of responses to group homes and assisted living facilities; update on transit center and downtown activity which has decreased to an all-time low.

(4) Public Works, Parks and Human Services Committee

Have not met.

(5) Tourism Development Committee

Chair Nixon reported on the review and approval of event funding request evaluation criteria, a recommendation an increase in the funding allocation funding for events, review of the schedule for the upcoming event funding process, new Kirkland Visitors' Guide, finalizing of the 2014 event guide.

(6) Regional Issues

Councilmembers shared information regarding a visit at John Muir Elementary; upcoming Sound Cities Association Public Issues Committee; Brownie Troop 40541's Earth Day Clean-up of the Cross Kirkland Corridor; Kirkland 2035 Community Future Day; Juanita Bay Park stewardship event; Kirkland Women's Club fundraising tea for the YWCA Dress for Success program; Kirkland Performance Center event to welcome the new Executive Director; King County Domestic Violence Initiative quarterly meeting; Evergreen Hill Neighborhood Association Meeting; Kirkland Sustainability Education series; Edith Moulton Park cleanup with Juanita Neighborhood Association; tour of the Astronics Corporation; Friends of Youth ribbon cutting for new transitional living homes for homeless youth; Kirkland Housing Dialogue sponsored by the Greater Kirkland Chamber of Commerce; Lake Washington Schools Foundation Legacy for Learning luncheon; King County Committee to end Homelessness; Cascade Water Alliance meeting; forum on equal pay cosponsored by Congresswoman Suzan DelBene, Washington's Work and Family Coalition, Economic Opportunity Institute, Moms Rising and the YWCA; Housing Development Consortium 6th Annual Luncheon where Kirkland received the Municipal Champion award for our efforts in housing; Nytec tour; Norkirk Neighborhood tour; Kirkland Downtown Association meeting; Kirkland Art Walk; Kirkland Artist Studio Tour (KAST); King County Kirkland Pump Station ribbon cutting; Ben Franklin Elementary second graders; Sound Cities Association Women's Leadership Breakfast; Puget Sound Regional Council Executive Board meeting; meeting with the Sound Transit Board of Directors representing Eastside cities; the Evergreen Gala; Cascade Bicycle Club Bike to Work breakfast; Northend

Mayors luncheon; Fire Operations training.

Mayor Walen asked for permission from the Council to sign a letter on behalf of the City of Kirkland and other cities in King County stating that the City does not see a need for a new Northeast transfer station and wants to commit to the closure of the Houghton, Renton and Algona transfer stations in 2021, 2018, and 2020 respectively, as planned.

Motion to Approve Mayor Walen signing a letter to King County regarding the proposed northeast transfer station and the closure of the existing Houghton, Renton, and Algona transfer stations in 2021, 2018, and 2020 respectively. Moved by Councilmember Doreen Marchione, seconded by Deputy Mayor Penny Sweet

Vote: Motion carried 7-0

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

b. City Manager Reports

(1) City Council Meeting with the Market Neighborhood

(2) City Council Financial Retreat Draft Agenda

(3) Calendar Update

Councilmember Nixon asked staff to research the Washington State Liquor Control Board's determination that the Kirkland Dance Center qualifies as a recreation center under the new marijuana laws and what impact that may have on other areas of the city. City Manager Kurt Triplett also then explained a map distributed to Council showing the 12 retail marijuana lottery locations.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of May 6, 2014 was adjourned at 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 8, 2014
Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION

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

POLICY IMPLICATIONS

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

BACKGROUND DISCUSSION

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

- (1) Qiongwen (Joan) Chen
10536 NE 20th Street
Bellevue, WA 98004

Amount: \$385.00

Nature of Claim: Claimant states damage to Kirkland property resulted from tree roots originating in Everest Park damaging a fence.

- (2) Cheryl Nelson
9811 NE 124th Street #403
Kirkland, WA 98034

Amount: \$301.13

Nature of Claim: Claimant states damage to property resulted from unintentional medical alert.

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



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

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: May 8, 2014

Subject: Totem Lake Culvert Replacement Project – Accept Work

RECOMMENDATION:

It is recommended that the City Council accepts the Totem Lake Culvert Replacement Project, as constructed by Scarsella Brothers, Inc. of Seattle, WA, and establishes the statutory 45-day lien period.

BACKGROUND DISCUSSION:

The Totem Lake Culvert Replacement Project improved conveyance in the existing surface water drainage system from Totem Lake to the west side of I-405 by replacing the existing aged, deteriorated and clogged corrugated metal pipe culverts (Attachment A). The specific work elements for this Project included:

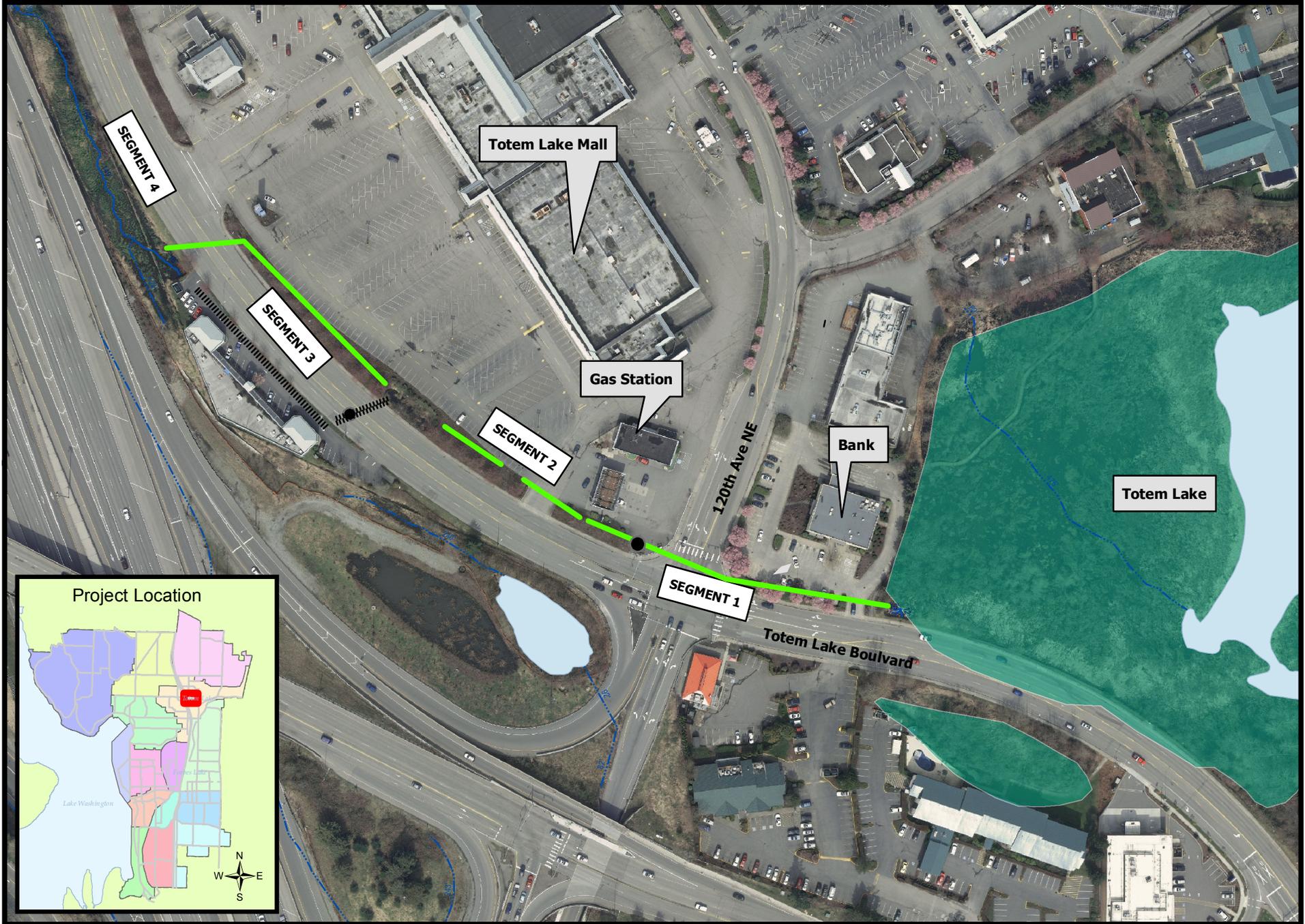
- Replacement of two 42-inch metal culverts with approximately 700 feet of a single concrete box culvert,
- Relocation of a WSDOT traffic signal in conflict with the new culvert alignment including the placement of a temporary signal for use during the construction period,
- The cleaning and inspection of 300 feet of existing 72-inch culvert, and
- Sediment and invasive vegetation removal within an existing section of open drainage channel along the eastern right-of-way limits of Totem Lake Boulevard.

At their regular meeting on April 2, 2013, City Council awarded the contract for this Project to Scarsella Brothers, Inc., in the amount of \$2,419,552.52. The work began May 13 and was complete on December 13, 2013. The total of all payments made to the Contractor was \$2,440,831.51, including three change orders. The change orders were issued to resolve utility conflicts on the existing storm drainage system within the city's easement area for the Totem Lake Mall parking lot, the lowering of unit price for asphalt pavement due to increased field quantities, and the abandonment of an existing old 60-inch squashed pipe determined obsolete after the construction of the subject Project improvements.

With current total Project expenses of \$4,016,019 and an approved budget of \$4,175,000, there currently is an estimated budget surplus of nearly \$159,000 (Attachment B). At final Project close-out all remaining funds will be returned to Surface Water Transportation Reserves.

Attachment A – Vicinity Map
Attachment B – PBR

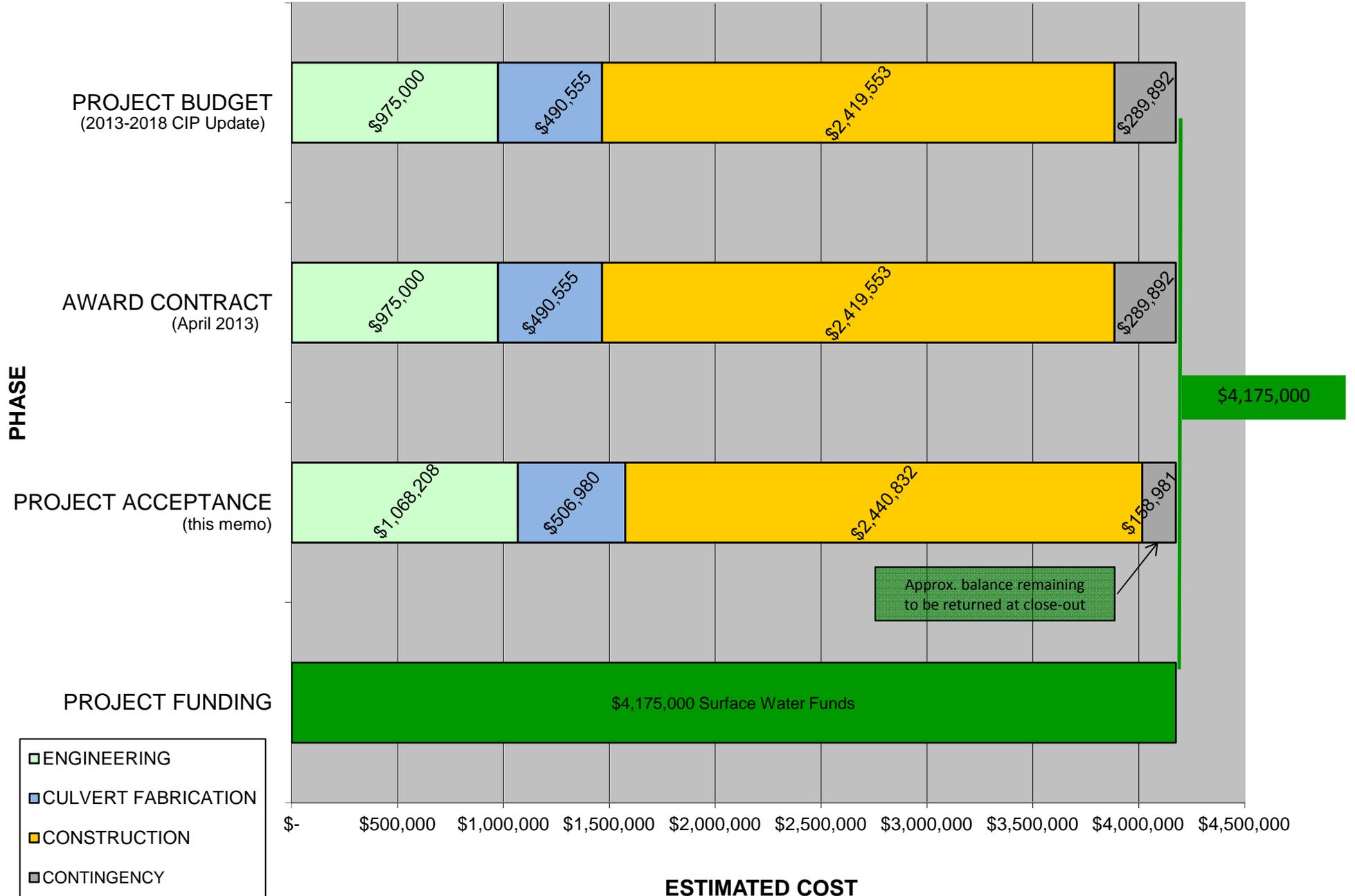
TOTEM LAKE CULVERT REPLACEMENT PROJECT SITE MAP



TOTEM LAKE CULVERT REPLACEMENT PROJECT (SD-0075)

Project Budget Report

Attachment B





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

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: May 8, 2014

Subject: 2013 Crosswalk Initiative – Accept Work

RECOMMENDATION:

It is recommended that City Council accepts work on the two Job Order Contracting (JOC) Work Orders for the 2013 Crosswalk Initiative Project, as completed by Forma Construction of Seattle, WA, and establishes the statutory lien period.

BACKGROUND DISCUSSION:

The 2013 Crosswalk Initiative Project resulted in pedestrian amenity upgrades at fifteen (15) crosswalks throughout the City (Attachment A). The completed Project resulted in the replacement of non-working in-pavement flashing light systems with new Rectangular Flashing Beacon (RFB) units.

At their April 4, 2013 meeting, City Council authorized the City Manager to enter into an Interlocal Agreement (ILA) with the City of Bellevue in order to utilize a portion of Bellevue's JOC contract as an alternative procurement method for public works project delivery. City Council authorized the use of JOC Work Orders with a not-to-exceed total cost of \$600,000 of Street Levy Funds for installation of the new RFBs throughout the City. (A transfer of \$10,000 of the \$600,000, was subsequently approved by City Council to be used on the NE 112th Street Sidewalk Project (CNM-053) as a grant fund match reducing the JOC RFB Project budget to \$590,000 – Attachment B.)



NE 116th St and 113th PI NE

In late May 2013, the City began working with Forma Construction, Bellevue's current JOC contractor and The Gordian Group, Bellevue's consultant JOC contract administrator, to scope

and price out thirteen (13) crosswalk locations. By July 2013, the City issued the first of two Work Orders and efforts began to construct RFBs at the first six crosswalk locations -- all six of the first units were constructed as hard-wired electrical units. The construction of the first Work Order was substantially complete in November, 2013 at a construction cost of \$274,116. In October, 2013 the City issued a second Work Order to Forma Construction to construct RFBs at up to nine more crosswalk locations. The second Work Order was for seven solar RFB units and two wired units, and that work was substantially complete in February, 2014 at a cost of \$235,996. While the costs for the solar units were typically higher for the parts, they proved to be substantially less costly for their physical installations.

The amount paid to the contractor for the two construction Work Orders for all 15 RFBs was \$510,112 noting that, as originally scoped, the 2013 Crosswalk Initiative was to improve 13 locations; however, the lesser costs for the solar installations allowed for the replacement of two additional non operational in-pavement lighted crosswalk locations bringing the final total number of replacements to 15 for the Project.

The total cost to the 2013 Crosswalk Initiative Project, including in-house engineering, inspection, and consultant fees to The Gordian Group is approximately \$565,400. With the total Project budget of \$590,000, all remaining funds will be returned to the Pedestrian Safety Levy Reserve (as the original source) at final Project close-out (Attachment B).

Kirkland's introductory JOC program, through the Bellevue ILA, provided a new project delivery method that has produced favorable results for the 2013 Crosswalk Initiative Project. Overall, the 15 RFBs were specified and constructed in a shorter time and at comparatively less cost. Staff compared the installation of the RFBs using the JOC process to the traditional design-bid-build (low bid) process with results shown in Table 1 below:

Table 1: Comparison of JOC Process and Design-bid-build for RFB Installation

Item	JOC	Low Bid	Difference
Average construction cost hard wired system	45,686	56,679	(10,993)
Average soft cost (Design, Inspect, CM)	3,688	13,301	(9,613)
Total	49,374	69,980	(20,606)

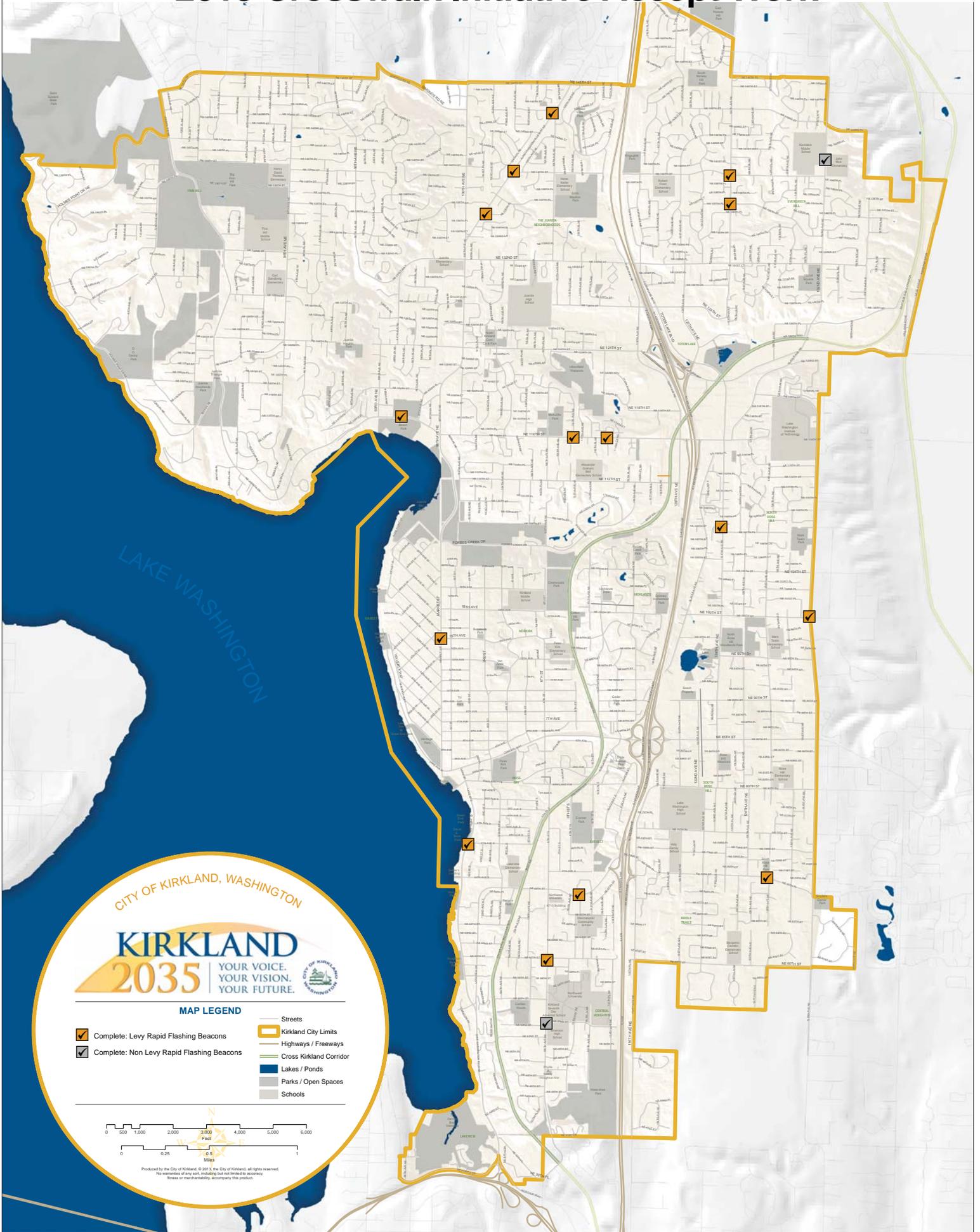
On average, there was a significant savings in costs and in time to complete each RFB through JOC. As shown above, there was an overall average of over \$20,000 per unit to complete a hard-wired electrical RFB system through JOC, when compared to the more traditional contracting method. Additionally, staff found the JOC process saved nearly two months of time for overall project delivery over that of a typical design-bid-build process.

As approved by City Council at their regular meeting of March 4, 2014, staff is currently working on implementing a Kirkland JOC Program for CIP and other city projects, including maintenance, facilities, and emergency projects. Staff anticipates Kirkland's JOC Program will be ready for utilization in summer, 2014, once all JOC Program paperwork requirements are met and a JOC contractor solicitation and contract are completed.

Attachment A: Vicinity Map

Attachment B: PBR

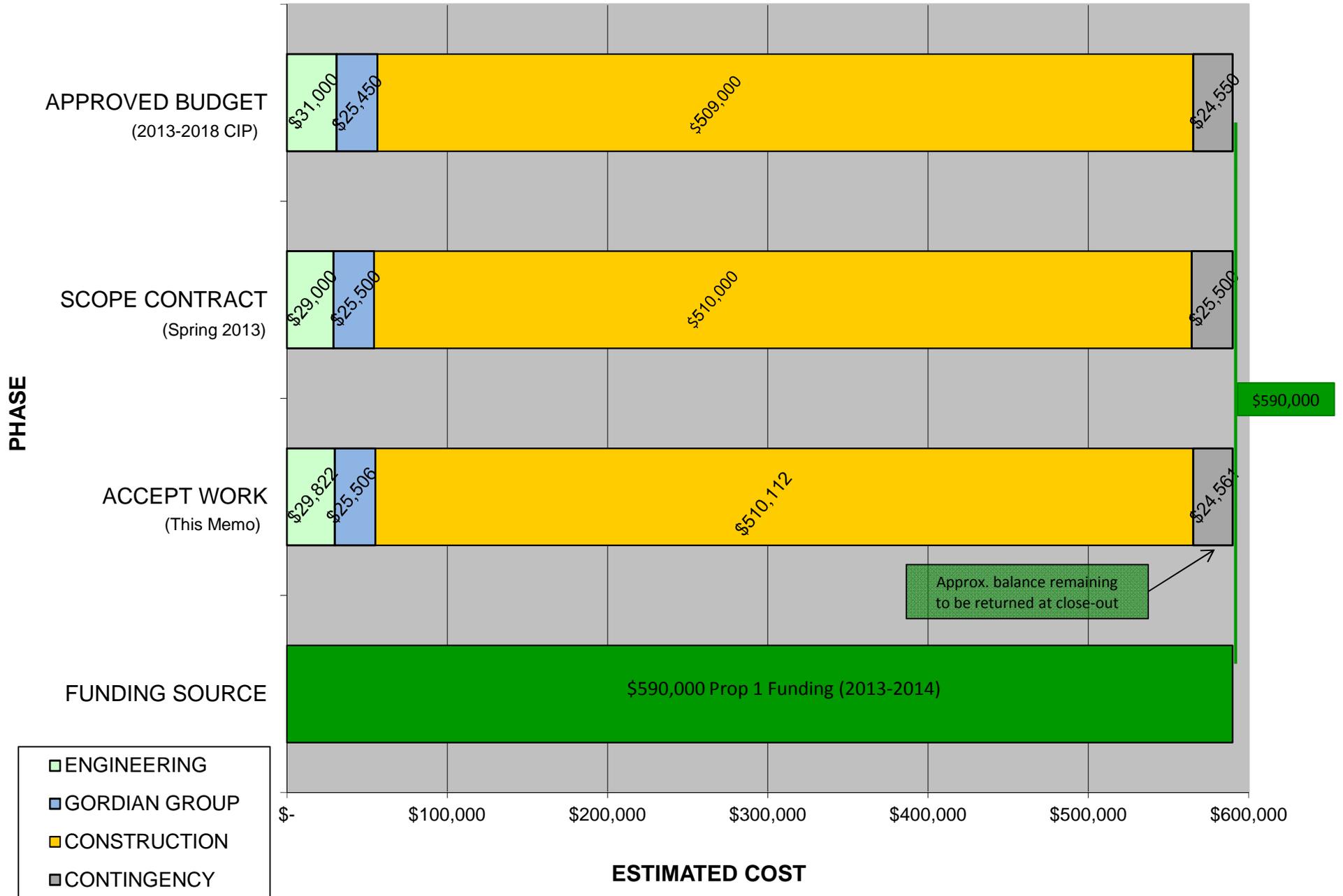
2013 Crosswalk Initiative Accept Work



**2013 Crosswalk Initiative
(NM-1306-200)**

Attachment B

Project Budget Report





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: Jason Filan, Park Operations Manager
Date: April 14, 2014
Subject: Acceptance of Work: Lee Johnson Field Lighting Project

RECOMMENDATION:

That City Council accepts the work for the Lee Johnson Field Lighting Project at Peter Kirk Park, as completed by Musco Lighting Systems of Muscatine, Iowa, and establishes the statutory lien period.

BACKGROUND DISCUSSION:

At their regular meeting on December 10, 2013, City Council awarded the construction contract for the project to Musco Lighting in the amount of \$150,217. The amount budgeted in the Capital Improvement Program (CIP) was \$150,000 and, as anticipated, the project was completed under budget due to the sale of salvaged materials such as metal, wire and light fixtures. The net project cost was \$149,621.

The new system is performing as advertised. The field previously had 11 poles containing 96 lamps lighting the field. The new system uses 9 poles and 39 lamps to provide the same level of field lighting. Field users and neighbors have provided positive feedback both that the quality of the light on the field has improved and that less light is spilling out into the community. Staff expects to see electricity savings of approximately \$6,000 per year.



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: May 7, 2014

Subject: RESOLUTION OF INTENT TO PARTICIPATE AS A JOINT AGREEMENT CITY
WITHIN THE KING COUNTY CDBG/HOME CONSORTIUM FOR 2015-2017

RECOMMENDATION:

That the City Council approves the attached resolution notifying King County of Kirkland's intent to participate within the King County Community Development Block Grant (CDBG) and HOME (Home Investment Partnership Program) Consortium as a Joint Agreement City from 2015 through 2017.

BACKGROUND DISCUSSION:

At their meeting of May 6, 2014 the City Council received a report detailing options for how Kirkland may receive and utilize Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD). The City currently receives its CDBG funds through the King County CDBG/HOME Consortium based on an Interlocal Agreement with King County, which is set to expire at the end of 2014.

The Council directed staff to move forward with the Joint Agreement option for the three-year period from 2015 through 2017. With this option the City and the County each will receive some of the CDBG funds attributable to the City, with each having different responsibilities for program administration. The County will retain half of the planning and administration allocation to provide contract oversight and satisfy federal administrative requirements. The City will retain the other half of the planning and administration allocation, which will be used to pay for staff to provide the necessary program support. The City will also receive a portion of the human service and capital CDBG funds to allocate to eligible projects that are selected by the City.

Key aspects of the Joint Agreement include:

- County-administered activities (through the Consortium):
 - **King County is the official grantee and will have primary responsibility to HUD**, with Kirkland in effect serving as a subcontractor.
 - **The King County Consortium Consolidated Housing and Community Development Plan (“Consolidated Plan”)** will guide the investment of CDBG funds and is a requirement of HUD. King County prepares the Consolidated Plan on behalf of and with the assistance of Consortium members, and will update it periodically to ensure continued eligibility.
 - **Home Repair Program.** Kirkland homeowners with low and moderate income can apply for grants or loans to repair their homes.
 - **Housing Stability Program.** Kirkland residents with low and moderate income who are at risk for homelessness, eviction or foreclosure may be eligible for emergency grants and/or loans to help them remain in their homes or move into permanent housing.
- City and County shared administered activities:
 - **Capital Funding.** The City Council will determine how capital funds will be allocated (subject to CDBG requirements and consistent with the Consortium’s Consolidated Plan). King County will administer capital contracts (up to two capital projects per year, not including those projects funded with CDBG funds from other sources).

Capital funds can be directed to one or more of the following activities:

 - ✓ **Allocate capital funding to ARCH** to be used for affordable housing projects;
 - ✓ **Fund non-profit organizations** to acquire, construct and/or rehabilitate human service facilities or housing which serves our low and moderate-income residents;
 - ✓ **Fund City of Kirkland projects** for public infrastructure and park projects which serve low and moderate-income neighborhoods.
- City-administered activities:
 - **Human Services Funding.** The City Council will determine how human services funds will be allocated (subject to CDBG requirements and consistent with the Consortium’s Consolidated Plan). Non-profit organizations serving Kirkland residents can apply for funds for human service programs which serve low and moderate-income residents. Kirkland will administer all human services contracts. An application process will be incorporated into the City’s bi-annual Human Services Grant Program, with review by the Council-appointed Human Services Advisory Committee.

Below is a chart with estimated 2015 CDBG funding under the Joint Agreement:

<i>Activity</i>	<i>Estimated 2015 Allocation</i>
Housing Repair <i>(Kirkland portion of Consortium total)</i>	\$50,000
Housing Stability <i>(Kirkland portion of Consortium total)</i>	\$10,000
Planning and Administration – County Share	\$20,000
Subtotal – Funds Remaining w/ Consortium:	\$80,000
Planning and Administration – Kirkland Share	\$20,000
Human Services – Kirkland to Distribute	\$20,000
Capital Projects – Kirkland to Distribute	\$80,000
Subtotal – Funds Allocated to Kirkland:	\$120,000

Home Investment Partnerships Program (HOME)

The Home Investment Partnerships Program (HOME) provides HUD grants that communities use - often in partnership with local nonprofit groups - to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households.

HOME funds are administered by King County in cooperation with the King County CDBG/HOME Consortium member cities. Over the last six years, approximately \$8.3 million in HOME funds have supported the development of 686 units of permanent low-income housing in King County.

In previous years Kirkland's interlocal agreement with King County covered both the CDBG and HOME programs. For procedural reasons, HUD requires that Joint Agreement cities have separate agreements with King County for the two programs. The attached resolution authorizes the City Manager to sign both the CDBG and HOME interlocal agreements in substantially the form of the attached documents.

Attachments:

- 1 – Resolution of Intent
 - Exhibit A Draft 2015-2017 Interlocal – CDBG
 - Exhibit B Draft 2015-2017 Interlocal - HOME

RESOLUTION R-5051

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND INTENDING TO PARTICIPATE AS A JOINT AGREEMENT CITY UNDER THE KING COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) CONSORTIUM AND AUTHORIZING THE CITY MANAGER TO SIGN THE APPROPRIATE AGREEMENTS.

WHEREAS, the City of Kirkland is currently a member of the regular King County CDBG/HOME Consortium, governed by an Interlocal Agreement set to expire at the end of 2014; and

WHEREAS, based on population and other eligibility criteria, the City of Kirkland has been notified of its option to participate in the King County CDBG/HOME Consortium as a Joint Agreement City; and

WHEREAS, participating as a Joint Agreement City will allow the City of Kirkland to receive funds in support of programs and projects that directly benefit our community, including but not limited to home repair, affordable housing, community facilities, public infrastructure, and human services; and

WHEREAS, the City Council has concluded that its preference is for the City of Kirkland to participate in the CDBG/HOME program under a joint agreement with King County; and

WHEREAS, King County requires that the City of Kirkland submit notification of its intent to participate in the Consortium and intent to sign the new Interlocal Agreement governing use of CDBG funds for 2015-2017;

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

Section 1. The City Council supports participation by the City of Kirkland in the King County Consortium under a joint agreement.

Section 2. The City Manager is hereby authorized and directed to sign the appropriate Interlocal Agreements regarding the Community Development Block Grant Program and the Home Investment Partnership Program in substantially the form included in Exhibit A and Exhibit B.

Passed by majority vote of the Kirkland City Council in open meeting on the _____ day of _____, 2014.

Signed in authentication thereof this _____ day
of _____, 2014.

Mayor

Attest:

City Clerk

**JOINT INTERLOCAL AGREEMENT
REGARDING THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

THIS AGREEMENT is entered into by and between King County (hereinafter the “County”) and the City of _____, (hereinafter the “City”) said parties to this Agreement each being a unit of general local government in the State of Washington.

WITNESSETH:

WHEREAS, the federal government, through adoption and administration of the Housing and Community Development Act of 1974 (the “Act”), as amended, will make available to King County Community Development Block Grant funds, hereinafter referred to as “CDBG”, for expenditure during the 2015, 2016 and 2017 funding years; and

WHEREAS, the area encompassed by unincorporated King County and all participating cities, has been designated by the United States Department of Housing and Urban Development (“HUD”), as an urban county for the purpose of receiving CDBG funds; and

WHEREAS, the Act directs HUD to distribute to each urban county a share of the annual appropriation of CDBG funds based on formula, taking into consideration the social and economic characteristics of the urban county; and

WHEREAS, the Act allows participation of units of general government within an urban county in undertaking activities that further the goals of the CDBG program within the urban county; and

WHEREAS, upon HUD approval of the joint request and cooperation agreement, a metropolitan city becomes a part of the urban county for purposes of program planning and implementation for the entire period of the urban county qualification, and for the CDBG program, will be treated by HUD as any other unit of general local government that is a part of the urban county; and

WHEREAS, a metropolitan city or an urban county may be part of a consortium; and

WHEREAS, the County and the City agree that it is mutually desirable and beneficial to form a consortium that includes other participating jurisdictions (“Consortium”) to implement the terms of this Interlocal Agreement; and

WHEREAS, the CDBG Regulations require the acceptance of the consolidated housing and community development plan (“Consolidated Plan”) by participating jurisdictions; and

WHEREAS, the County and the participating jurisdictions agree that it is mutually desirable and beneficial to enter into a consortium arrangement pursuant to and authorized by the National Affordable Housing Act of 1990, as amended, 42 USC 12701 et. seq. and 24 CFR Part 92 for

purposes of the HOME Investment Partnerships Program, hereinafter referred to as “HOME Program,” and to cooperate in undertaking HOME Program activities; and

WHEREAS, King County and the participating jurisdictions agree that it is mutually desirable and beneficial to enter into a consortium arrangement pursuant to and authorized by the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, for purposes of the Emergency Solutions Grant Program, hereinafter referred to as “ESG”, and to cooperate in undertaking ESG activities; and

WHEREAS, the County shall undertake CDBG, ESG and HOME Program-funded activities in participating incorporated jurisdictions as specified in the Consolidated Plan by granting funds to those jurisdictions and to other qualifying entities to carry out such activities; and

WHEREAS, the County is responsible to the federal government for all activities undertaken with CDBG funds and shall ensure that all CDBG assurances and certifications King County is required to submit to HUD with the Annual Action Plan are met; and

WHEREAS, the County and the City are committed to targeting CDBG, ESG and HOME Program funds to ensure benefit for very low to moderate-income persons as defined by HUD; and

WHEREAS, the County and the City recognize that needs of very low to moderate-income persons may cross jurisdictional boundaries and therefore can be considered regional and sub-regional needs as well as local needs; and

WHEREAS, the County, in conjunction with the participating jurisdictions, must submit an Annual Action Plan to HUD, which is a requirement to receive CDBG funds; and

WHEREAS, the purpose of this Joint Interlocal Agreement, entered into pursuant to and in accordance with the State Interlocal Cooperation Act, RCW Chapter 39.34, is for planning the distribution and administration of CDBG, HOME Program, and other federal funds received on behalf of the Consortium from HUD, and for execution of activities in accordance with and under authority of the Act:

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING CIRCUMSTANCES AND IN CONSIDERATION OF THE MUTUAL PROMISES CONTAINED HEREIN, IT IS AGREED THAT:

I. GENERAL AGREEMENT

The County and City agree to cooperate to undertake, or assist in undertaking, activities which further the development of viable urban communities funded from annual CDBG and HOME Program funds from federal fiscal years 2015, 2016 and 2017 appropriations, from recaptured funds and from any program income generated from the expenditure of such funds. These activities include the provision of decent housing, homeless assistance, and a suitable living environment and economic development opportunities, principally for persons with very low to moderate incomes.

II. DEFINITIONS

- A. “JRC” means the inter-jurisdictional Joint Recommendations Committee as described in Section V of this Agreement.
- B. “CDBG Consortium Partners” means jurisdictions that are official HUD-recognized participants in the CDBG Consortium through a signed Interlocal Agreement.
- C. “Consolidated Plan” is the King County Consortium Consolidated Housing and Community Development Plan, a HUD-required plan that identifies needs and contains a strategic plan to guide the investment of HUD CDBG, HOME and ESG funds for a multi-year period not to exceed five years.
- D. “Entitlement amount” means the amount of funds that a metropolitan city is entitled to receive under the Entitlement Grant Program as determined by formula set forth in Section 106 of the Act.
- E. “Program income” means gross income received by the City directly generated from the use of City CDBG funds which includes income from the Housing Repair Program projects within the City and a pro rata share of net income generated from float loan activity. Pro rata calculations will use the amount in II (B).
- F. “Recaptured funds” means a fund balance that remains at the close of a project activity, cancellation of an awarded project or a repayment of funds that is required due to determination of ineligible activity by HUD, change of use from original grant award or sale of property.
- G. “New stand-alone capital project” means a project that requires the establishment of a new HUD Integrated Disbursement & Information System (“IDIS”) activity number as opposed to an existing project where supplemental funding is being added.
- H. “Stand-alone public service project” means a project that has not been funded by the sub-regional process utilized by those non-entitlement consortium cities signing the King County Consortium Interlocal Cooperation Agreement for the Community Development Block Grant Program in the applicable program year. A City’s stand-alone public service project may consist of more than one contract with more than one agency, as long as only one HUD IDIS activity number is required for the project activity, and the City submits all information, reports and invoices to the County as one project activity.
- I. “Joint Agreement Cities” means CDBG entitlement cities that choose to participate in the King County CDBG Consortium for administration of CDBG funds as a party to this Agreement.

III. GENERAL DISTRIBUTION OF FUNDS

- A. Each year the County will retain, for all of the administration, planning and fund management responsibilities of the County, an amount of the Administration and Planning set-aside of the City's CDBG entitlement equal to fifty (50) percent of the maximum amount allowable by HUD for Administration and Planning. The remaining fifty (50) percent of the maximum amount allowable by HUD for Administration and Planning will be allocated by the City and may be used to plan and administer the City's CDBG projects in accordance with this Agreement. The maximum amount currently allowed by HUD for the Administration and Planning set-aside is twenty (20) percent of the City's CDBG entitlement plus twenty (20) percent of program income. If the current maximum allowable percentage for Administration and Planning is changed for the CDBG Program at the federal level, the City and County may negotiate to change the percentage of funds retained for administration, planning and fund management.
- B. The County will retain an amount equal to two (2) percent of the City's CDBG entitlement plus two (2) percent of program income each year for eligible project management related costs for the implementation of capital projects funded by the City. This amount may not be adequate to cover a subsequent capital project after recapture of funds from a previous project, and will be negotiated between the City and the County, based on the circumstances.
- C. The Human Services Set-aside shall be the maximum allowable by HUD for human services [currently fifteen (15) percent of the funds available from the City's CDBG entitlement plus fifteen (15) percent of program income]. Five (5) percent of the Human Services Set-aside shall be retained for Consortium-wide public services addressing homelessness, as determined by the CDBG Consortium partners and stakeholders pursuant to the current Consortium Consolidated Plan. The remaining ten (10) percent will be available for public services as allocated by the City in accordance with this Agreement.
- D. Twenty (20) percent of the funds available from the City's CDBG entitlement plus twenty (20) percent of program income shall be retained for the Consortium-wide Housing Repair program. The JRC may periodically review and recommend increases or decreases to this percentage if, in its judgment, there has been a substantial change in the Consortium's overall funding or in the need for housing repair that justifies an increase or decrease. The remaining capital funds will be allocated by the City in accordance with this Agreement.
- E. The balance of the City's entitlement and any remaining program income and recaptured funds from city-funded projects, may be allocated to projects selected by the City, provided they are consistent with the provisions of Section IV below.
- F. The CDBG Consortium Partners may propose King County Consortium CDBG, ESG and HOME Guidelines, for approval by the JRC, to guide the Consortium regarding details of program implementation, including, but not limited to, funding guidelines, frequency of application processes, Consortium procedures and goals for geographic equity in the distribution of funds over time.

IV. USE OF FUNDS: GENERAL PROVISIONS

- A. Funds shall be used to support the goals, objectives and strategies of the King County Consortium Consolidated Housing and Community Development Plan.
- B. Funds shall be used in accordance with the CDBG regulations at 24 CFR Part 570, HOME Program regulations at 24 CFR Part 92, and all other applicable federal regulations.
- C. The City agrees to a maximum of two new stand-alone capital projects per year with a maximum of one project that may trigger Davis Bacon labor standards annually. Capital funds not used for these stand alone capital projects may be allocated to sub-regional projects by the City unless returned by City to the sub-regional fund. The City may be allowed to do one additional stand-alone capital project in a given year, if there is a compelling reason, and the City secures agreement from another Joint Agreement City that is only doing one project in the applicable year, to loan the City their capacity for a second project.
- D. Public Service funds. The City agrees to a maximum of four stand-alone public service projects, which each require only one HUD IDIS activity number per project each year. The City may have as many contracts with agencies as desired for each project activity. Funds contributed to a sub-regional public service project would not count as part of the four stand-alone projects in this Agreement.
- E. No project funding minimum is established in this Agreement. Project minimums that may be established by the JRC for the CDBG Consortium sub-regional funding shall not be binding on the Joint Agreement cities.
- F. Section 108 Loans. The City may participate in Section 108 Loan activity of the Regular CDBG Consortium, and may initiate a request for the CDBG Consortium to consider a Section 108 Loan of an amount larger than six times 60 percent of the City's entitlement amount, but within the limits of JRC adopted CDBG Guidelines, if the City participates in all other Section 108 Loans of the Regular CDBG Consortium and pays an equitable percentage of any Section 108 Loans that require repayment with CDBG funds. The Section 108 Loan request must be reviewed and approved by the JRC.

If the City does not elect to participate with the Regular CDBG Consortium in Section 108 Loans, then the City may approach the County to consider a Section 108 Loan of the limited amount of six times 60 percent of the City's entitlement amount, with any potential loan repayment to be exclusively the responsibility of the City, and with the workload required to execute the Section 108 Loan to be negotiated between the City and the County on a per loan basis.

V. JOINT RECOMMENDATIONS COMMITTEE

An inter-jurisdictional Joint Recommendations Committee (“JRC”) was established through the 2009 – 2011 CDBG Consortium Interlocal Cooperation Agreement and through King County Code 24.13, and is hereby adopted as part of this Agreement.

- A. Composition—The JRC for the CDBG, ESG and HOME Consortium is composed of three county representatives and eight cities representatives.
1. The three county representatives shall be King County Executive staff with broad policy responsibilities and/or department directors. County representatives shall be specified in writing and, where possible, shall be consistently the same persons from meeting to meeting.
 2. Four of the cities representatives shall be from those non-entitlement consortium cities signing the King County Consortium Interlocal Cooperation Agreement Regarding the Community Development Block Grant Program, two from each subregion.
 3. The remaining four cities representatives shall be from cities that qualify to receive CDBG or entitlement funds directly from HUD that are signing either a Joint Agreement or HOME Program Agreement. These latter four representatives shall have no vote on matters specific to the jurisdictions of the King County Consortium Interlocal Cooperation Agreement Regarding the Community Development Block Grant Program.
 4. Two of the eight cities representatives shall be rotated among the CDBG Joint Agreement Cities. The two representatives will vote on issues affecting Joint Agreement Cities that are specific to this Agreement.
 5. For the two Joint Agreement City rotating positions, the Joint Agreement Cities will notify the County by the end of the second week in February of each year, who the two Joint Agreement City representatives will be for that year.
 6. The chairperson and vice-chairperson of the JRC shall be chosen from among the members of the JRC by a majority vote of the members for a term of one year beginning with the first meeting of the calendar year. Attendance of five members of the entire body of eleven members of the JRC for the CDBG/HOME Consortium shall constitute a quorum for voting matters in which all members of the JRC are eligible to vote. For voting items of the Regular CDBG Consortium, in which only seven members identified in sub-sections 1 and 2 of this section may vote, four members shall constitute a quorum, made up of two King County representatives and two city representatives.
- B. The King County Executive shall appoint the three county representatives. The participating cities of the King County Consortium Interlocal Cooperation

Agreement shall provide for the appointment of their shared representatives in a manner to be determined by those cities through the Sound Cities Association or other agreed-upon mechanism for the execution of shared appointing authority. The Sound Cities Association or other agreed mechanism will select four jurisdictions of varying size from among those signing this Agreement, two from the north/east sub-region and two from the south sub-region. The cities representatives shall be elected officials, chief administrative officers, or persons who report directly to the chief administrative officer, who have broad policy responsibilities; e.g., planning directors, department directors, etc. Members of the JRC shall serve for two years, or at the pleasure of their respective appointing authorities.

- C. Powers and Duties—The JRC shall be empowered to:
1. Review and recommend to the King County Executive all policy matters concerning the Consortium CDBG and HOME Programs, including but not limited to the Consolidated Plan and related plans and policies.
 2. Review and recommend to the King County Executive the projects and programs to be undertaken with CDBG funds and HOME Program funds, including the Administrative Set-aside.
 3. Monitor and ensure that, for all geographic areas and participating jurisdictions that benefit from CDBG, ESG and HOME Program funded activities over time, so far as is feasible considering eligible applications submitted within the goals, objectives and strategies of the Consolidated Plan: 1) there is equity in distribution of funds pursuant to proportion of the region's low to moderate-income population; and, 2) equity is achieved over time pursuant to Consortium Guidelines adopted by the JRC.
- D. Advisory Committees to JRC — In fulfilling its duty to review and recommend projects and programs to be undertaken with CDBG, ESG and HOME Program funds, the JRC shall consider the advice of inter-jurisdictional advisory committees. Sub-regional advisory committees, made up of one representative from each participating jurisdiction in a sub-region that wishes to participate, shall be convened to assist in the review and recommendation of projects and programs to be undertaken in that sub-region. The JRC may also solicit recommendations from other inter-jurisdictional housing and community development committees.

VI. RESPONSIBILITIES AND POWERS OF KING COUNTY

- A. Notwithstanding any other provision contained in this Agreement, the County as the applicant and grantee for CDBG, ESG and HOME Program funds has responsibility for and assumes all obligations in the execution of the CDBG, ESG and HOME Programs, including final responsibility for selecting and executing

activities, ensuring compliance with federal requirements and submitting to HUD the Consolidated Plan, Annual Action Plan, and related plans. Nothing contained in this Agreement shall be construed as an abdication of those responsibilities and obligations.

The County will bear responsibility for:

1. the HUD-related portions of program planning
 2. preparing and submitting the Annual Action Plan and application to HUD
 3. preparing and submitting amendments to the Annual Action Plan
 4. setting up the projects in the HUD IDIS system
 5. preparing and submitting all other HUD-required planning documents (Consolidated Plan and any amendments; the Analysis of Impediments to Fair Housing Choice and the Fair Housing Action Plan; the Homeless Continuum of Care Plan and the Homeless Management Information System; the Lead Paint Hazard Reduction Plan; etc.)
 6. working with Regular CDBG Consortium members and Joint Agreement Consortium members to develop common guidelines, operating procedures and/or best practices that will help clarify consortium processes and facilitate coordination and strong working relationships.
- B. The Metropolitan King County Council shall have authority and responsibility for all policy matters, including the Consolidated Plan, upon review and recommendation by the JRC.
- C. The Metropolitan King County Council shall have authority and responsibility for all fund allocation matters, including approval of the annual CDBG, ESG and HOME Program Administrative Set-asides and appropriation of all CDBG, ESG and HOME Program funds.
- D. The King County Executive, as administrator of the CDBG, ESG and HOME Program, shall have authority and responsibility for all administrative requirements for which the County is responsible to the federal government.
- E. The King County Executive shall have authority and responsibility for all fund control and disbursements.
- F. The King County Executive shall have the authority and responsibility to staff the JRC and provide liaison between HUD and the Urban County Consortium. County Executive staff shall prepare and present to the JRC evaluation reports or recommendations concerning specific proposals or policies, and any other material deemed necessary by the JRC to help it fulfill its powers and duties.

- G. King County Executive staff shall have the authority and responsibility to communicate and consult with the Joint Agreement City on CDBG, ESG and HOME Program policy and program matters in a timely manner.
- H. King County Executive staff shall provide periodic reports on clients served by jurisdictions in the Housing Stability and Housing Repair programs and on the status of CDBG, ESG and HOME Program funded projects and make them available to all participating jurisdictions and the JRC.
- I. King County Executive staff shall administer contracts and provide technical assistance and monitoring, both in the development of viable CDBG, ESG and HOME Program proposals and in complying with CDBG, ESG and HOME Program contractual requirements.
- J. King County Executive staff shall have environmental review responsibility for purposes of fulfilling requirements of the National Environmental Policy Act, under which King County may require the local incorporated jurisdiction or contractor to furnish data, information, and assistance for King County's review and assessment of whether preparation of an environmental impact statement is required. Additional environmental review costs may be charged directly to individual project activity and will be addressed in the proposed project application.
- K. King County Executive staff shall implement City funded capital projects, except City administered projects as noted below.

VII. **RESPONSIBILITIES OF THE CITY**

- A. The City shall cooperate in the development of the Consolidated Plan and related plans.
- B. The City shall assign a staff person to be the primary contact for the County on CDBG, ESG and HOME Program issues. The assigned CDBG, ESG and HOME Program contact person is responsible for communicating relevant information to others at the city.
- C. The City will bear all responsibility for local annual program planning, using financial projections that will be provided by the County.

The City will ensure:

- 1. that all selected projects (1) are an eligible activity, (2) meet a national objective, and (3) are consistent with the goals, objectives and strategies of the King County Consortium Consolidated Housing and Community Development Plan and all applicable JRC Guidelines and Policies,
- 2. that the public participation requirements are met and documented and will provide certification of such to the County,

3. that all requested information by the County will be submitted in a timely manner that allows the County enough time to meet HUD timelines, and
 4. that it will work with King County to minimize the need for amendments to the annual Action Plan and will observe deadlines for submitting Action Plan materials pursuant to the CDBG Consortium's adopted guidelines.
- D. The Joint Agreement city and/or their funded agencies owning community facilities or other real property acquired or improved in whole or in part with CDBG funds shall comply with use restrictions as required by HUD and as required by any relevant policies adopted by the JRC.
1. During the period of the use restriction, the City shall notify County prior to any modification or change in the use of real property acquired or improved in whole or in part with CDBG funds. This includes any modification or change in use from that planned at the time of the acquisition or improvement, including disposition.
 2. During the period of the use restriction, if the City property acquired or improved with CDBG funds is sold or transferred for a use which does not qualify under the applicable regulations, the City shall reimburse the County in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of funds other than CDBG funds).
 3. The City will inform any agency awarded capital funding of the requirement for security documents to be recorded for each capital project activity in accordance with execution of a contract between the awarded agency and the County, and will inform the agency that the County will incorporate the security requirement into the contracting process.
- E. City staff shall implement CDBG-funded projects within the program year and submit both vouchers and required reports to the County in a complete and timely manner. Prior to the first and last payment on capital projects exclusive of Housing Repair, acquisition and Community Based Development Organization projects, pre-approval must be received from County staff that federal labor requirements have been met.
- F. City legislative bodies shall approve or disapprove via motion or resolution all CDBG activities, locations, and allocations submitted by Joint Agreement City staff.
- G. The City will be responsible for subcontracting with third parties for services provided by a Community Based Development Organization for employee development services; and for public service and city managed projects, except for labor standards and relocation where responsibility will be shared with the County (see below). If federal requirements have an unforeseen budget

implication (for example, if the City has not foreseen the need for relocation) the City will be responsible for the increased budget.

- H. The City shall fulfill to the County's reasonable satisfaction all relevant requirements of federal laws and regulations that apply to King County as applicant, including assurances and certifications described below.
- I. The City certifies that it has adopted and is enforcing:
 - 1. a policy that prohibits the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - 2. a policy that enforces applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of non-violent civil rights demonstrations within jurisdiction.
- J. Pursuant to 24 CFR 570.501(b), the City is subject to the same requirements applicable to subrecipients when they receive CDBG funds to implement an activity. The applicable requirements include, but are not limited to, a written agreement with the County that complies with 24 CFR 570.503 and includes provisions pertaining to: statement of work; records and reports; program income; uniform administrative items; other program requirements; conditions for religious organizations; suspension and termination; and reversion of assets.
- K. The City understands that it may not apply for CDBG grant entitlement funds from HUD for the period of participation in this Agreement.
- L. The City in its participation in the CDBG urban county consortium through this Interlocal Agreement understands that it is also part of the Urban County for the HOME Program and that it may not participate in a HOME consortium except through the Urban County, regardless of whether the Urban County receives a HOME formula allocation; and also understands that the city is part of the urban county for the ESG Program and may only receive a formula allocation for ESG through the urban county consortium.
- M. When undertaking activities and/or projects with CDBG funds distributed under this Agreement, the City shall retain full civil and criminal liability as though these funds were locally generated.
- N. The City retains responsibility in fulfilling the requirements of the State Environmental Policy Act under which County shall have review responsibility only.

VIII. SHARED RESPONSIBILITY

- A. Federal Labor Standards:

1. The County will determine appropriate wage rates for inclusion in the construction bids and contracts, and hold preconstruction conferences with contractors, which City staff will also be required to attend.
2. The County will be responsible for reviewing and approving weekly certified contractor payrolls (wage rates, benefits, proper apprentice-journey ratios, etc.). The County will complete a review of initial payrolls submitted to County staff within 10 working business days of receipt from the contractor or the City before payment will be made by the contracting agency.
3. The County will enforce contractor compliance with federal labor standards if the City waits to pay first and last construction draws until after the County approves the certified payrolls. If the City pays before the County approves, the City will be responsible for any compliance problems.
4. The County will be responsible for submitting information for the semi-annual contractor/subcontractor report and the Section 3 report to HUD.
5. The County will provide technical assistance to identify Davis-Bacon issues during the application process.
6. The County will handle non-compliance issues provided the above requirements are met.

B. Uniform Relocation Act/Barney Frank:

1. The City is responsible for identifying proposed projects that may trigger relocation and replacement housing requirements, and for budgeting sufficient funds in the project up front to address these issues.
2. The County will provide advice and technical assistance if consulted ahead of time and will handle any necessary relocation processes.
3. The City and/or funded agency will be responsible for any unforeseen relocation costs. Any unresolved relocation cost will be charged against the City's grant amount after due diligence is completed in collecting payment of funds from the funded agency.

C. Financial/Fund Management:

The County will be responsible for contracting with HUD for the grant funds; recording and tracking loan repayments and other program income; determining funds available under the caps; setting up and drawing down from IDIS; paying vouchers submitted by the city; doing budget revisions upon amendment;

reconciling balances, program income, and funds available for carry over or reallocation at year's end; tracking overall expenditure rate; financial reporting to HUD, etc.

D. Reporting:

1. The City will report accomplishments to the County on each of their public service and stand alone projects.
2. The County will prepare all required reports to HUD, including, but not limited to: Consolidated Housing and Community Development Plan, Action Plan, Consolidated Annual Performance and Evaluation Report ("CAPER"), semi-annual reports on contracting/subcontracting, Section 3, Davis Bacon and labor standards, Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan, and quarterly Federal Cash Transaction Reports.
3. The County will report quarterly on capital project status and on housing repair activity. The Housing Stability Program report will be prepared and reviewed twice a year, with updates provided, as warranted, on the geographic location of clients served.

E. Monitoring:

1. The City will annually monitor the agencies with which it subcontracts to ensure compliance with all federal, state and county requirements associated with CDBG funding with an on-site monitoring visit not less than every two years.
2. The County will monitor the City (and may monitor selected subcontracting agencies). County will be monitored by HUD, the State Auditor, and by the HUD Inspector General.
3. County staff will communicate with City staff at least quarterly to send relevant reports, monitor, provide technical assistance, and discuss capital project status. County and City staff will determine, collectively, if a face-to-face meeting is required from time to time.

F. The City will provide the County all information necessary from its application process for contracting and implementation purposes for all other stand-alone capital projects.

G. City staff may participate in other Consortium-wide planning activities envisioned in the Consolidated Plan such as Interjurisdictional Advisory Group meetings regarding the HOME Program, Housing Stability Program, Regional Affordable Housing Program ("RAHP") and other regional and sub-regional processes.

VIII. GENERAL TERMS

- A. This Agreement shall extend through the 2015, 2016 and 2017 program years, and shall remain in effect until the CDBG funds, HOME Program funds and program income received with respect to activities carried out during the three-year qualification period are expended and the funded activities completed. This Agreement shall be automatically renewed for participation in successive three-year qualification periods, unless the County or the City provides written notice that it wishes to amend this Agreement or elects not to participate in the new qualification period by the date set forth by HUD in subsequent Urban County Qualification Notices. The County, as the official applicant, shall have the authority and responsibility to ensure that any property acquired or assisted with CDBG funds is disposed of or used in accordance with federal regulations.
- B. Pursuant to 24 CFR Part 570.307(d)(2), during the period of qualification no included unit of general local government may terminate or withdraw from the cooperation agreement while it remains in effect.
- C. It is understood that by signing this Agreement, the City shall accept and agree to comply with the policies and implementation of the King County Consortium Consolidated Plan.
- D. Parties to this Agreement must take all required actions necessary to assure compliance with King County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, (Title III of the Civil Rights Act), the Fair Housing Act as amended, Section 109 of Title I of the Housing and Community Development Act of 1974, as amended, the Americans with Disabilities Act of 1990, and other applicable laws.
- E. City agrees to affirmatively further fair housing and will ensure that no CDBG or HOME Program funds shall be expended for activities that do not affirmatively further fair housing within its jurisdiction or that impede the County's actions to comply with its fair housing certification. For purposes of this section, "affirmatively furthering fair housing" includes participation in the process of developing an Analysis of Impediments to Fair Housing Choice and a Fair Housing Action Plan. While King County has the primary responsibility for the development of these reports to HUD pursuant to Section VI (A) of this Agreement, upon request, the City shall provide assistance to the County in preparing such reports.
- F. Parties to this Agreement agree to negotiate in good faith any issues that may arise that are not specifically addressed by this Agreement.
- G. This Agreement shall be executed in three counterparts, each of which shall be deemed an original, by the chief executive officers of the County and the City, pursuant to the authority granted them by their respective governing bodies. One

of the signed Agreements shall be filed by the County with the Region X office of HUD, one shall be filed with the City and one shall be filed with the County. Prior to its taking effect, the fully executed Agreement shall be filed with the County Auditor, or, alternatively, listed by subject on a public agency’s web site or other electronically retrievable public source.

- H. It is recognized that amendment to the provisions of this Agreement may be appropriate, and such amendment shall take place when the parties to this Agreement have executed a written amendment to this Agreement. The City and the County also agree to adopt any amendments to the Agreement incorporating changes necessary to meet the requirements for cooperation agreements set forth in an Urban County Qualification Notice applicable for a subsequent three-year qualification period, and to submit such amendment to the HUD. Failure to adopt such required amendment shall void the automatic renewal of the Agreement for the subsequent qualification period.
- I. This Agreement is made and entered into for the sole protection and benefit of the parties hereto and their successors and assigns. No other person shall have any right of action based on any provision of this Agreement.

KING COUNTY, WASHINGTON

CITY OF _____

for King County Executive

By: Signature

Adrienne Quinn
Printed Name

Printed Name

Director, Department of Community and
Human Services
Title

Title

Date

Date

Approved as to Form:
OFFICE OF THE KING COUNTY
PROSECUTING ATTORNEY

Approved as to Form:
CITY OF _____
CITY ATTORNEY

City Attorney

ATTEST:
CITY OF _____

City Clerk

HOME INVESTMENT PARTNERSHIPS PROGRAM INTERLOCAL COOPERATION AGREEMENT

THIS AGREEMENT is entered into between King County, hereinafter referred to as the "County," and the City of _____ hereinafter referred to as the "City," said parties to the Agreement each being a unit of general local government of the State of Washington.

RECITALS

WHEREAS, King County is an urban county, as defined by 24 CFR 92.2 and 24 CFR 570.3; and

WHEREAS, a unit of general local government that is located within in an urban county may be part of a HOME consortium only through the urban county; and

WHEREAS, the City and King County agree that it is mutually desirable and beneficial to enter into a consortium arrangement for purposes of the HOME Investment Partnerships Program, hereinafter referred to as "HOME Program";

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING CIRCUMSTANCES, AND IN CONSIDERATION OF THE MUTUAL PROMISES CONTAINED HEREIN, IT IS AGREED THAT:

1. This Agreement is made pursuant to the National Affordable Housing Act of 1990, as amended, 42 USC § 12701 et. seq. (the "Act") and RCW 39.34, the Intergovernmental Cooperation Act.
2. The City and the County agree to cooperate to undertake or assist in undertaking HOME Program housing assistance activities which are eligible under 24 CFR Part 92.
3. The County is hereby authorized to act as the representative member on behalf of the Consortium for the purposes of the HOME Program. The County as the applicant and grantee for the HOME Program funds has responsibility for and assumes all obligations in the executing the HOME Program, including adding new members on behalf of the HOME Consortium, final responsibility for selecting and executing activities, ensuring compliance with federal requirements and submitting to HUD the Consolidated Housing and Community Development Plan (Consolidated Plan), Annual Action Plans, and related plans and reports, including the Analysis of Impediments to Fair Housing Choice and the Fair Housing Action Plan. Nothing contained in this Agreement shall be construed as an abdication of those responsibilities and obligations.

The City agrees to cooperate fully with the County in the development and preparation of the Consolidated Plan and related plans, and to prepare and provide those elements specifically pertaining to the City.

4. This Agreement shall remain in full force and effect for the period necessary to plan and carry out all activities that will be funded from HOME funds awarded for the **2015, 2016 and 2017** federal fiscal years, the three-year qualification period that coincides with the Agreement for the Distribution and Administration of the King County Consortium's Community Development Block Grant, or until the County's designation as a participating HOME jurisdiction or an urban county is rescinded by the United States Department of Housing and Urban Development, whichever is shorter.
5. This Agreement will be automatically renewed for participation in successive three-year qualification periods, unless the County or the City provides written notice it wishes to amend or elects not to participate in the new qualification period. Such written notice shall be given by the date set forth in an Urban County Qualification Notice applicable to subsequent three-year qualification periods and provided by the United States Department of Housing and Urban Development.
6. The City and the County agree to adopt any amendments to this Agreement incorporating changes necessary to meet the requirements for cooperation agreements set forth in an Urban County Qualification Notice applicable for a subsequent three-year qualification period, and to submit such amendments to the United States Department of Housing and Urban Development. Failure to adopt such amendments will void the automatic renewal of such qualification period.
7. During the term of this Agreement, neither the County nor the City may withdraw from participation from their respective obligations under this Agreement.
8. By executing the HOME Agreement, the City understands that it may not participate in a HOME consortium except through the County, regardless of whether the County receives a HOME formula allocation.
9. This Agreement shall be executed in three counterparts, each of which shall be deemed an original, by the chief executive officers of the County and the City, pursuant to the authority granted them by their respective governing bodies. One of the signed Agreements shall be filed by the County with the Region X office of HUD, one shall be filed with the City and one shall be filed with the County. Prior to its taking effect, the fully executed Agreement shall be filed with the County Auditor, or, alternatively, listed by subject on a public agency's web site or other electronically retrievable public source.
10. The parties to this Agreement hereby agree to affirmatively further fair housing and to ensure that no HOME funds are expended for activities that do not affirmatively further fair housing within the boundaries of their jurisdiction or for activities that impede the County's actions to comply with its fair housing certification. For purposes of this section, "affirmatively furthering fair housing" includes participation in the process of developing an Analysis of Impediments to Fair Housing Choice and a Fair Housing Action Plan. While King County

has the primary responsibility for the development of these reports to HUD pursuant to Section 3 of this Agreement, upon request, the City shall provide assistance to the County in preparing such reports.

11. **Joint Recommendations Committee Composition.** An inter-jurisdictional Joint Recommendations Committee (“JRC”) shall be established through the **2015-2017** Consortium Interlocal Cooperation Agreement.

The JRC shall be composed of three county representatives and eight cities representatives.

The three county representatives shall be King County Executive staff with broad policy responsibilities and/or department directors. County representatives shall be specified in writing and, where possible, shall be consistently the same persons from meeting to meeting.

Four of the cities representatives shall be from non-entitlement consortium cities signing the King County Consortium Regular Interlocal Cooperation Agreement Regarding the Community Development Block Grant (CDBG) Program, two from each sub-region, as appointed by Sound Cities Association.

The remaining four cities representatives shall be from cities that qualify to receive CDBG funds directly from HUD, but are signing a Joint Agreement Regarding the CDBG Program and a HOME Program Agreement with King County; or that receive their own CDBG grant directly from HUD and are signing a HOME Program-only Agreement with King County. These latter four representatives shall have no vote on matters specific to the jurisdictions of the King County Consortium Regular Interlocal Cooperation Agreement Regarding the CDBG Program.

Two of the eight cities representatives shall be rotated among the HOME Program-only Agreement Cities, and two of the eight cities representatives shall be rotated among the cities signing a Joint Agreement Regarding the CDBG Program and a HOME Program Agreement. Those four representatives will vote on issues affecting HOME Program Agreement Cities that are specific to this Agreement.

For the HOME Program-only Agreement Cities’ rotating positions, the HOME Program Agreement Cities will notify the County by the end of the second week in February of each year, who the two HOME Program-only Agreement City representatives will be for that year.

The chairperson and vice-chairperson of the JRC shall be chosen from among the members of the JRC by a majority vote of the members for a term of one year beginning with the first meeting of the calendar year. Attendance of five members shall constitute a quorum.

12. **JRC Appointments.** The King County Executive shall appoint the three county representatives. The participating cities of the King County Consortium Interlocal Cooperation Agreement for the Community Development Block Grant Program shall provide for the appointment of their shared representatives in a manner to be determined by those cities through the Suburban Cities Association or other agreed-upon mechanism for the execution of shared appointing authority. The Suburban Cities Association or other agreed

mechanism will select four jurisdictions of varying size from among those signing this agreement, two from the north/east sub-region and two from the south sub-region. The cities representatives shall be elected officials, chief administrative officers, or persons who report directly to the chief administrative officer and who have broad policy responsibilities; e.g., planning directors, department directors, etc. Members of the JRC shall serve for two years, or at the pleasure of their respective appointing authorities.

13. Powers and Duties of the JRC. The JRC shall be empowered to:
 - a. Review and recommend to the King County Executive all policy matters concerning the King County CDBG Consortium and HOME Program Consortium, including but not limited to the Consolidated Plan and related plans and policies.
 - b. Review and recommend to the King County Executive the projects and programs to be undertaken with King County CDBG Consortium funds and HOME Program Consortium funds, including the Administrative Set-aside.
 - c. Monitor and ensure that all geographic areas and participating jurisdictions benefit fairly from King County CDBG Consortium and HOME Program Consortium funded activities over the three-year agreement period, so far as is feasible and within the goals and objectives of the Consolidated Plan.
14. Advisory Committees to the JRC. In fulfilling its duty to review and recommend projects and programs to be undertaken with HOME Program funds, the JRC shall consider the advice of inter-jurisdictional advisory committees. Sub-regional advisory committees, made up of one representative from each participating jurisdiction in a sub-region that wishes to participate, shall be convened to assist in the review and recommendation of projects and programs to be undertaken in that sub-region. The JRC may also solicit recommendations from other inter-jurisdictional housing and community development committees.
15. The City shall assist the County in developing the Consortium's HOME Program by participating in development of the Consolidated Plan to accommodate both the collective and individual housing objectives contained within local comprehensive plans or other adopted plans of the City and the County.
16. The City and County shall each assign a staff person to serve as the primary contact for the administration of this Agreement. The assigned contact person is responsible for communicating relevant information to their respective jurisdiction.
17. This Agreement applies to the Consortium's acceptance of other federal housing-related funds which may be allocated by formula to the Consortium. Allocation decisions for these funds will be subject to policies and procedures developed by the advisory committees to the JRC and adopted by the JRC.

18. This Agreement is made and entered into for the sole protection and benefit of the parties hereto and their successors and assigns. No other person shall have any right of action based on any provision of this Agreement.

KING COUNTY, WASHINGTON

CITY OF _____

_____ for King County Executive

_____ By: Signature

Jackie MacLean
_____ Printed Name

_____ Printed Name

Director, Department of Community and
Human Services
_____ Title

_____ Title

_____ Date

_____ Date

Approved as to Form:
OFFICE OF THE KING COUNTY
PROSECUTING ATTORNEY

Approved as to Form:
CITY OF _____
CITY ATTORNEY

_____ City Attorney

ATTEST:
CITY OF _____

_____ City Clerk



CITY OF KIRKLAND

City Attorney's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3030

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Brenda Cooper, Chief Information Officer
Oskar Rey, Assistant City Attorney

Date: May 8, 2014

Subject: First Reading of New Telecommunications Franchise for Astound, LLC.

RECOMMENDATION:

That the City Council approves the first reading of the attached Ordinance, which grants a new telecommunications Franchise to Astound Broadband, LLC, "Astound."

BACKGROUND DISCUSSION:

Astound Broadband, LLC is one of the wholly owned subsidiaries of WaveDivision Holdings LLC, which operates as Wave Broadband.

A telecommunications franchise grants the franchisee the authority to use the city's rights of way to provide telecommunications services. Franchisees may be subject to a variety of fees associated with the act of building facilities in the rights of way, and having these facilities inspected. Because the services offered are classified as "information services" by the Federal Communications Commission, they are not subject to the type of franchise fee that cable television providers pay. For example, Comcast and Frontier both pay a 5% franchise fee for the cable television portion of their revenue. Astound would not be subject to this fee until or unless they choose to provide a "cable service." At that point, Astound would be required to enter into a cable franchise with the City.

Franchises are typically granted to telephone, internet, and other communications providers. There are a number of other similar franchises in the city.

During the process of developing this franchise, language in the document was updated to match current law and to reflect modern terminology. In other ways it is substantially similar to other telecommunications franchises issued by the City to other providers.

The franchise has a 10 year term, which will expire on June 3, 2024, if approved at the June 3, 2014, council meeting. It also has a provision for an additional five-year extension. This is the normal term offered to telecommunications franchisees.

Under RCW 35A.47.040, the City Council may not adopt a franchise until five days after its introduction. As a result, City staff recommends that Council conduct the "first reading" of the attached Ordinance at this meeting. If Council has concerns about the Ordinance or wants to propose revisions to it, those issues should be addressed at the first reading so that staff can address them prior to bringing the Ordinance back to Council for final adoption. Council can achieve this by moving this item off of the consent calendar and moving it to new business. If there are not proposed changes, City staff will bring back the Ordinance for final adoption on June 3, 2014.

ORDINANCE O-4443

AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING ASTOUND BROADBAND, LLC A NON-EXCLUSIVE FRANCHISE FOR THE TRANSMISSION OF TELECOMMUNICATIONS IN, THROUGH, OVER AND UNDER THE RIGHTS-OF-WAY OF THE CITY OF KIRKLAND.

WHEREAS, Astound Broadband, LLC, a Washington limited liability company ("Grantee") has requested that the City grant it the right to install, operate and maintain a fiber optic-based telecommunications system within the public rights-of-way of the City; and

WHEREAS, the City Council finds it desirable for the welfare of the City and its residents that such a non-exclusive franchise be granted to Grantee; and

WHEREAS, the City Council has the authority under state law to grant franchises for the use of its rights-of-way; and

WHEREAS, the City is willing to grant the rights requested by Grantee subject to certain terms and conditions.

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

Section 1. Definitions. Where used in this Ordinance and the franchise granted hereby (the "Franchise") these terms have the following meanings:

A. "Affiliate" means an entity which owns or controls, is owned or controlled by, or is under common ownership with Grantee.

B. "City" means the City of Kirkland, a municipal corporation of the State of Washington.

C. "Emergency Situation" means an emergency involving likely loss of life or substantial property damage as determined by City in good faith.

D. "Facilities" means Grantee's fiber optic cable system constructed and operated within the City's Rights-of-Way, and shall include all cables, wires, conduits, ducts, pedestals and any associated converter, equipment or other facilities within the City's Rights-of-Way, designed and constructed for the purpose of providing Telecommunications Service and other lawful services not prohibited by this Ordinance.

E. "Franchise" shall mean the initial authorization or renewal thereof, granted by the City, through this Ordinance, or a subsequently adopted Ordinance, which authorizes construction and operation of the Grantee's Facilities for the purpose of offering Telecommunications Service and other lawful services not prohibited by this Ordinance.

F. "Franchise Area" means the present municipal boundaries of the City, and shall include any additions thereto by annexation or other legal means.

G. "Person" means an individual, partnership, association, joint stock company, trust, corporation, limited liability company or governmental entity.

H. "Rights-of-Way" means the surface and the space above and below streets, roadways, highways, avenues, courts, lanes, alleys, sidewalks, rights of way and similar public areas, but does not include the portion of the Eastside Rail Corridor (a rail corridor that has been railbanked pursuant to 16 U.S.C. 1247(d)) within the City.

I. "Telecommunications Service" means any telecommunications service, telecommunications capacity, or dark fiber, provided by the Grantee using its Facilities, either directly or as a carrier for its Affiliates, or any other Person engaged in Telecommunications Services, including, but not limited to, the transmission of voice, data or other electronic information, facsimile reproduction, burglar alarm monitoring, meter reading and home shopping, or other subsequently developed technology that carries a signal over fiber optic cable. Telecommunications Service shall also include non-switched, dedicated and private line, high capacity fiber optic transmission services to firms, businesses or institutions within the City and other lawful services not prohibited by this Ordinance. However, Telecommunications Service shall not include the provision of "cable services", as defined by 47 U.S.C. §522, as amended, for which a separate franchise would be required.

Section 2. Franchise Area and Authority Granted.

A. Facilities within Franchise Area. The City does hereby grant to Grantee the right, privilege, authority and franchise to construct, support, attach, connect and stretch Facilities between, maintain, repair, replace, enlarge, operate and use Facilities in, upon, over, under, along and across Rights-of-Way in the Franchise Area for purposes of telecommunications service as defined in RCW 82.04.065.

B. Permission Required to Enter Onto Other City Property. Nothing contained in this Ordinance is to be construed as granting permission to Grantee to go upon any other public place other than

Rights-of-Way within the Franchise Area in this Ordinance. Permission to go upon any other property owned or controlled by the City must be sought on a case by case basis from the City.

C. Compliance with WUTC Regulations. At all times during the term of the Franchise, Grantee shall fully comply with all applicable regulations of the Washington Utilities and Transportation Commission.

Section 3. Construction and Maintenance.

A. Grantee's Facilities shall be located, relocated and maintained within the Rights-of-Way in accordance with Kirkland Municipal Code ("KMC") Chapter 26.36 and so as not to unreasonably interfere with the free and safe passage of pedestrian and vehicular traffic and ingress or egress to or from the abutting property and in accordance with the laws of the State of Washington. Whenever it is necessary for Grantee, in the exercise of its rights under the Franchise, to make any excavation in the Rights-of-Way, Grantee shall obtain prior approval from the City of Kirkland Public Works Department, pay the applicable permit fees, and obtain any necessary permits for the excavation work pursuant to KMC Title 19 and KMC Chapter 26.24. Upon completion of such excavation, Grantee shall restore the surface of the Rights-of-Way to the specifications established within the Kirkland Municipal Code and City of Kirkland Public Works Policies and Standards. If Grantee should fail to leave any portion of the excavation in a condition that meets the City's specifications per the KMC and Public Works Policies and Standards, the City may, on five (5) days' notice to Grantee, which notice shall not be required in case of an Emergency Situation, cause all work necessary to restore the excavation to a safe condition. Grantee shall pay to the City the reasonable cost of such work; which shall include, among other things, the City's overhead in obtaining completion of said work (provided that in no event shall such overhead exceed 5% of the total costs, fees and expenses of third parties).

B. Any surface or subsurface failure occurring during the term of this Agreement caused by any excavation by Grantee shall be repaired to the City's specifications, within thirty (30) days, or, upon five (5) days written notice to Grantee, the City may order all work necessary to restore the damaged area to a safe and acceptable condition and Grantee shall pay the reasonable costs of such work to the City, including City overhead (provided that in no event shall such overhead exceed 5% of the total costs, fees and expenses of third parties)..

C. In the event of an Emergency Situation, Grantee may commence such emergency and repair work as required under the circumstances, provided that Grantee shall notify the City Public Works Director in writing as promptly as possible before such repair or emergency work commences, or as soon thereafter as possible, if

advanced notice is not reasonably possible. The City may act, at any time, without prior written notice in the case of an Emergency Situation, but shall notify Grantee in writing as promptly as possible under the circumstances.

D. Grantee agrees that if any of its actions under the Franchise materially impair or damage any City property, survey monument, or property owned by a third-party, Grantee will restore, at its own cost and expense, the impaired or damaged property to the same condition as existed prior to such action. Such repair work shall be performed and completed to the reasonable satisfaction of the Public Works Director.

Section 4. Location and Relocation of Facilities.

A. Grantee shall place any new Facilities underground where existing telecommunications and cable facilities are located underground. Any new Facilities to be located above-ground shall be placed on existing utility poles. No new utility poles shall be installed in connection with placement of new above-ground Facilities.

B. Grantee recognizes the need for the City to maintain adequate width for installation and maintenance of sanitary sewer, water and storm drainage utilities owned by the City, the Northshore Utility District and other public utility providers. Thus, the City reserves the right to maintain clear zones within the public right-of-way for installation and maintenance of said utilities. The clear zones for each Right-of-Way segment shall be noted and conditioned with the issuance of each Right-of-Way permit. If adequate clear zones are unable to be achieved on a particular Right-of-Way, Grantee shall locate in an alternate Right-of-Way, obtain easements from private property owners, or propose alternate construction methods which maintain and/or enhance the existing clear zones.

C. Except as otherwise required by law, Grantee agrees to relocate, remove or reroute its Facilities as ordered by the City, at no expense or liability to the City, except as may be required by RCW Chapter 35.99. Pursuant to the provisions of Section 5, Grantee agrees to protect and save harmless the City from any third-party claims for service interruption or other losses in connection with any such change or relocation other than City's negligence or willful misconduct.

D. If the City determines that a project necessitates the relocation of the Grantee's existing Facilities, then:

1. Within a reasonable time, which shall be no less than ninety (90) days prior to the commencement of the project, the City shall provide the Grantee with written notice requiring

relocation; provided that in the event of an Emergency Situation beyond the control of the City and which will result in severe financial consequences to the City or its citizens or businesses, the City shall give the Grantee written notice as soon as practicable;

2. The City shall provide the Grantee with copies of information for such improvement project and a proposed location for the Grantee's Facilities so that Grantee may relocate its Facilities in other Rights-of-Way in order to accommodate the project; and

3. The Grantee shall complete relocation of its Facilities at no charge or expense to the City so as to accommodate the project at least ten (10) days prior to commencement of the project. In the event of an Emergency Situation as described in this Section, the Grantee shall relocate its Facilities within the reasonable time period specified by the City.

E. The Grantee may, after receipt of written notice requesting a relocation of its Facilities, submit to the City written alternatives to such relocation. The City shall evaluate such alternatives and advise the Grantee in writing if one or more of the alternatives are suitable to accommodate the work, which would otherwise necessitate relocation of the Facilities. If so requested by the City, the Grantee shall submit additional information to assist the City in making such evaluation. The City shall give each alternative proposed by the Grantee full and fair consideration, within a reasonable time, so as to allow for the relocation work to be performed in a timely manner. In the event the City ultimately determines that there is no other reasonable alternative, the Grantee shall relocate its Facilities as otherwise provided in this Section.

F. The provisions of this Section shall in no manner preclude or restrict the Grantee from making any arrangements it may deem appropriate when responding to a request for relocation of its Facilities by any Person or entity other than the City, where the Facilities to be constructed by said Person or entity are not or will not become City-owned, operated or maintained Facilities; provided, that such arrangements shall not unduly delay a City construction project.

G. The Grantee shall indemnify, hold harmless and pay the costs of defending the City against any and all third party claims, suits, actions, damages, or liabilities for delays on City construction projects caused by or arising out of the failure of the Grantee to relocate its Facilities in a timely manner; provided, that the Grantee shall not be responsible for damages due to delays caused by the City or circumstances beyond the reasonable control of the Grantee.

H. In the event that the City orders the Grantee to relocate its Facilities for a project which is primarily for private benefit, the private party or parties causing the need for such project shall reimburse the Grantee for the cost of relocation in the same proportion as their contribution to the total cost of the project.

I. In the event of an unforeseen Emergency Situation that creates a threat to public safety, health or welfare, the City may require the Grantee to relocate its Facilities at its own expense, any other portion of this Section notwithstanding.

Section 5. Indemnification.

A. Grantee shall indemnify, defend and hold the City, its agents, officers, employees, volunteers and assigns harmless from and against any and all third party claims, demands, liability, loss, cost, damage or expense of any nature whatsoever, including all costs and reasonable attorney's fees, made against them on account of injury, sickness, death or damage to persons or property which is caused by or arises out of, in whole or in part, the willful, tortious or negligent acts, failures and/or omissions of Grantee or its agents, servants, employees, contractors, subcontractors or assigns in the construction, operation or maintenance of its Facilities or in exercising the rights granted Grantee in the Franchise; *provided, however*, such indemnification shall not extend to injury or damage caused by the negligence or willful misconduct of the City, its agents, officers, employees, volunteers or assigns.

B. In the event any such claim or demand be presented to or filed with the City, the City shall promptly notify Grantee thereof (and in any event prior to the date that Grantee's rights to defend such claim or demand would be prejudiced), and Grantee shall have the right, at its election and at its sole cost and expense, to settle and compromise such claim or demand, provided further, that in the event any suit or action be begun against the City based upon any such claim or demand, the it shall likewise promptly notify Grantee thereof, and Grantee shall have the right, at its election and its sole cost and expense, to settle and compromise such suit or action, or defend the same at its sole cost and expense, by attorneys of its own election.

Section 6. Default.

A. If Grantee shall fail to comply with any of the provisions of the Franchise, unless otherwise provided in the Franchise, the City will serve upon Grantee a written order to comply within thirty (30) days from the date such order is received by Grantee. If Grantee is not in compliance with the Franchise after expiration of the thirty (30) day period, the City may act to remedy the violation and may charge the reasonable costs and expenses of such action to Grantee. The City may

act without the thirty (30) day notice in case of an Emergency Situation. If any failure to comply with the Franchise by Grantee cannot be corrected with due diligence within said thirty (30) day period, then the time within which Grantee may so comply shall be extended for such time as may be reasonably necessary and so long as Grantee works promptly and diligently to effect such compliance. During such a period, if Grantee is not in compliance with the Franchise, and is not proceeding with due diligence in accordance with this section to correct such failure to comply, then the City may in addition, by ordinance and following written notice to Grantee, declare an immediate forfeiture of the Franchise and all of Grantee's rights and obligations thereunder.

B. In addition to other remedies provided in this Franchise or otherwise available at law, if Grantee is not in compliance with requirements of the Franchise, and if a good faith dispute does not exist concerning such compliance, the City may place a moratorium on issuance of pending Grantee Right-of-Way use permits until compliance is achieved.

Section 7. Nonexclusive Franchise. The Franchise granted by this Ordinance is not and shall not be deemed to be an exclusive franchise. The Franchise granted by this Ordinance shall not in any manner prohibit the City from granting other and further franchises over, upon, and along the Franchise Area. The Franchise granted by this Ordinance shall not prohibit or prevent the City from using the Franchise Area or affect the jurisdiction of the City over the same or any part thereof.

Section 8. Franchise Term.

A. The Franchise is and shall remain in full force and effect for a period of ten (10) years from and after the effective date of this Ordinance, provided that the term may be extended for an additional five (5) years upon the agreement of Grantee and the City; and provided further, however, Grantee shall have no rights under the Franchise nor shall Grantee be bound by the terms and conditions of the Franchise unless Grantee shall, within thirty (30) days after the effective date of this Ordinance, file with the City its written acceptance of the Franchise, in a form acceptable to the City Attorney.

B. If the City and Grantee fail to formally renew the Franchise prior to the expiration of its term or any extension thereof, the Franchise shall automatically continue in full force and effect until renewed or until either party gives written notice at least one hundred eighty (180) days in advance of intent not to renew the Franchise.

Section 9. Compliance with Codes and Regulations.

A. The rights, privileges and authority herein granted are subject to and governed by this Ordinance, the applicable laws of the State of Washington and the applicable laws of the United States, and all other applicable ordinances and codes of the City of Kirkland, as they now exist or may hereafter be amended, including but not limited to the provisions of Kirkland Municipal Code Title 26 and Kirkland Municipal Code Chapter 5.08. Nothing in this ordinance limits the City's lawful power to exercise its police power to protect the safety and welfare of the general public. Any location, relocation, erection or excavation by Grantee shall be performed by Grantee in accordance with applicable federal, state and city rules and regulations, including the City's Public Works Policies and Standard Plans, and any required permits, licenses or posted fees, and applicable safety standards then in effect.

B. In the event that any territory served by Grantee is annexed to the City after the effective date of the Franchise, such territory shall be governed by the terms and conditions contained herein upon the effective date of such annexation.

C. The City acknowledges that Washington law currently limits the tax the City may impose on Grantee's activities hereunder to 6% of revenue derived from the provision of network telephone service (i.e., "telephone business" as defined in RCW 82.16.010) and that the federal Internet Tax Freedom Act prohibits the imposition of a tax or other fee on revenue derived by Grantee from Grantee's provision of Internet access services. Grantee agrees that if federal or Washington law is changed, Grantee, following not less than ninety (90) days written notice from the City, will negotiate in good faith with the City to amend the Franchise to expand the revenue base on which such tax is applied.

Section 10. Undergrounding. New Facilities shall be installed underground pursuant to Section 4 of the Franchise. Grantee acknowledges the City's policy of undergrounding of Facilities within the Franchise Area. Grantee will cooperate with the City in the undergrounding of Grantee's existing Facilities within the Franchise Area. If the during the term of the Franchise, the City shall direct Grantee to underground Facilities within any Franchise Area, such undergrounding shall be at no cost to the City except as may be provided in RCW Chapter 35.99. Grantee shall comply with all federal, state, and City regulations on undergrounding. If the City undertakes any street improvement which would otherwise require relocation of Grantee's above-ground Facilities, the City may, by written notice to Grantee, direct that Grantee convert any such Facilities to underground Facilities.

Section 11. Record of Installations and Service.

A. With respect to excavations by Grantee and the City within the Franchise Area, Grantee and the City shall each comply with its respective obligations pursuant to Chapter 19.122 RCW and any other applicable state or federal law.

B. Upon written request of the City, Grantee shall provide the City with the most recent update available of any plan of potential improvements to its Facilities within the Franchise Area; provided, however, any such plan so submitted shall be for informational purposes within the Franchise Area, nor shall such plan be construed as a proposal to undertake any specific improvements within the Franchise Area.

C. As-built drawings and maps of the precise location of any Facilities placed by Grantee in any Rights-of-Way shall be made available by Grantee to the City within ten (10) working days of the City's written request. These plans and maps shall be provided at no cost to the City and shall include hard copies and/or digital copies in a format commonly used in the telecommunications industry.

Section 12. Shared Use of Excavations and Trenches.

A. If either the City or Grantee shall at any time after installation of the Facilities plan to make excavations in the area covered by the Franchise and as described in this Section, the party planning such excavation shall afford the other, upon receipt of written request to do so, an opportunity to share such an excavation, *provided that*: (1) such joint use shall not unreasonably delay the work of the party causing the excavation to be made or unreasonably increase its costs; (2) such joint use shall be arranged and accomplished on terms and conditions satisfactory to both parties. In addition, pursuant to RCW 35.99.070, the City may request that Grantee install additional conduit, ducts and related access structures for the City pursuant to contract, under which Grantee shall recover its incremental costs of providing such facilities to the City.

B. The City reserves the right to not allow open trenching for five years following a street overlay or improvement project. Grantee shall be given written notice at least ninety (90) days prior to the commencement of the project. Required trenching due to an emergency will not be subject to five (5) year street trenching moratoriums.

C. The City reserves the right to require Grantee to joint trench with other franchisees if both entities are anticipating trenching within the same franchise area and provided that the terms of this Section are met.

Section 13. Insurance.

A. Grantee shall procure and maintain for the duration of the Franchise, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of work under the Franchise by Grantee, its agents, representatives or employees in the amounts and types set forth below pursuant to KMC 26.40.020:

1. Commercial General Liability insurance with limits no less than \$5,000,000 combined single limit for bodily injury (including death) and property damage, including premises operation, products and completed operations and explosion, collapse and underground coverage extensions;

2. Automobile liability for owned, non-owned and hired vehicles with a combined single limit of \$3,000,000 for each accident for bodily injury and property damage; and

3. Worker's compensation within statutory limits and employer's liability insurance with limits of not less than \$1,000,000 for each accident/disease/policy limit or as required by law.

B. Grantee's insurance coverage shall be primary insurance as respects the City. Any insurance, self-insurance or insurance pool coverage maintained by the City shall be in excess of Grantee's insurance and shall not contribute with it.

C. Grantee shall furnish the City with certificates of the foregoing insurance coverage or a copy of amendatory endorsements, including but not necessarily limited to the additional insured endorsement.

D. Grantee shall have the right to self-insure any or all of the above-required insurance. Any such self-insurance is subject to approval by the City.

E. Grantee's maintenance of insurance as required by the Franchise shall not be construed to limit the liability of Grantee to the coverage provided by such insurance, or otherwise limit City's recourse to any remedy to which the City is otherwise entitled at law or in equity.

Section 14. Assignment.

A. All of the provisions, conditions, and requirements herein contained shall be binding upon Grantee, and no right, privilege, license or authorization granted to Grantee hereunder may be assigned or

otherwise transferred without the prior written authorization and approval of the City, which the City may not unreasonably withhold. Notwithstanding the foregoing, Grantee, without the consent of, but upon notice to the City, may assign this agreement in whole or in part to: (a) an Affiliate (as defined in this Ordinance); or (b) a lender for security purposes only.

B. Grantee may lease the Facilities or any portion thereof to another or provide capacity or bandwidth in its Facilities to another, *provided that*: Grantee at all times retains exclusive control over such Facilities and remains responsible for locating, servicing, repairing, relocating or removing its Facilities pursuant to the terms and conditions of the Franchise.

Section 15. Abandonment and Removal of Facilities. Upon the expiration, termination, or revocation of the rights granted under the Franchise, the Grantee shall remove all of its Facilities from the Rights-of-Way of the City within ninety (90) days of receiving notice from the City's Public Works Director; *provided however*, that the City may permit the Grantee's improvements to be abandoned in place in such a manner as the City may prescribe. Upon permanent abandonment, and Grantee's agreement to transfer ownership of the Facilities to the City, the Grantee shall submit to the City a proposal and instruments for transferring ownership to the City. Any such Facilities which are not permitted to be abandoned in place which are not removed within ninety (90) days of receipt of said notice shall automatically become the property of the City; *provided however*, that nothing contained within this Section shall prevent the City from compelling the Grantee to remove any such Facilities through judicial action when the City has not permitted the Grantee to abandon said Facilities in place.

Section 16. Miscellaneous.

A. If any term, provision, condition or portion of this Ordinance shall be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Ordinance which shall continue in full force and effect. The headings of sections and paragraphs of this Ordinance are for convenience of reference only and are not intended to restrict, affect, or be of any weight in the interpretation or construction of the provisions of such sections or paragraphs.

B. Grantee shall pay for the City's reasonable administrative costs in drafting and processing this Ordinance and all work related thereto, which payment shall not exceed \$2,000. Grantee shall further be subject to all published permit fees associated with activities and the provisions of any such permit, approval, license, agreement or other document, the provisions of the Franchise shall control.

C. Failure of the City to declare any breach or default under this Franchise or any delay in taking action shall not waive such breach or default, but the City shall have the right to declare any such breach or default at any time. Failure of the City to declare one breach or default does not act as a waiver of the City's right to declare another breach or default.

D. Notwithstanding anything to the contrary herein, any determination by the City with respect to matters contained in this Ordinance and matters related to the Franchise shall be made in accordance with applicable federal law, including without limitation any applicable rules and regulations promulgated by the Federal Communications Commission, applicable state law and in a reasonable and non-discriminatory manner.

Section 17. Notice. Any notice or information required or permitted to be given to the parties under this Franchise may be sent to the following addresses unless otherwise specified:

City:
City of Kirkland
Public Works Director
123 Fifth Avenue
Kirkland, WA 98033

Grantee:
Astound Broadband, LLC
401 Kirkland Parkplace, Suite 500
Kirkland, WA 98033
Attn: Steve Weed, CEO and Jim Penney, EVP

Notice shall be deemed given upon receipt in the case of personal delivery, three (3) days after deposit in the United States Mail in the case of regular mail, or the next day in the case of overnight delivery.

Section 18. Effective date. This Ordinance, being in compliance with RCW 35A.47.040, shall be in force and effect five (5) days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017 Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

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

Signed in authentication thereof this _____ day of _____, 2014.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4443

AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING ASTOUND BROADBAND, LLC A NON-EXCLUSIVE FRANCHISE FOR THE TRANSMISSION OF TELECOMMUNICATIONS IN, THROUGH, OVER AND UNDER THE RIGHTS-OF-WAY OF THE CITY OF KIRKLAND.

SECTIONS 1 - 17. Issues a right of way Franchise to Astound Broadband, LLC for telecommunication purposes and sets forth the terms and conditions of the Franchise.

SECTION 18. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2014.

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

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 and Administration
Michael Olson, Deputy Director

Date: May 5, 2014

Subject: RESOLUTION AUTHORIZING CITY OF KIRKLAND PARTICIPATION IN THE LOCAL GOVERNMENT INVESTMENT POOL

Recommendation

Council adopts the attached resolution authorizing City of Kirkland's participation in the Local Government Investment Pool.

Background

The Local Government Investment Pool (LGIP) is a voluntary investment vehicle operated by the State Treasurer. Over 530 local governments have participated in the pool since it was started in 1986 to provide safe, liquid, and competitive investment options for local government pursuant to [RCW 43.250](#). The City of Kirkland first authorized participation in the LGIP with Resolution No. R-3370 in April 1987.

In an effort to provide more clarity with respect to how the Local Government Pool operates, and a result of recently amended WAC's, the State Treasurer's office has created a prospectus which is attached to this memo for reference as Attachment A.

The prospectus provides a description of the funds available for investment, fees, investment objectives and strategies, risks, transaction rules, earnings calculation, reporting and management structure.

The City of Kirkland utilizes the LGIP for a portion of the liquidity component of the City's Investment Portfolio. The most recent external review of the investment portfolio, completed in 2013, recommended that the City maintain a liquidity component at 25%-50% of overall portfolio balances.

The Director and Deputy Director of Finance and Administration and the Accounting Manager have reviewed the prospectus and are authorized to make deposits and withdrawals.

**LOCAL GOVERNMENT
INVESTMENT POOL**

Prospectus

January 2014



James L. McIntire

Washington State Treasurer

Contents

I.	The LGIP	3-4
II.	Local Government Investment Pool – Money Market Fund	4-9
III.	Management	9
IV.	Miscellaneous	9-10

I. The LGIP

The Local Government Investment Pool (the “LGIP”) is an investment pool of public funds placed in the custody of the Office of the Washington State Treasurer (the “State Treasurer”) for investment and reinvestment as defined by RCW 43.250.020. The purpose of the LGIP is to allow eligible governmental entities to participate with the state in the investment of surplus public funds, in a manner that optimizes liquidity and return on such funds. In establishing the LGIP, the legislature recognized that not all eligible governmental entities are able to maximize the return on their temporary surplus funds, and therefore it provided a mechanism whereby they may, at their option, utilize the resources of the State Treasurer to maximize the potential of their surplus funds while ensuring the liquidity of those funds.

The State Treasurer has established a sub-pool within the LGIP whose shares are offered by means of this Prospectus: The LGIP-Money Market Fund (the “LGIP-MMF” or the “Fund”). The State Treasurer has the authority to establish additional sub-pools in the future.

The Fund offered in this Prospectus seeks to provide current income by investing in high-quality, short term money market instruments. These standards are specific to the Fund, as illustrated in the following table. The LGIP-MMF offers daily contributions and withdrawals.

FUND SNAPSHOT

The table below provides a summary comparison of the Fund’s investment types and sensitivity to interest rate risk. This current snapshot can be expected to vary over time.

Fund	Investment Types	Maximum Dollar-Weighted Average Maturity for LGIP-MMF
LGIP-Money Market Fund	Cash	60 days
Current Investments (as of November 1, 2013)	Bank Deposits US Treasury bills Repurchase agreements US Government agency obligations	

Fees and Expenses

Administrative Fee. The State Treasurer charges pool participants a fee representing administration and recovery costs associated with the operation of the Fund. The administrative fee accrues daily from pool participants’ earnings prior to the earnings being posted to their account. The administrative fee will be paid monthly. In the event that there are no earnings, the administrative fee will be deducted from principal.

The chart below illustrates the operating expenses of the LGIP-MMF for past years, expressed in basis points as a percentage of fund assets.

**Local Government Investment Pool-MMF
Operating Expenses by Fiscal Year (in Basis Points)**

	2006	2007	2008	2009	2010	2011	2012	2013
<i>Total Operating Expenses</i>	1.12	0.96	0.84	0.88	0.64	0.81	0.68	0.87

(1 basis point = 0.01%)

Because most of the expenses of the LGIP-MMF are fixed costs, the fee (expressed as a percentage of fund assets) will be affected by: (i) the amount of operating expenses; and (ii) the assets of the LGIP-MMF. The table below shows how the fee (expressed as a percentage of fund assets) would change as the fund assets change, assuming an annual fund operating expenses amount of \$800,000.

Fund Assets	\$6.0 bn	\$8.0 bn	\$10.0 bn
Total Operating Expenses (in Basis Points)	1.33	1.0	.80

Portfolio Turnover: The Fund does not pay a commission or fee when it buys or sells securities (or “turns over” its portfolio). However, debt securities often trade with a bid/ask spread. Consequently, a higher portfolio turnover rate may generate higher transaction costs that could affect the Fund’s performance.

II. Local Government Investment Pool – Money Market Fund

Investment Objective

The LGIP-MMF will seek to effectively maximize the yield while maintaining liquidity and a stable share price of \$1.

Principal Investment Strategies

The LGIP-MMF will seek to invest primarily in high-quality, short term money market instruments. Typically, at least 55% of the Fund’s assets will be invested in US government securities and repurchase agreements collateralized by those securities. The LGIP-MMF means a sub-pool of the LGIP whose investments will primarily be money market instruments. The LGIP-MMF will only invest in eligible investments permitted by state law. The LGIP-MMF will not be an SEC-registered money market fund and will not be required to follow SEC Rule 2a-7. Investments of the LGIP-MMF will conform to the LGIP Investment Policy, the most recent version of which will be posted on the LGIP website and will be available upon request.

Principal Risks of Investing in the LGIP-Money Market Fund

Counterparty Credit Risk. A party to a transaction involving the Fund may fail to meet its obligations. This could cause the Fund to lose the benefit of the transaction or prevent the Fund from selling or buying other securities to implement its investment strategies.

Interest Rate Risk. The LGIP-MMF’s income may decline when interest rates fall. Because the Fund’s income is based on short-term interest rates, which can fluctuate significantly over short periods, income risk is expected to be high. In addition, interest rate increases can cause the price of a debt security to decrease and even lead to a loss of principal.

Liquidity Risk. Liquidity risk is the risk that the Fund will experience significant net withdrawals of Fund shares at a time when it cannot find willing buyers for its portfolio securities or can only sell its portfolio securities at a material loss.

Management Risk. Poor security selection or an ineffective investment strategy could cause the LGIP-MMF to underperform relevant benchmarks or other funds with a similar investment objective.

Issuer Risk. The LGIP-MMF is subject to the risk that debt issuers and other counterparties may not honor their obligations. Changes in an issuer's credit rating (e.g., a rating downgrade) or the market's perception of an issuer's creditworthiness could also affect the value of the Fund's investment in that issuer. The degree of credit risk depends on both the financial condition of the issuer and the terms of the obligation. Also, a decline in the credit quality of an issuer can cause the price of a money market security to decrease.

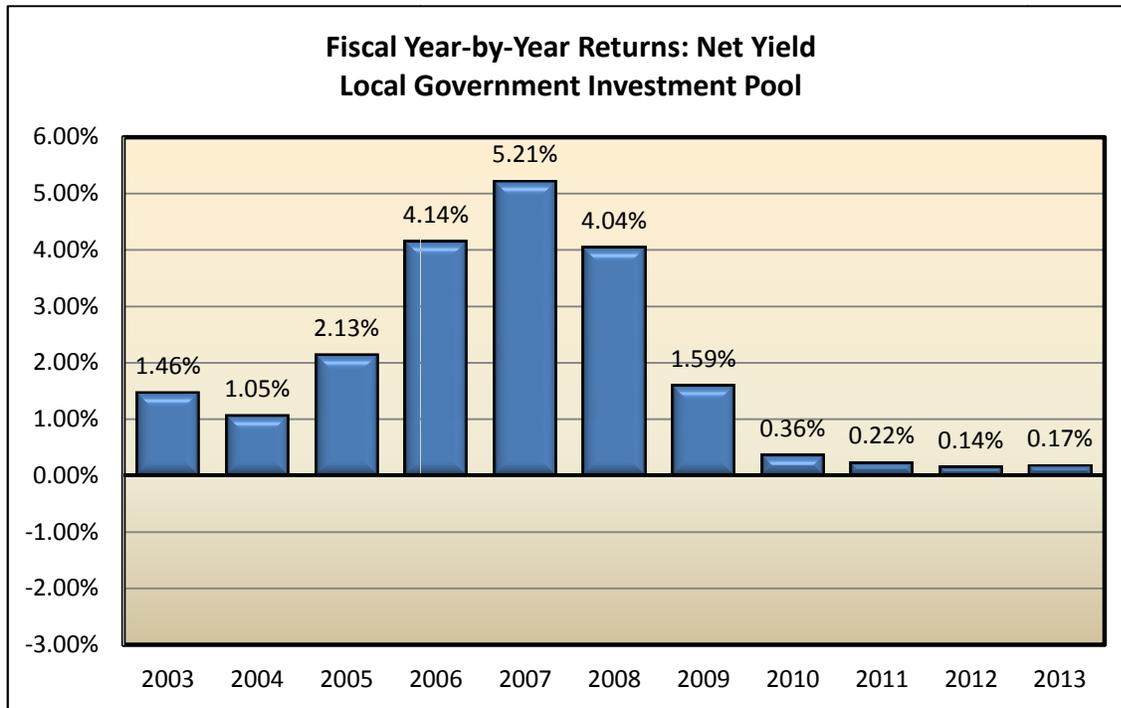
Securities Lending Risk and Reverse Repurchase Agreement Risk. The LGIP-MMF may engage in securities lending or in reverse repurchase agreements. Securities lending and reverse repurchase agreements involve the risk that the Fund may lose money because the borrower of the Fund's securities fails to return the securities in a timely manner or at all or the Fund's lending agent defaults on its obligations to indemnify the Fund, or such obligations prove unenforceable. The Fund could also lose money in the event of a decline in the value of the collateral provided for loaned securities or a decline in the value of any investments made with cash collateral.

Risks Associated with use of Amortized Cost. The use of amortized cost valuation means that the LGIP-MMF's share price may vary from its market value NAV per share. In the unlikely event that the State Treasurer were to determine that the extent of the deviation between the Fund's amortized cost per share and its market-based NAV per share may result in material dilution or other unfair results to shareholders, the State Treasurer may cause the Fund to take such action as it deems appropriate to eliminate or reduce to the extent practicable such dilution or unfair results.

An investment in the LGIP-MMF is not a bank deposit and is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the Fund seeks to preserve the value of investments at \$1 per share, pool participants could lose money by investing in the LGIP-MMF. There is no assurance that the LGIP-MMF will achieve its investment objective.

Performance

The following information is intended to address the risks of investing in the LGIP-MMF. The information illustrates changes in the performance of the LGIP-MMF's shares from year to year. Returns are based on past results and are not an indication of future performance. Updated performance information may be obtained on our website at www.tre.wa.gov or by calling the LGIP toll-free at 800-331-3284.



<u>Local Government Investment Pool-Money Market Fund</u>			
<u>Average Accrued Net Yield</u>			
<u>1 Year</u>	<u>3 years</u>	<u>5 years</u>	<u>10 years</u>
0.17%	0.19%	.52%	1.94%

Transactions: LGIP-MMF

General Information

The minimum transaction size (contributions or withdrawals) for the LGIP-MMF will be five thousand dollars. The State Treasurer may, in its sole discretion, allow for transactions of less than five thousand dollars.

Valuing Shares

The LGIP-MMF will be operated using a net asset value (NAV) calculation based on the amortized cost of all securities held such that the securities will be valued at their acquisition cost, plus accrued income, amortized daily.

The Fund’s NAV will be the value of a single share. NAV will normally be calculated as of the close of business of the NYSE, usually 4:00 p.m. Eastern time. If the NYSE is closed on a particular day, the Fund will be priced on the next day the NYSE is open.

NAV will not be calculated and the Fund will not process contributions and withdrawals submitted on days when the Fund is not open for business. The time at which shares are priced and until which contributions and withdrawals are accepted is specified below and may be changed as permitted by the State Treasurer.

To the extent that the LGIP-MMF's assets are traded in other markets on days when the Fund is not open for business, the value of the Fund's assets may be affected on those days. In addition, trading in some of the Fund's assets may not occur on days when the Fund is open for business.

Transaction Limitation

The State Treasurer reserves the right at its sole discretion to set a minimum and/or maximum transaction amount from the LGIP-MMF and to limit the number of transactions, whether contribution, withdrawal, or transfer permitted in a day or any other given period of time.

The State Treasurer also reserves the right at its sole discretion to reject any proposed contribution, and in particular to reject any proposed contribution made by a pool participant engaged in behavior deemed by the State Treasurer to be abusive of the LGIP-MMF.

A pool participant may transfer funds from one LGIP-MMF account to another subject to the same time and contribution limits as set forth in WAC 210.10.060.

Contributions

Pool participants may make contributions to the LGIP-MMF on any business day. All contributions will be effected by electronic funds transfer to the account of the LGIP-MMF designated by the State Treasurer. It is the responsibility of each pool participant to pay any bank charges associated with such electronic transfers to the State Treasurer. Failure to wire funds by a pool participant after notification to the State Treasurer of an intended transfer will result in penalties. Penalties for failure to timely wire will be assessed to the account of the pool participant responsible.

Notice. To ensure same day credit, a pool participant must inform the State Treasurer of any contribution over one million dollars no later than 9 a.m. on the same day the contribution is made. Contributions for one million dollars or less can be requested at any time prior to 10 a.m. on the day of contribution. For all other contributions over one million dollars that are requested prior to 10 a.m., a pool participant may receive same day credit at the sole discretion of the State Treasurer. Contributions that receive same day credit will count, for earnings rate purposes, as of the day in which the contribution was made. Contributions for which no notice is received prior to 10:00 a.m. will be credited as of the following business day.

Notice of contributions may be given by calling the Local Government Investment Pool (800-331-3284) OR by logging on to State Treasurer's Treasury Management System ("TMS"). Please refer to the [LGIP-MMF Operations Manual](#) for specific instructions regarding contributions to the LGIP-MMF.

Direct deposits from the State of Washington will be credited on the same business day.

Pricing. Contribution requests received in good order will receive the NAV per unit of the LGIP-MMF next determined after the order is accepted by the State Treasurer on that contribution date.

Withdrawals

Pool participants may withdraw funds from the LGIP-MMF on any business day. Each pool participant shall file with the State Treasurer a letter designating the financial institution at which funds withdrawn from the LGIP-MMF shall be deposited (the "Letter"). This Letter shall contain the name of the financial institution, the location of the financial institution, the account name, and the account number to which funds will be deposited. This Letter shall be signed by local officials authorized to receive and disburse funds, as described in WAC 210-10-020.

Disbursements from the LGIP-MMF will be effected by electronic funds transfer. Failure by the State Treasurer to wire funds to a pool participant after proper notification to the State Treasurer to disburse funds to a pool participant may result in a bank overdraft in the pool participant's bank account. The State Treasurer will reimburse a pool participant for such bank overdraft penalties charged to the pool participant's bank account.

Notice. In order to withdraw funds from the LGIP-MMF, a pool participant must notify the State Treasurer of any withdrawal over one million dollars no later than 9 a.m. on the same day the withdrawal is made. Withdrawals for one million dollars or less can be requested at any time prior to 10 a.m. on the day of withdrawal. For all other withdrawals from the LGIP-MMF over one million dollars that are requested prior to 10 a.m., a pool participant may receive such withdrawal on the same day it is requested at the sole discretion of the State Treasurer. No earnings will be credited on the date of withdrawal for the amounts withdrawn. Notice of withdrawals may be given by calling the Local Government Investment Pool (800-331-3284) OR by logging on to TMS. Please refer to the LGIP-MMF Operations Manual for specific instructions regarding withdrawals from the Fund.

Pricing. Withdrawal requests with respect to the LGIP-MMF received in good order will receive the NAV per unit of the LGIP-MMF next determined after the order is accepted by the State Treasurer on that withdrawal date.

Suspension of Withdrawals. If the State Treasurer has determined that the deviation between the Fund's amortized cost price per share and the current net asset value per share calculated using available market quotations (or an appropriate substitute that reflects current market conditions) may result in material dilution or other unfair results, the State Treasurer may, if it has determined irrevocably to liquidate the Fund, suspend withdrawals and payments of withdrawal proceeds in order to facilitate the permanent termination of the Fund in an orderly manner. The State Treasurer will distribute proceeds in liquidation as soon as practicable, subject to the possibility that certain assets may be illiquid, and subject to subsequent distribution, and the possibility that the State Treasurer may need to hold back a reserve to pay expenses.

The State Treasurer also may suspend redemptions if the New York Stock Exchange suspends trading or closes, if US bond markets are closed, or if the Securities and Exchange Commission declares an emergency. If any of these events were to occur, it would likely result in a delay in the pool participants' redemption proceeds.

The State Treasurer will notify pool participants within five business days of making a determination to suspend withdrawals and/or irrevocably liquidate the fund and the reason for such action.

Earnings and Distribution

LGIP-MMF Daily Factor

The LGIP-MMF daily factor is a net earnings figure that is calculated daily using the investment income earned (excluding realized gains or losses) each day, assuming daily amortization and/or accretion of income of all fixed income securities held by the Fund, less the administrative fee. The daily factor is reported on an annualized 7-day basis, using the daily factors from the previous 7 calendar days. The reporting of a 7-day annualized yield based solely on investment income which excludes realized gains or losses is an industry standard practice that allows for the fair comparison of funds that seek to maintain a constant NAV of \$1.00.

LGIP-MMF Actual Yield Factor

The LGIP-MMF actual yield factor is a net daily earnings figure that is calculated using the total net earnings including realized gains and losses occurring each day, less the administrative fee.

Dividends

The LGIP-MMF's dividends include any net realized capital gains or losses, as well as any other capital changes other than investment income, and are declared daily and distributed monthly.

Distribution

The total net earnings of the LGIP-MMF will be declared daily and paid monthly to each pool participant's account in which the income was earned on a per-share basis. These funds will remain in the pool and earn additional interest unless withdrawn and sent to the pool participant's designated bank account as specified on the Authorization Form. Interest earned will be distributed monthly on the first business day of the following month.

Monthly Statements and Reporting

On the first business day of every calendar month, each pool participant will be sent a monthly statement which includes the pool participant's beginning balance, contributions, withdrawals, transfers, administrative charges, earnings rate, earnings, and ending balance for the preceding calendar month. Also included with the statement will be the monthly enclosure. This report will contain information regarding the maturity structure of the portfolio and balances broken down by security type.

III. Management

The State Treasurer is the manager of the LGIP-MMF and has overall responsibility for the general management and administration of the Fund. The State Treasurer has the authority to offer additional sub-pools within the LGIP at such times as the State Treasurer deems appropriate in its sole discretion.

Administrator and Transfer Agent. The State Treasurer will serve as the administrator and transfer agent for the Fund.

Custodian. A custodian for the Fund will be appointed in accordance with the terms of the LGIP Investment Policy.

IV. Miscellaneous

Limitation of Liability

All persons extending credit to, contracting with or having any claim against the Fund offered in this Prospectus shall look only to the assets of the Fund that such person extended credit to, contracted with or has a claim against, and none of (i) the State Treasurer, (ii) any subsequent sub-pool, (iii) any pool participant, (iv) the LGIP, or (v) the State Treasurer's officers, employees or agents (whether past, present or future), shall be liable therefor. The determination of the State Treasurer that assets, debts, liabilities, obligations, or expenses are allocable to the Fund shall be binding on all pool participants and on any person extending credit to or contracting with or having any claim against the LGIP or the Fund offered in this Prospectus. There is a remote risk that a court may not enforce these limitation of liability provisions.

Amendments

This Prospectus and the attached Investment Policy may be amended from time to time. Pool participants shall receive notice of changes to the Prospectus and the Investment Policy. The amended and restated documents will be posted on the State Treasurer website: www.tre.wa.gov.

Should the State Treasurer deem appropriate to offer additional sub-pools within the LGIP, said sub-pools will be offered by means of an amendment to this prospectus.

LGIP-MMF Contact Information

Internet: www.tre.wa.gov Treasury Management System/TMS

Phone: 1-800-331-3284 (within Washington State)

Mail:

Office of the State Treasurer
Local Government Investment Pool
PO Box 40200
Olympia, Washington 98504
FAX: 360-902-9044

**LOCAL GOVERNMENT
INVESTMENT POOL**

Investment Policy

November 2010



James L. McIntire
Washington State Treasurer

TABLE OF CONTENTS

I.	STATEMENT OF PURPOSE.....	2
II.	IDENTIFICATION OF FUNDS	2
III.	OBJECTIVES	2-3
	1: Safety	
	2: Liquidity	
	3: Return	
IV.	STANDARDS OF CARE	3-4
	1: Delegation of Authority	
	2: Prudence	
	3: Ethics	
V.	CONTROLS	4-6
	1: Custody	
	2: Authorized Financial Dealers and Institutions	
	3: Competitive Transactions	
	4: Share Price Calculation	
	5: Internal Controls	
	6: External Controls	
VI.	ELIGIBLE AND SUITABLE INVESTMENTS	6
	1: Eligible Investments	
VII.	INVESTMENT PARAMETERS	6-9
	1: Liquidity	
	2: Diversification	
	a. Government Securities	
	b. Non-Government Securities	
	c. Repurchase and Reverse Repurchase Agreements	
	3: Investment Maturity	
	a. Final Maturity Date	
	b. Weighted Average Maturity	
	c. Weighted Average Life	
	4: Repurchase and Reverse Repurchase Agreements	
VIII.	PROFESSIONAL SERVICES	9-10
	1: Appointment of Master Custodian	
	2: Appointment of Securities Lending Agent	
IX.	ADVISORY COMMITTEE.....	10
X.	PERFORMANCE BENCHMARK.....	11
XI.	REPORTING REQUIREMENTS.....	11

Office of the Washington State Treasurer

LOCAL GOVERNMENT INVESTMENT POOL

INVESTMENT POLICY

I. STATEMENT OF PURPOSE

This statement is intended to *describe the policies* that the State Treasurer has established as useful and prescribed guidelines for the prudent management of the funds in the Local Government Investment Pool (LGIP). This statement also lists and describes realistic parameters and goals in investing those public funds.

It aims to *establish reasonable expectations, objectives and guidelines in the investment process*. It will set forth an investment structure detailing the universe of permitted investments and restrictions for their utilization. Creating this framework will lessen confusion as it sets expectations of generally acceptable returns at a level of risk suitable to the stated funds.

The goal of this investment policy and the corresponding investment function is to *clarify the prescribed duties* delegated to the State Treasurer with regards to the investment of LGIP funds.

This statement is *intended to be an abstract of the investment philosophy* that serves as a general guidance to individuals so authorized. The Treasurer has liberty to make amendments as deemed necessary.

II. IDENTIFICATION OF FUNDS

This policy applies to all public funds on deposit with the Local Government Investment Pool (LGIP) as defined by RCW 43.250.020.

III. OBJECTIVES

The LGIP is comparable to a Rule 2a-7 money market fund recognized by the Securities and Exchange Commission (17CFR.270.2a-7). Rule 2a-7 funds are limited to high quality obligations with limited maximum and average maturities, the effect of which is to minimize both market and credit risk.

The objectives of the State Treasurer's investment practices for the LGIP, in priority order, will be: safety, liquidity, and return on investment.

1. **Safety:** Safety of principal is the primary objective of the State Treasurer. Investments shall be undertaken in a manner that seeks to ensure preservation of capital in the overall portfolio. To obtain this objective the OST portfolio manager will :
 - limit the purchase of investments to securities that have a maximum final maturity of 397 days, with the exceptions listed in Section VII of this policy.
 - Maintain a Weighted Average Maturity (WAM) of 60 days or shorter, as described in Section VII.3
 - Maintain a Weighted Average Life (WAL) of 120 days, as described in Section VII.3
 - Limit the purchase of investments in securities other than those issued by the U.S. government or its agencies; and,
 - Prepare regular reports of portfolio activity.

2. **Liquidity:** The investment portfolio will remain liquid to enable the State Treasurer to meet all cash requirements that might reasonably be anticipated. Therefore, the investments shall be managed to maintain a balance to meet daily obligations.
 - OST will have an understanding of historical cash flow patterns to manage expectations.
 - OST will hold securities that can be converted to liquid cash to be incorporated in liquidity structure

3. **Return on Investment:** The LGIP will be structured with the objective of attaining a market rate of return throughout budgetary and economic cycles, commensurate with the investment risk parameters and the cash flow characteristics of the pool.

IV. STANDARDS OF CARE

1. Delegation of Authority.

The State Treasurer is an executive officer of the state, as established by the Constitution of the State of Washington (Article III, Section 1), and "will perform such duties as will be prescribed by law" (Article III, Section 19).

As prescribed by the Revised Code of Washington (RCW), "The legislature finds and declares that the public interest is found in providing maximum prudent investment of surplus funds, thereby reducing the need for additional taxation. The legislature also recognizes that not all political subdivisions are able to maximize the return on their temporary surplus funds. The legislature therefore provides in this chapter a mechanism whereby political subdivisions may, at their option, utilize the resources of the Office of the State Treasurer (OST) to maximize the potential surplus funds while ensuring the safety of public funds" (RCW 43.250.010).

To "ensure effective cash management of public funds," (RCW 43.08.015) the State Treasurer may designate investment officers who will have the authority to perform the duties of the state treasurer, and will maintain a current list (available upon request) of those individuals so authorized.

2. Prudence.

The State Treasurer and authorized investment officers will perform their duties in a manner consistent with the standard of a "prudent person," as defined by RCW 43.250.040:

"In investing and reinvesting moneys in the public funds investment account and in acquiring, retaining, managing, and disposing of investments of the investment pool, there shall be exercised the judgment and care under the circumstances then prevailing which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of the funds considering the probable income as well as the probable safety of the capital."

Authorized investment officers acting in accordance with this policy and exercising due diligence shall be relieved of personal responsibility for credit and market risks encountered in the performance of their investment duties. Due diligence requires timely reporting of material deviation from expectations and such other actions to control adverse developments as may be possible in consideration of the particular circumstances and within other provisions of this policy.

3. Ethics and Conflicts of Interest.

The State Treasurer, assistant treasurer, and authorized investment officers will adhere to standards of conduct as stipulated by the following:

- Public Disclosure Act, RCW 42.16;
- Ethics in Public Service Act, RCW 42.52 and section 292-110-010 Washington Administrative Code; and,
- Standards of Conduct for Executive Branch Employees, Executive Order 93-02.

All authorized investment officers will file personal financial disclosure forms with the Public Disclosure Commission consistent with the provisions of RCW 42.17.

V. CONTROLS

1. Custody.

Safekeeping and Custody: Prudent treasury management dictates that all purchased securities be bought on a delivery versus payment (DVP) basis and be held in safekeeping by an independent third-party financial institution. Deposits will only be made in depositories approved by the Washington Public Deposit Protection Commission.

The State Treasurer's shall designate all safekeeping arrangements and an agreement of the terms executed in writing. The third-party custodian shall be required to provide a statement to the State Treasurer listing at a minimum each specific security, description, maturity date, market value, par value, purchase date, and cusip number.

2. Authorized Financial Dealers and Institutions.

The State Treasurer will maintain a list of broker/dealers and financial institutions authorized to provide investment services to the state. Authorized broker/dealers and financial institutions will be limited to those that meet one or more of the following:

- financial institutions approved by the Washington Public Deposit Protection Commission (RCW 39.58); or,
- primary dealers recognized by the Federal Reserve Bank; or,
- non-primary dealers qualified under U.S. Securities and Exchange Commission Rule 15C3-1, the Uniform Net Capital Rule, and a certified member of the National Association of Securities Dealers.

Each authorized dealer or institution will make available annual reports, including audited financial statements, and other information as determined by the State Treasurer.

3. Competitive Transactions

- It will be the policy of the state treasurer to transact securities purchases or sales through appropriately competitive processes.
- Electronic trading is the preferred option for the purchase and sale of investment instruments, when appropriate.
- Offers or bids for securities may be received from approved broker/dealers by the following means:
 - a. by phone
 - b. by e-mail or other electronic communication
 - c. through electronic trading platform
 - d. from inventory listings supplied by approved broker/dealers for underwritten new issues.

4. Share Price Calculation

The current price per share, for purposes of distribution, redemption and repurchase, will be computed by use of the Amortized Cost Method. It is the intent to manage the portfolio to maintain a stable net asset value at \$1.00, like 2a7 funds. However maintenance of a stable net asset value at 1.00 is not guaranteed.

5. Internal Controls

The State Treasurer will maintain internal controls to protect against the loss of public funds arising from negligence, theft or misuse. These controls will include, but not be limited to:

- the use of third party custody and safekeeping;
- the execution of all securities transactions on a DVP basis;
- the clear delegation of investment authority;
- the separation of transaction authority from record keeping;
- the use of objective criteria in selecting financial institutions and dealers authorized to provide investment services to the state; and,
- the use of objective criteria in awarding investment purchases and sales to authorized financial institutions and dealers.

Daily reports monitoring investment operations to ensure compliance with the terms of this policy will be produced and provided to staff responsible for oversight of the LGIP.

6. External Controls

As prescribed by RCW 43.09.050, the state auditor will "audit the accounts" and "inspect the books" of the State Treasurer to determine the compliance of investment activities with state statutes and this policy. In addition, the LGIP will contract for an outside independent audit of LGIP financial statements.

The market value of the portfolio will be calculated monthly by the master custodian or by an independent pricing service under contract with the State Treasurer's Office.

This policy will be reviewed/revised at least annually. The State Treasurer will formally approve any changes to this policy after consultation with the LGIP Advisory Committee.

VI. ELIGIBLE AND SUITABLE INVESTMENTS

1. Eligible Investments

Eligible investments are only those securities and deposits authorized by statute. (RCW 39.58, 39.59, and 43.84.080) Eligible investments include, but are not limited to:

- obligations of the U.S. government;
- obligations of U.S. government agencies, or of corporations wholly owned by the U.S. government;
- obligations of government-sponsored corporations which are, or may become, eligible as collateral for advances to member banks as determined by the board of governors of the Federal Reserve;
- banker's acceptances purchased on the secondary market rated with the highest short-term credit rating of any two designated Nationally Recognized Statistical Rating Organizations (NRSROs), at the time of purchase. If the bankers acceptance is rated by more than two NRSROs, it must have the highest rating from all of the organizations;
- commercial paper, provided that the OST adheres with policies and procedures of the State Investment Board regarding commercial paper (RCW 43.84.080(7));
- certificates of deposit or demand deposits with financial institutions qualified by the Washington Public Deposit Protection Commission and made in accordance with the provisions RCW 39.58.
- obligations of the state of Washington or its political subdivisions.

VII. INVESTMENT PARAMETERS

To provide for the safety and liquidity of LGIP funds, the investment portfolio will be subject to the restrictions listed below. These represent minimum investment restrictions under this formal investment policy and there may be separate guidelines containing additional, more restrictive limitations for certain investment instruments. All restrictions are based on a settlement date basis.

The investments of cash collateral and securities accepted as collateral by a securities lending agent are subject to the restrictions and limits of sections VI and VII of this policy.

Maximum percentages for a particular issuer, investment type or liquidity constraints may on occasion be exceeded, e.g., due to fluctuations in fund balances. Securities need not be liquidated to realign the portfolio; however, consideration will be given to this matter when future purchases are made.

I. Liquidity Provisions

The fund will be structured to maintain a sufficient degree of liquidity necessary to meet reasonably foreseeable redemption requests and reduce the likelihood that a fund will have to meet redemptions by selling portfolio securities into a declining market.

- 10% will be maintained in “daily liquid assets” and that includes (i) cash (ii) direct obligations of the US Government, (iii) demand deposits, (iv) overnight repurchase agreements and (v) securities that mature that day.
- 30% of the portfolio will be maintained in “weekly liquid assets” —and includes (i) cash, (ii) direct obligations of the US Government, (iii) Government Agency discount notes that have remaining maturity of 60 days or less and (iv) securities that will mature, or have a demand feature exercisable and payable within 5 business days.

2. Diversification and Percentage Limitations

Cash raised as a result of securities lending or reverse repurchase agreement transactions will not increase the dollar amount of the following limitations.

a. Government Securities

Investments in government securities will not exceed the following percentages of the total daily portfolio balance at amortized cost:

Floating and Variable Rate Notes (aggregate total)	30%
Other Structured Notes	10%

For the purposes of this policy the following definitions shall apply:

Floating Rate Note: securities which at all times can reasonably be expected to have a market value that approximates their amortized cost. This would include those who reset based on indices such as Fed Funds or the prime lending rate. Floating Rate Notes that reset based on any other index must be approved by either the state treasurer or the assistant state treasurer prior to purchase.

Variable Rate Notes: securities which on any reset date can reasonably be expected to have a market value that approximates their amortized cost. This would include those who reset based on indices such as LIBOR or US Treasury Bills. Variable Rate Notes that

reset based on any other index must be approved by either the state treasurer or the assistant state treasurer prior to purchase.

Other Structured Notes: all other debt securities whose cash flow characteristics (coupon rate, redemption amount, or stated maturity) depend on one or more indices and which may have embedded forwards or options.

- Structured notes whose cash flows can no longer fluctuate will not count against the 10% limitation.

b. Non-government Securities

Investments in non-government securities will not exceed the following percentages of the total daily portfolio balance at amortized cost:

Bankers Acceptances	20%
Commercial Paper	25%
Certificates of Deposit	10%
Demand Deposit Accounts	50%

The aggregate amount for Commercial Paper and Bankers Acceptances will not exceed 35% of the portfolio. Additionally, individual issuers of commercial paper or bankers acceptances will be limited to no more than 5% of the portfolio.

3. Investment Maturity

A. Maximum Final Maturity The maximum final maturity of any security will not exceed 397 days, with the following exceptions:

- The maximum maturity of the variable rate and floating rate securities meeting the requirements listed above will not exceed 762 days; and
- Securities utilized in repurchase agreements

B. Weighted Average Maturity (WAM)

The weighted average maturity (WAM) of the portfolio will not exceed 60 days. For the purposes of calculating the WAM:

- A variable rate security meeting the requirements listed above will be deemed to have a maturity equal to the period remaining to the next reset date, provided that on any reset date such security can be reasonably expected to have a market value that approximates its amortized cost; and
- A floating rate security meeting the requirements listed above will be deemed to have a remaining maturity of one day, provided that at any time prior to maturity such security can reasonably be expected to have a market value that approximates its amortized cost.

C. Weighted Average Life (WAL)

The weighted average life (WAL) of the portfolio shall not exceed 120 days. For the purpose of calculating the WAL:

- A variable rate security will be calculated using its final maturity; and
- A floating rate security will be calculated using its final maturity

D. Repurchase and Reverse Repurchase Agreements

Repurchase and reverse repurchase agreements will be subject to the following additional restrictions:

- transactions will be conducted only with primary dealers, the state's bank of record, or master custodial bank, and under the terms of a written master repurchase agreement approved by the Public Securities Association;
- repurchase agreements with any single primary dealer or financial institution will not exceed 20% of the portfolio;
- the maximum term of repurchase agreements will be 180 days;
- the share of the portfolio allocated to repurchase agreements with maturities beyond 30 days will not exceed 30% of the total portfolio;
- the maximum term of reverse repurchase agreements will be 90 days and must be matched to anticipated cash flows adequate to liquidate the transaction; and,
- the maximum portion of the portfolio allocated to reverse repurchase agreements or engaged in a securities lending program will not exceed 30% of the total portfolio.

Securities utilized in repurchase agreements will be subject to the following additional restrictions:

- securities utilized in a repurchase agreement with a maturity date longer than seven days will be priced at least weekly;
- all substitutions will be approved by the OST before the existing purchased security is released to the broker/dealer;
- the market value, plus accrued income, of treasury, agency and money market securities utilized in repurchase agreements will be 102% of the value of the repurchase agreement;
- the market value, plus accrued income, of mortgage-backed securities utilized in repurchase agreements with more than seven days remaining until maturity will be 105% of the value of the repurchase agreement;
- collateralized mortgage obligation (CMO) securities utilized in repurchase agreements must pass the Federal Financial Institutions Examination Council (FFIEC) test, or will not exceed a volatility rating of V-5 by Fitch Investor Services, or a similar rating of a nationally recognized rating agency; and,
- only securities authorized in statute for the investment of public funds will be utilized in repurchase agreements.

Additional operating guidelines will provide details relating to the frequency of security pricing, substitutions, and margin calls.

VIII. PROFESSIONAL SERVICES

The State Treasurer may contract for professional services as necessary for the efficient management of investments.

1. Appointment of Master Custodian

The State Treasurer may select one or more firms to provide the state with master custodial services. Master custodial services will include, but not be limited to:

- executing transactions involving all securities held in custody, including on-line security clearing, settlement of securities on a delivery-versus-payment basis (DVP), and settlement of physically-held securities;
- providing regular reports on the activity and value of the securities in custody; and,
- providing for the safekeeping of all documents and financial instruments physically held in custody.

2. Appointment of Securities Lending Agent

The State Treasurer may select one or more firms to provide securities lending management services. Securities lending services will include, but not be limited to:

- ensuring all loans of coupon-bearing securities are supported by collateral valued at not less than 102% of market value of the securities, including accrued income;
- ensuring all loans of non coupon-bearing securities supported by cash collateral, shall not be valued at less than 102% of market value, but not to exceed par;
- ensuring all loans of non coupon-bearing securities supported by non-cash collateral, shall not be valued at less than 102% of market value;
- ensuring the average maturity of securities on loan and of the securities purchased are for 14 days or less;
- ensuring that the investment of cash collateral be only in securities authorized in this policy, and that the restrictions on investments found in sections V and VI of this policy also apply to investments made by a securities lending agent;
- providing next day liquidity for all securities on loan; and,
- providing monthly accounting, performance, compliance, and management reports.

The services of a master custodian and securities lending agent will be obtained through an evaluation of competitive proposals submitted in response to a regularly issued request for proposals.

Securities purchased by the office are to be held by the master custodian, acting as an independent third party, in its safekeeping or trust department.

Collateral is to be similarly held or held by an independent third party with whom the office has a current master repurchase agreement.

All securities transactions are to be conducted on a DVP basis only, and a trade confirm/safekeeping receipt is to be provided to the Treasurer's Office.

IX. ADVISORY COMMITTEE

The State Treasurer created the LGIP Advisory Committee to provide advice on the operation of the pool. Of the committee members, all of whom are active LGIP participants, some members are

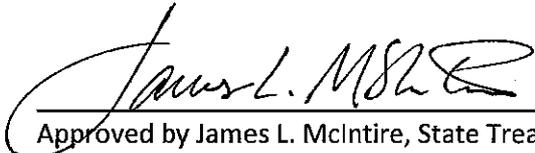
appointed by participant associations, and some members are appointed by the State Treasurer. The LGIP Advisory Committee will meet quarterly or at the discretion of the State Treasurer.

X. PERFORMANCE BENCHMARK

A performance benchmark provides an appropriate comparison of risk and return based on a investment funds policy criteria. The imoney.net, Govt Only Institutional Index is an index that is comprised of 2a7 government only portfolios and represents the LGIP investment objectives. Therefore, this index will be used as a comparison for risk and return results.

XI. REPORTING REQUIREMENTS

The State Treasurer will prepare regular reports summarizing characteristics and holdings in the fund. In accordance with Washington Administrative Code 210-01-110, each pool participant will be provided a monthly statement of account. In accordance with RCW 43.250.080, the State Treasurer will submit an annual summary of LGIP activity to the governor, the state auditor, and the Joint Legislative Audit and Review Committee.


Approved by James L. McIntire, State Treasurer

11-15-10
Date

Effective Date: November 10, 2010

RESOLUTION R-5052

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING INVESTMENT OF CITY OF KIRKLAND MONIES IN THE LOCAL GOVERNMENT INVESTMENT POOL (LGIP) AND AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATION TO CONTRIBUTE AND WITHDRAW MONIES TO AND FROM THE LGIP.

WHEREAS, pursuant to Chapter 294, Laws of 1986, the Legislature created a trust fund to be known as the public funds investment account commonly referred to as the Local Government Investment Pool (LGIP) for the contribution and withdrawal of money by an authorized governmental entity for purposes of investment by the Office of the State Treasurer; and

WHEREAS, from time to time it may be advantageous to the City of Kirkland to contribute funds available for investment in the LGIP; and

WHEREAS, the investment strategy for the LGIP is set forth in its policies and procedures; and

WHEREAS, any contributions or withdrawals to or from the LGIP made on behalf of the City shall be authorized by the Director of Finance and Administration or any designees of the Director of Finance and Administration pursuant to this resolution or a subsequent resolution; and

WHEREAS, the City will file a certified copy of this resolution with the Office of the State Treasurer; and

WHEREAS, the Director of Finance and Administration and any designees appointed by the Director of Finance and Administration with authority to contribute or withdraw funds of the City will receive and read a copy of the prospectus and understand the risks and limitations of investing in the LGIP; and

WHEREAS, the City Council is empowered to authorize the Director of Finance and Administration to execute the LGIP Transaction Authorization form and further empowered to designate the Director of Finance and Administration to direct the contribution or withdrawal of monies, and to delegate authority to make adjustments to the incorporated transactional forms.

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

Section 1. The Director of Finance and Administration is authorized to execute the LGIP Transaction Authorization Form and to contribute and withdraw City monies to and from the LGIP in the manner prescribed by law, rule, and prospectus.

Section 2. The City Council approves the Local Government Investment Pool Transaction Authorization Form (Form) as completed by the Director of Finance and Administration attached as Exhibit A, and incorporated by this reference.

Section 3. The City Council designates the Director of Finance and Administration as the "authorized individual" to authorize all amendments, changes, or alterations to the Form or any other documentation including the designation of other individuals to make contributions and withdrawals on behalf of the City.

Section 4. This delegation ends upon the written notice, by any method set forth in the prospectus, from the City that the authorized individual's delegation has been revoked. The Office of the State Treasurer will rely solely on the City to provide notice of such revocation and is entitled to rely on the authorized individual's instructions until such time as said notice has been provided.

Section 5. The Form as incorporated into this resolution or amended by delegated authority, or any other documentation signed or otherwise approved by the authorized individual shall remain in effect after revocation of the authorized individual's delegated authority, except to the extent that the authorized individual whose delegation has been revoked shall not be permitted to make further withdrawals or contributions to the LGIP on behalf of the City. No amendments, changes, or alterations shall be made to the Form or any other documentation until the City passes a new resolution naming a new authorized individual; and

Section 6. The City Council agrees that the prospectus as provided by the Office of the State Treasurer shall be received, read, and understood by the Director of Finance and Administration. In addition, the City Council agrees that a copy of the prospectus will be provided to any person delegated or otherwise authorized to make contributions or withdrawals into or out of the LGIP and that said individuals will be required to read the prospectus prior to making any withdrawals or contributions or any further withdrawals or contributions if authorizations are already in place.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2014.

Signed in authentication thereof this ____ day of _____,
2014.

MAYOR

Attest:

City Clerk

LOCAL GOVERNMENT INVESTMENT POOL
TRANSACTION AUTHORIZATION FORM

Please fill out this form completely, including any existing information, as this form will replace the previous form.

Name of Entity: City of Kirkland	Mailing Address:
Fax Number: 425-587-3110	City of Kirkland
E-mail Contact: Finance-Operations@kirklandwa.gov	123 5 th Ave
	Kirkland, WA 98033

Do you wish to have your monthly LGIP statements faxed to the number listed above?

Please note – if you choose to receive statements via fax, you will not receive another copy via U.S. mail.

YES, please fax statements No, please send statements via U.S. mail

Bank account where funds will be wired when a withdrawal is requested.

(Note: Funds **will not** be transferred to any account other than that listed).

Bank Name: Bank of America
Branch Location: Seattle
Bank Routing Number: 125000024
Account Number: 000016754004
Account Name: City of Kirkland General Account

Persons authorized to make deposits and withdrawals for the entity listed above.

Name	Title	Signature	Telephone Number
Tracey Dunlap	Director of Finance and Administration	<i>Tracey Dunlap</i>	425-587-3101
Michael Olson	Deputy Director	<i>Michael Olson</i>	425-587-3146
Teresa Levine	Accounting Manager	<i>Teresa Levine</i>	425-587-3115

By signature below, I certify I am authorized to represent the institution/agency for the purpose of this transaction.

<i>Tracey Dunlap</i>	Director of Finance and Administration	5-6-2014
(Authorized Signature)	(Title)	(Date)
Tracey Dunlap	<u>TDunlap@kirklandwa.gov</u>	425-587-3101
(Print Authorized Signature)	(E-mail Address)	(Telephone number)

Any changes to these instructions must be submitted in writing to the Office of the State Treasurer. Please mail this form to the address listed below:

OFFICE OF THE STATE TREASURER
LOCAL GOVERNMENT INVESTMENT POOL
PO Box 40200
OLYMPIA, WA 98504-0200
FAX: (360) 902-9044

Date Received: ___ / ___ / ___
Fund Number: _____
(for LGIP use only)



State of Washington)
County of King) ss.

Signed or attested before me by Tracey Dunlap
Dated this 6th day of May, 2014.

SEAL OR STAMP

Leta B. Santangelo
Signature of Notary
Leta B Santangelo
Typed or printed name of Notary
Notary Public in and for the State of Wash.
My appointment expires: 12-19-2017

**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, CPRP, Director of Parks & Community Services
Jason Filan, Parks Operations Manager

Date: April 20, 2014

Subject: Resolution Authorizing Application to the State of Washington Requesting Matching Grant Funding for Marina Dock and Boat Launch

RECOMMENDATION:

That the City Council approves the attached Resolution authorizing staff to submit a grant application to the State of Washington Recreation & Conservation Office for matching funding for renovation improvements to the Marina Dock and Boat Launch Facilities. Applications are due July 1, 2014.

BACKGROUND DISCUSSION:

Staff is requesting that the City Council authorizes staff to apply for a Boating Facilities Program (BFP) grant to help fund renovation activities at Marina Park. A Shoreline, Structures, and Dock Assessment performed by an engineering firm last year identified several deficiencies at the dock. Cross-beams, piles and decking in need of replacement.

The State Recreation and Conservation Office (RCO) grant application process requires the applicant to provide a Resolution authorizing the application. The RCO offers grants to local communities on a biennial basis.

We anticipate applying for up to \$300,000 of matching funds for the Marina project. Currently \$800,000 is allocated in the CIP over the next four years for dock and shoreline restoration projects in Kirkland waterfront parks (CPK 0133 100). The project is funded by the 2012 Parks levy.

Grant and Project Timeline:

July 1, 2014	Grant Applications Due
June, 2015	Grants Awarded
Fall-winter, 2015	Anticipated Construction / Completion

Attachment:
Resolution

RESOLUTION R-5053

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING APPLICATION FOR FUNDING ASSISTANCE FOR BOATING FACILITIES PROGRAM PROJECT TO THE WASHINGTON STATE RECREATION AND CONSERVATION OFFICE AS PROVIDED IN CHAPTER 79A.25 REVISED CODE OF WASHINGTON AND WASHINGTON ADMINISTRATIVE CODE TITLE 286, AND SUBSEQUENT LEGISLATIVE ACTION.

WHEREAS, the City of Kirkland is seeking funding assistance for a Marina Dock and Boat Launch Renovation project; and

WHEREAS, the City of Kirkland has approved a Parks Recreation and Open Space Plan which includes the Marina Dock and Boat Launch Renovation project; and

WHEREAS, under the provisions of the Boating Facilities Program, as provided in Chapter 79A.25 RCW and Washington Administrative Code Title 286, state grant assistance is requested to aid in financing the cost of facility development; and

WHEREAS, the City Council considers it in the best public interest to complete the Marina Dock and Boat Launch project described in the funding assistance application;

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

Section 1. The Director of Parks and Community Services is authorized to make formal application to the Recreation and Conservation Office for grant assistance.

Section 2. Any grant assistance received will be used for direct costs associated with implementation of the project referenced above.

Section 3. The City certifies that its matching share of the project funding will be derived from Kirkland Park Levy Funds and revenues and that the City is responsible for supporting all non-cash commitments to this project should they not materialize.

Section 4. The City acknowledges that the grant assistance, if approved, will be paid on a reimbursement basis, meaning the City will only request payment from the Recreation and Conservation Office after eligible and allowable costs have been incurred and payment remitted to the City's vendors, and that the Recreation and Conservation Office will hold retainage until the project is deemed complete.

Section 5. The City acknowledges that any facility developed through grant assistance from the Recreation Conservation Funding Board must be reasonably maintained and made available to the general public at reasonable hours and times of the year according to the type of area or facility unless other restrictions have been agreed to by the Recreation and Conservation Office Director or the Recreation and Conservation Funding Board.

Section 6. The City acknowledges that any facility developed with grant assistance from the Recreation and Conservation Funding Board must be dedicated for public outdoor recreation purposes, and be retained and maintained for such use for perpetuity unless otherwise provided and agreed to by the City and the Recreation and Conservation Funding Board.

Section 7. This Resolution shall become part of a formal application to the Recreation and Conservation Office for grant assistance.

Section 8. The City provided appropriate opportunity for public comment on this application.

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

Signed in authentication thereof this ____ day of _____, 2014.

MAYOR

Attest:

City Clerk



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Katy Coleman, Development Engineering Analyst
Pam Bissonnette., Interim Public Works Director

Date: May 8, 2014

Subject: RESOLUTION TO RELINQUISH THE CITY'S INTEREST IN A PORTION OF UNOPENED RIGHT-OF-WAY; FILE #VAC14-00157

RECOMMENDATION:

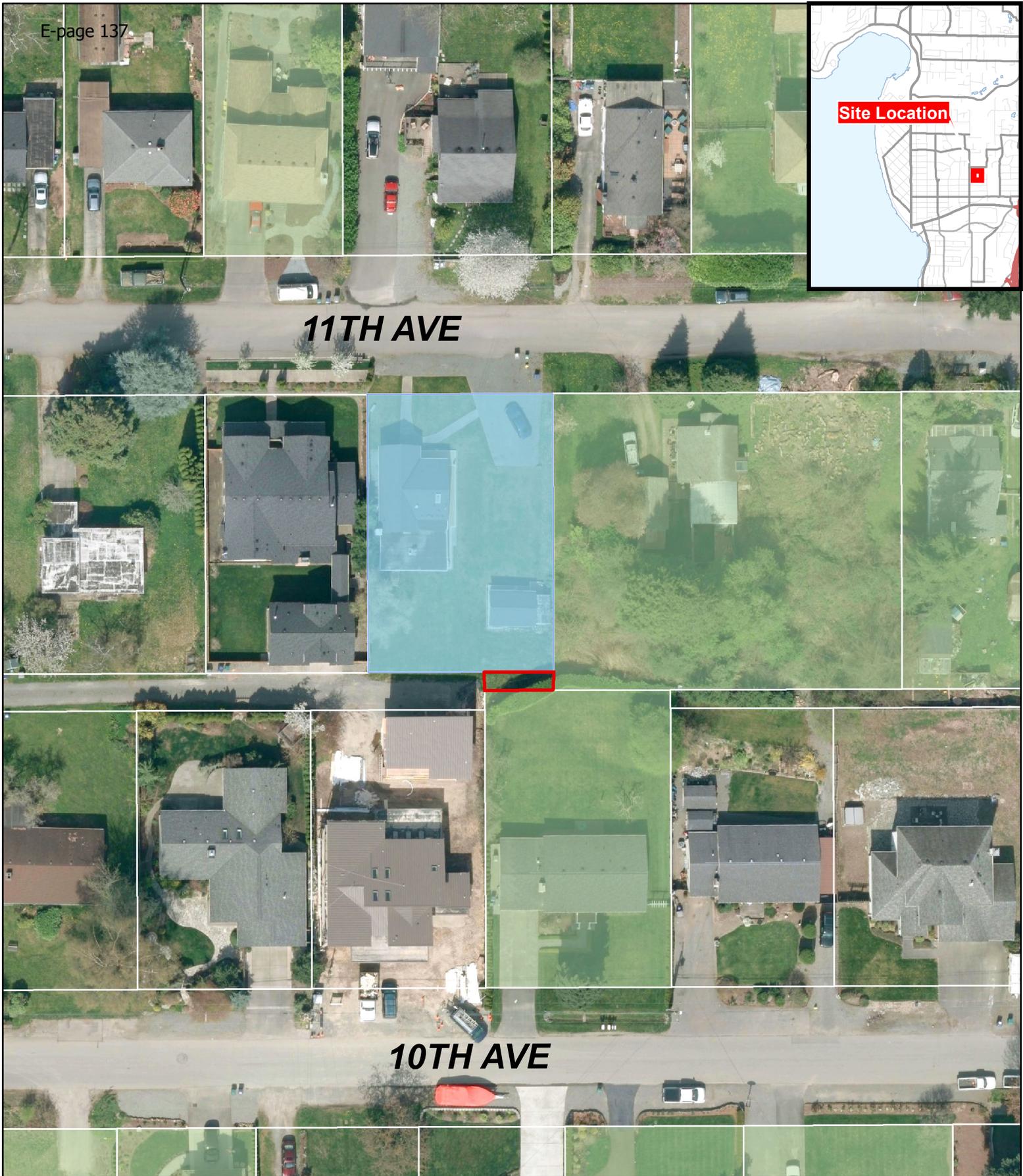
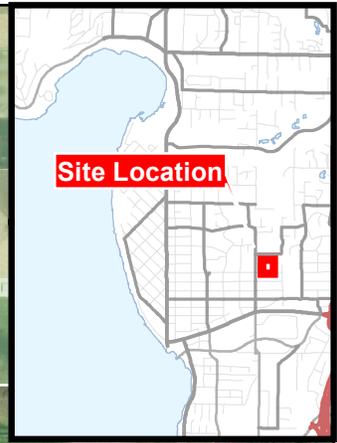
It is recommended that the City Council adopts the enclosed Resolution relinquishing interest, except for a utility easement, in a portion of unopened alley being identified as the north 8 feet of the unopened alley abutting the south boundary of the following described property: Lot 20, Block 239, Supplementary Plat to Kirkland, according to the plat thereof recorded in Volume 8 of Plats, Page 5, records of King County, Washington.

BACKGROUND DISCUSSION:

The unopened portion of the alley abutting the property of 637 11th Avenue (Attachment 1) was originally platted and dedicated in 1891 as Supplementary Plat to Kirkland. The Five Year Non-User Statute provides that any street or right-of-way platted, dedicated, or deeded prior to March 12, 1904, which was outside City jurisdiction when dedicated and which remains unopened or unimproved for five continuous years is then vacated. The subject right-of-way has not been opened or improved.

Lane and Jill Savitch, the owners of the property abutting this right-of-way, submitted information to the City claiming the right-of-way was subject to the Five Year Non-User Statute (Vacation by Operation of Law), Laws of 1889, Chapter 19, Section 32. After reviewing this information, the City Attorney believes the approval of the enclosed Resolution (Attachment 2) is permissible.

Attachments (2)



- Proposed Vacation
- Savitch Property
- Granted Non-User Vacations

Savitch Non-User Vacation Exhibit
637 11th Avenue



Produced by the City of Kirkland.
 (c) 2014, the City of Kirkland, all rights reserved.
 No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

RESOLUTION R-5054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A UTILITY EASEMENT, IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS LANE AND JILL SAVITCH.

WHEREAS, the City has received a request to recognize that any rights to the land originally dedicated in 1891 as right-of-way abutting a portion of the Supplementary Plat to Kirkland have been vacated by operation of law; and

WHEREAS, the Laws of 1889, Chapter 19, Section 32, provide that any county road which remains unopened for five years after authority is granted for opening the same is vacated by operation of law at that time; and

WHEREAS, the area which is the subject of this request was annexed to the City of Kirkland, with the relevant right-of-way having been unopened; and

WHEREAS, in this context it is in the public interest to resolve this matter by agreement,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. As requested by the property owners Lane A. Savitch and Jill Savitch, the City Council of the City of Kirkland hereby recognizes that the following described right-of-way has been vacated by operation of law and relinquishes all interest it may have, if any, except for a utility easement, in the portion of right-of-way described as follows:

A portion of unopened alley being identified as the north 8 feet of the unopened alley abutting the south boundary of the following described property: Lot 20, Block 239, Supplementary Plat to Kirkland, according to the plat thereof recorded in Volume 8 of Plats, Page 5, records of King County, Washington.

Section 2. This resolution does not affect any third party rights in the property, if any.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2014.

Signed in authentication thereof this ____ day of _____, 2014.

MAYOR

Attest:

City Clerk

**CITY OF KIRKLAND**

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: April 28, 2014
Subject: Countywide Planning Policies

RECOMMENDATION

Council adopts the attached resolution which approves amendment of the King County Countywide Planning Policies and designates a new Urban Center in the City of Issaquah.

BACKGROUND DISCUSSION

On September 25, 2013, the Growth Management Planning Council adopted Motion 13-1 amending the King County Countywide Planning Policies (CPPs) to add the Central Issaquah Urban Core as an Urban Center. On March 31, 2014, the Metropolitan King County Council adopted Ordinance 17783 approving amendment of the CPPs designating the Issaquah Urban Center.

Both bodies concluded that the adopted Comprehensive Plan and zoning regulations for the Central Issaquah Urban Core meet the Urban Center criteria in Policy DP-31 of the CPPs - specifically the ability to accommodate:

- A minimum of 15,000 jobs within one-half mile of a transit center,
- At a minimum, an average of 50 employees per gross acre; and
- At a minimum, an average of 15 households per acre.

In accordance with the adopted CPPs, amendments adopted by the County Council require ratification by at least 30 percent of city and county governments representing at least 70 percent of the population within the County.

Attachments:

1. Materials from King County:
 - Transmittal letter
 - King County Signature Report, Ordinance 17783
 - GMPC Motion 13-1
 - Transportation, Economy and Environment Committee Staff Report
 - GMPC Agenda Item



King County

April 11, 2014

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

Dear Mayor Walen:

We are pleased to forward for your consideration and ratification the enclosed amendment to the King County Countywide Planning Policies (CPP).

On March 31, 2014, the Metropolitan King County Council approved and ratified the amendment on behalf of unincorporated King County. The ordinance will become effective April 12, 2014. Copies of the King County Council staff report, ordinance and Growth Management Planning Council motion are enclosed to assist you in your review of this amendment.

In accordance with the Countywide Planning Policies, FW-1, Step 9, amendments become effective when ratified by ordinance or resolution by at least 30 percent of the city and county governments representing 70 percent of the population of King County according to the interlocal agreement. A city will be deemed to have ratified the CPP and amendments unless, within 90 days of adoption by King County, the city takes legislative action to disapprove the amendments. **Please note that the 90-day deadline for this amendment is July 11, 2014.**

If you adopt any legislation concerning this action, please send a copy of the legislation by the close of business, Friday, July 11, 2014, to Anne Noris, Clerk of the Council, Room 1200, King County Courthouse, 516 Third Avenue, Seattle, WA 98104.

If you have any questions about the amendments or ratification process, please contact Karen Wolf, Senior Strategy and Performance Analyst, King County Executive's Office, at 206 263-9649, or Rick Bautista, Metropolitan King County Council Staff, at 206 477-0872.

Thank you for your prompt attention to this matter.

Sincerely,



Larry Phillips, Chair
Metropolitan King County Council



Dow Constantine
King County Executive

Enclosures

cc: King County City Planning Directors
Sound Cities Association
John Starbard, Director, Department of Permitting and Environmental Review (DPER)
Karen Wolf, Senior Strategy and Performance Analyst
Rick Bautista, Council Staff, Transportation, Environment and Economy Committee (TREE)



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 1, 2014

Ordinance 17783

Proposed No. 2014-0072.1

Sponsors Dembowski

1 AN ORDINANCE adopting Growth Management Planning Council
2 Motion 13-1 and ratifying Motion 13-1 for unincorporated King
3 County.

4 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5 SECTION 1. Findings:

6 A. King County Countywide Planning Policy DP-31 allows for designation of new Urban
7 Centers.

8 B. The city of Issaquah has demonstrated that the Central Issaquah Urban Core meets the criteria
9 listed in Policy DP-3.

10 C. On May 29, 2013, the city of Issaquah briefed the Growth Management Planning Council on
11 the proposal to designate the Central Issaquah Urban Core as an Urban Center.

12 D. On September 25, 2013, the Growth Management Planning Council adopted Motion 13-1
13 amending the urban Growth Area map in the 2012 King County Countywide Planning Policies to add the
14 Central Issaquah Urban Core as an Urban Center.

15 SECTION 2. The amendment to the 2012 King County Countywide Planning Policies, as shown
16

Ordinance 17783

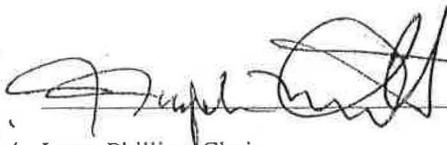
17 in Attachment A to this ordinance, is hereby adopted and ratified on behalf of the population of
18 unincorporated King County.

19

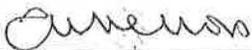
Ordinance 17783 was introduced on 3/3/2014 and passed by the Metropolitan King County Council on 3/31/2014, by the following vote:

Yes: 7 - Mr. Phillips, Mr. Gossett, Ms. Hague, Mr. Dunn, Mr. McDermott, Mr. Dembowski and Mr. Upthegrove
No: 0
Excused: 2 - Mr. von Reichbauer and Ms. Lambert

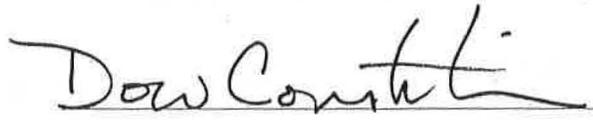
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

FOR: 
Larry Phillips, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 2 day of APRIL, 2014.


Dow Constantine, County Executive

RECEIVED
2014 APR -3 AM 11:32
CLERK
KING COUNTY COUNCIL

Attachments: A. GMPC Motion No. 13-1

9/25/13

Sponsored By: Executive Committee

GMPC MOTION NO. 13-1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

A MOTION to amend to the Urban Growth Area map in the 2012 King County Countywide Planning Policies to add the Central Issaquah Urban Core as an Urban Center.

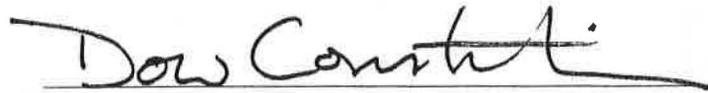
WHEREAS, accommodating growth in Urban Centers allows King County to meet a range of objectives including providing a land use framework for an efficient and effective regional transportation system; and

WHEREAS, Countywide Planning Policy DP-31 allows for designation of new Urban Centers; and

WHEREAS, the City of Issaquah has demonstrated that the Central Issaquah Urban Core meets the criteria listed in Policy DP-31; and

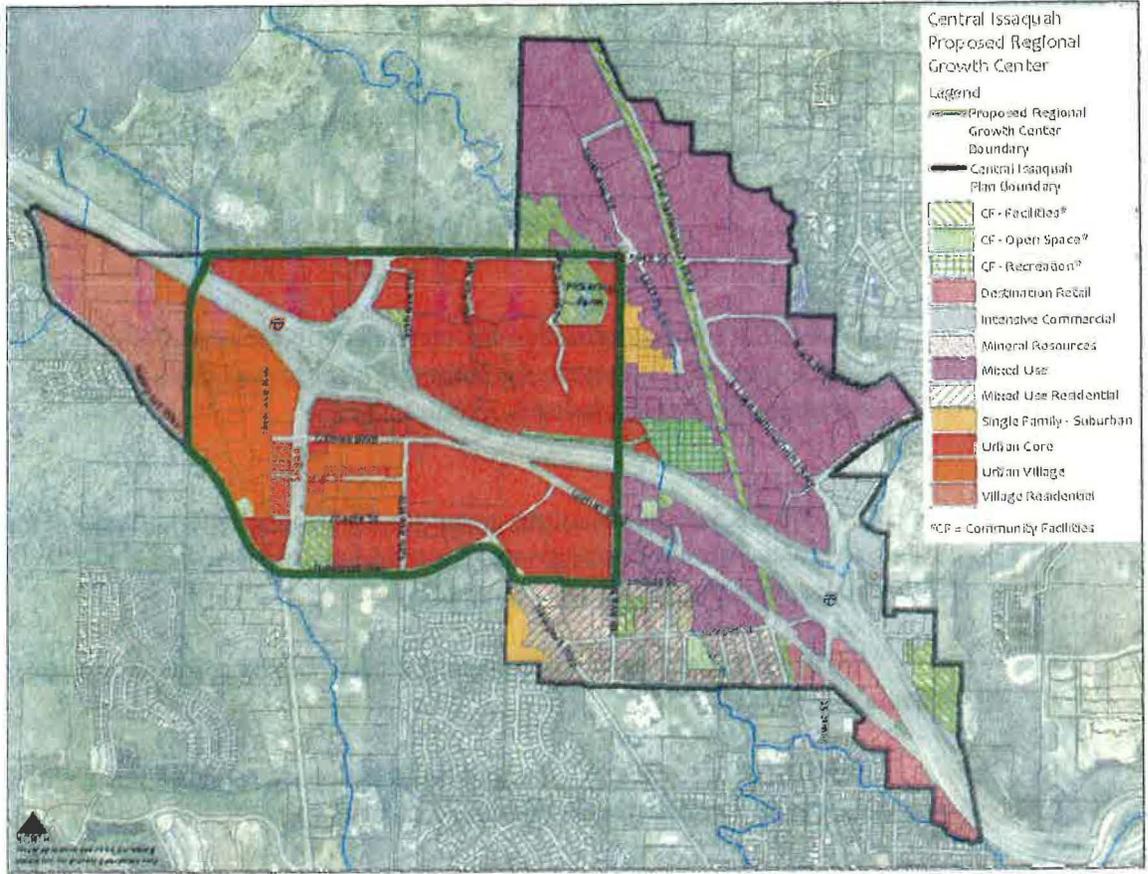
WHEREAS, City of Issaquah briefed the Growth Management Planning Council on the proposal to designate the Central Issaquah Urban Core as an Urban Center at its meeting on May 29, 2013.

NOW THEREFORE BE IT RESOLVED that the Growth Management Planning Council of King County hereby recommends that the Urban Growth Area map in the 2012 King County Countywide Planning Policies be amended to add the Central Issaquah Urban Core as an Urban Center as shown on attachment A to this motion.



Dow Constantine, Chair, Growth Management Planning Council

Attachment A: Central Issaquah Urban Core map





King County

Transportation, Economy and Environment Committee

STAFF REPORT

Agenda Item:	6	Name:	Rick Bautista
Proposed No.:	2014-0072	Date:	March 18, 2014

SUBJECT:

Ordinance adopting amendments to the Countywide Planning Policies; designating Central Issaquah as an Urban Center.

BACKGROUND:

Growth Management Planning Council (GMPC) and Countywide Planning Policies (CPPs)

The GMPC is a formal body comprised of elected officials from King County, Seattle, Bellevue, the Suburban Cities, and Special Districts. The GMPC was created in 1992 by interlocal agreement, in response to a provision in the Washington State Growth Management Act (GMA) requiring cities and counties to work together to adopt CPPs.

Under GMA, countywide planning policies serve as the framework for each individual jurisdiction's comprehensive plan, and ensure countywide consistency with respect to land use planning efforts. As provided for in the interlocal agreement, the GMPC developed and recommended the CPPs, which were adopted by the King County Council and ratified by the cities. Subsequent amendments to the CPPs follow the same process: recommendation by the GMPC, adoption by the King County Council, and ratification by the cities. Amendments to the CPPs become effective when ratified by ordinance or resolution by at least 30% of the city and county governments representing at least 70% of the population of King County. A city shall be deemed to have ratified an amendment to the CPPs unless, within 90 days of adoption by King County, the city by legislative action disapproves it.

Requirements for Urban Center Designation

The CPPs describe Urban Centers as areas of concentrated employment and housing, with direct service by high-capacity transit and a wide range of other land uses. Collectively, they are expected to account for up to one half of King County's employment growth and one quarter of household growth over the next 20 years. In order to be designated as an Urban Center, jurisdictions must meet specific criteria in the Countywide Planning Policies, including having planned land uses to accommodate:

- A minimum of 15,000 jobs within one-half mile of a transit center;
- At a minimum, an average of 50 employees per gross acre; and
- At a minimum, an average of 15 households per acre.

In addition the CPPs require that fully realized Urban Centers shall be characterized by the following:

- Clearly defined geographic boundaries;
- An intensity/density of land uses sufficient to support effective and rapid transit;
- Pedestrian emphasis within the Center;
- Emphasis on superior urban design which reflects the local community;
- Limitations on single-occupancy vehicle usage during peak commute hours;
- A broad array of land uses and choices within those land uses for employees and residents;
- Sufficient public open spaces and recreational opportunities; and
- Uses which provide both daytime and nighttime activities in the Center.

SUMMARY:

Proposed Ordinance 2014-0072 would amend the CPPs by adding Central Issaquah to the list of Urban Centers. The ordinance would also ratify the change on behalf of the population of unincorporated King County, and begin the ratification process by the cities.

ANALYSIS:

The GMPC staff analysis of the city's proposal as presented to the GMPC, is included as Attachment 2 to this staff report. Through its unanimous adoption of Motion 13-3, has declared that the City of Issaquah has demonstrated its commitment to developing a fully realized Urban Center as envisioned in the CPPs. Specific findings include:

- Issaquah's comprehensive plan and downtown plan establish the policy framework for achieving a compact, mixed use, transit and pedestrian oriented Urban Center.
- Issaquah has implemented its plans with supportive land use and development regulations, including unlimited residential density in the downtown zone, increased height limits, design guidelines and streamlined permit processing.
- The city has planned for future growth within the Urban Center through recent investments in utility, street and sidewalk upgrades, and in land assembly and acquisition. These efforts include plans for a mixed-use Town Square development, and plans for a transit-oriented development project.

Council staff has had an opportunity to thoroughly review the city's proposal, and concurs that it meets the requirements in the CPPs for designation as an Urban Center.

ATTACHMENTS:

1. Proposed Ordinance 2014-0072, with attachments
2. Staff Report to GMPC Motion 13-3

Council Meeting Date: May 29, 2013

Agenda Item: IV

**GROWTH MANAGEMENT PLANNING COUNCIL AGENDA ITEM
KING COUNTY, WASHINGTON**

AGENDA TITLE: Designate Central Issaquah as an Urban Center in the King County Countywide Planning Policies – Appendix 1 Land Use Map

PRESENTED BY: Ava Frisinger, Issaquah Mayor

SUMMARY

Nomination: The City of Issaquah is proposing that Central Issaquah be designated an Urban Center in the Countywide Planning Policies. The Issaquah City Council authorized nomination of the Central Issaquah Urban Core for Urban Center on April 15, 2013 (AB 6586).

Location: The area proposed for Urban Center designation is shown on the attached map. The proposed Center is 461 acres and includes several of Issaquah's top employers, including Costco's corporate headquarters.

Growth Targets and Future Land Use: Most of Issaquah's future housing and job growth (GMA Targets - 5,750 housing units and 20,000 jobs) is planned for Central Issaquah and the proposed Urban Center. This growth will transform the Urban Center from a collection of strip malls and office buildings into a more livable, sustainable and balance mixed use community. Planned densities are 51 jobs and 15.58 housing units per acre.

A Commitment to Urban Center Expectations: The Issaquah City Council has taken the following steps to plan for growth in the proposed Urban Center:

- ADOPTED the Central Issaquah Plan, including a policy calling for Urban Center designation;
- COMPLETED a *Planned Action EIS* for Central Issaquah and the proposed Urban Center;

- ☑ ADOPTED new *Development and Design Standards* for Central Issaquah;
- ☑ ADOPTED a *Planned Action Ordinance* for the proposed Urban Center; and
- ☑ REZONED the proposed Urban Center from primarily *Office* and *Retail* zoning to higher density mixed use *Urban Core* and *Urban Village* zoning.

APPLICABLE COUNTYWIDE PLANNING POLICIES

The Countywide Planning Policies provide direction about the process for designating Urban Centers.

DP-29 Concentrate housing and employment growth within designated Urban Centers.

7,185 new residential units and 27,565 new jobs are planned for the 461 acre Urban Center.

DP-30 Designate Urban Centers in the Countywide Planning Policies where city-nominated location meets the criteria in policies DP-31 and DP-32 and where the city's commitments will help ensure the success of the center.

The City's commitment to becoming an Urban Center is summarized above. These actions are the result of six years of community planning.

Urban Centers will be limited in number and located on existing or planned high capacity transit corridors to provide a framework for targeted private and public investments that support regional land use and transportation goals. The Land Use Map in Appendix 1 shows the locations of designated Urban Centers.

Issaquah's proposed Urban Center is located adjacent to I-90, a designated high capacity transit (HCT) corridor in the 2005 Sound Transit Long Range Plan.

DP-31 Allow designation on new Urban Centers where the proposed Center:

- a) **Encompasses an area up to one and a half square miles; and**

The proposed Issaquah Center is 461 acres (.72 square miles).

- b) **Has adopted zoning regulations and infrastructure plans that are adequate to accommodate:**

New mixed use urban density zoning districts were adopted for the proposed Urban Center on April 15, 2013. The Central Issaquah Plan EIS identifies specific measures to assure that the City's infrastructure plans are adequate to accommodate the planned growth.

- i) **A minimum of 15,000 jobs within one-half mile of an existing or planned high-capacity transit station.**

The adopted Central Issaquah Plan includes a conceptual HCT I-90 corridor and four potential light rail stations. Three of the four potential stations meet this criterion.

- ii) **At a minimum, an average of 50 employees per gross acre within the Urban Center; and,**

The Central Issaquah Plan anticipates 23,555 jobs in the proposed center – an average of 51.1 employees per gross acre.

- iii) **At a minimum, an average of 15 housing units per gross acre within the Urban Center.**

The Central Issaquah Plan anticipates 7,185 new residential units in the proposed center – an average of 15.58 units per gross acre.

DP-32

Adopt a map and housing and employment growth targets in City comprehensive plans for each Urban Center, and adopt policies to promote and maintain quality of life in the Center through:

The Central Issaquah Plan includes a Land Use Map, including the proposed Urban Center and housing and employment targets.

- **A broad mix of land uses that foster both daytime and nighttime activities and opportunities for social interaction;**

The adopted Development and Design Standards allow a mix of uses vertically and horizontally.

- **A range of affordable and healthy housing choices;**

The Housing Element of the Central Issaquah Plan includes policies addressing housing choices and affordability. Residential and mixed

use residential development in the proposed Urban Center is required to provide not less than ten percent of the residential units for mid-moderate incomes. Affordable housing is also one of the required public benefits to participate in the City's density bonus program within the Development and Design Standards.

- **Historic preservation and adaptive reuse of historic places;**

The City's Comprehensive Plan includes policies to preserve natural, cultural and historic resources.

- **Parks and public open spaces that are accessible and beneficial to all residents in the Urban Center;**

The proposed Urban Center will be served by a "Green Necklace" of connected urban parks, green space and pedestrian corridors and three new parks. The proposed Urban Center is also adjacent to Lake Sammamish State Park (512 acres) and Issaquah's 30 acre Tibbetts Valley Park.

- **Strategies to increase tree canopy within the Urban Center and incorporate low-impact development measures to minimize stormwater runoff.**

The Central Issaquah Development and Design Standards establish minimum tree densities, tree removal standards and tree replacement requirements.

City Codes require redevelopment to be consistent with low impact development measures, including narrow streets and impervious pavement.

- **Facilities to meet human service needs;**

The Community Food and Clothing Bank is within walking distance from the proposed Center. The City provides financial support to a variety of local and regional human service programs that serve Issaquah.

- **Superior Urban Design which reflect the local community vision for compact urban development.**

The City adopted new Development and Design Standards for the proposed Urban Center to promote pedestrian oriented development and create a sense of place.

- **Pedestrian and bicycle mobility, transit use and linkages between these modes;**

The vision for the proposed Urban Center is to create a "connected urban community where pedestrians are priority". This vision is implemented through related plan policies and the adopted Development and Design Standards.

- **Planning for complete streets to provide safe and inviting access to multiple travel modes, especially bicycle and pedestrian travel; and,**

Chapter 6.0 Circulation of the Development and Design Standards will "create a complete streets network" for the Urban Center. In addition, the Central Issaquah Plan identifies a number of strategies for Central Issaquah to become bike friendly.

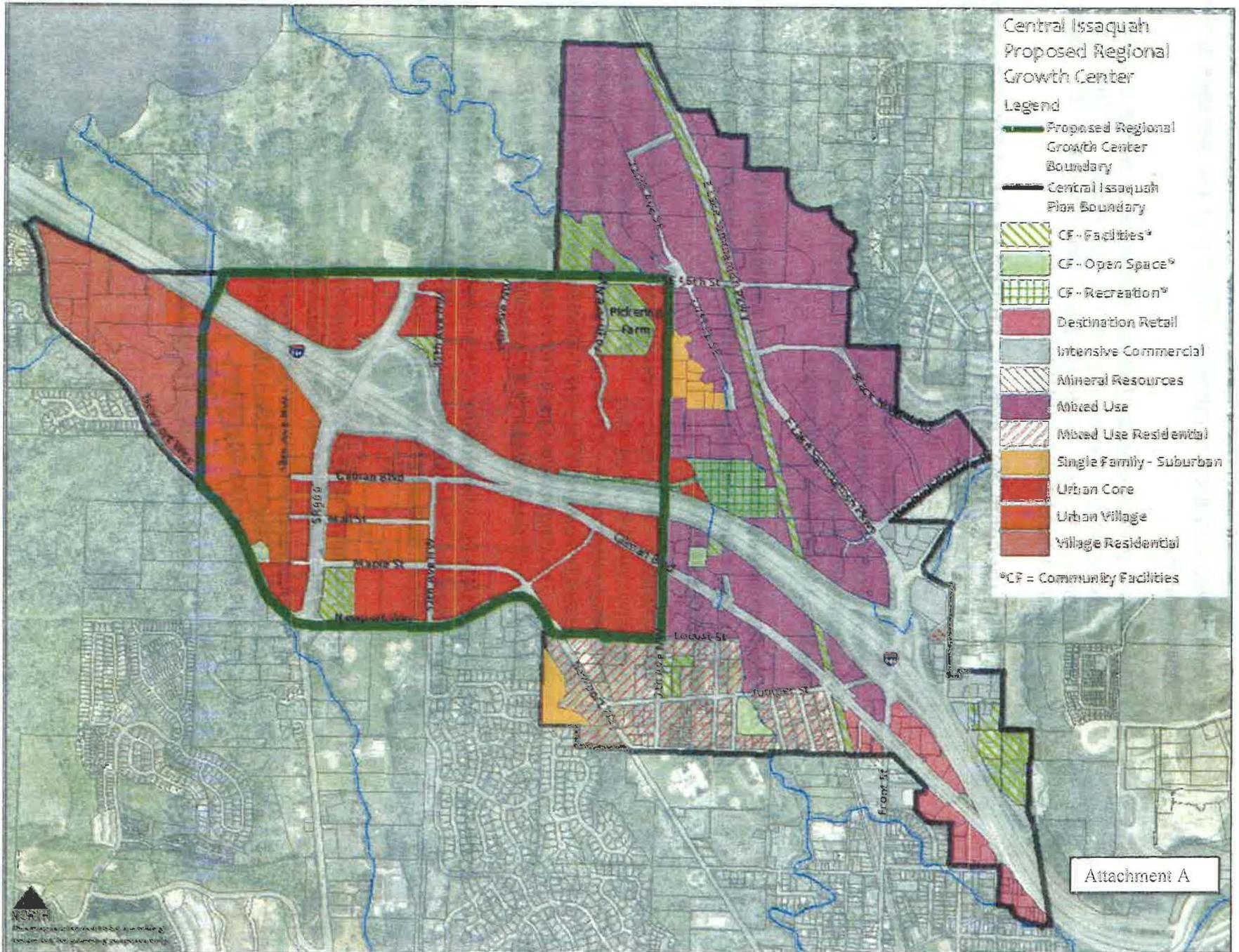
- **Parking management and other strategies that minimize trips made by single-occupant vehicles, especially during peak commute periods.**

Approximately 75% of the developed land in Central Issaquah is currently used for parking. The new Development and Design Standards replace the City's current suburban parking standards with new parking requirements and policies to encourage transit use and walking. The Central Issaquah Plan includes a commitment to achieve a 17% transit, transit supportive and nonmotorized mode split.

DP-33 Form the land use foundation for a regional high-capacity transit system through the designation of a system of Urban Centers. Urban Centers should receive high priority for the location of transit service.

The Sound Transit 2 Plan (ST2) proposal to extend rail service to Issaquah will play an important role in connecting Issaquah to other regional employment and housing centers. The designation of the Central Issaquah Urban Core as an Urban Center will support future transit investment in the I-90 HCT corridor.

Attachment A: Central Issaquah Plan Proposed Regional Growth Center Map



RESOLUTION R-5055

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RATIFYING AMENDMENTS TO THE KING COUNTY COUNTYWIDE PLANNING POLICIES.

WHEREAS, the Metropolitan King County Council adopted new King County Countywide Planning Policies (CPPs) on December 4, 2012; and;

WHEREAS, the Growth Management Planning Council (GMPC) was established by interlocal agreement to provide for the collaborative policy development of the CPPs; and

WHEREAS, the GMPC passed motion 13-1 on September 25, 2013, which recommended amendments to the CPPs; and

WHEREAS, on March 31, 2014, the Metropolitan King County Council adopted Ordinance 17783 approving the amendments to the CPPs recommended by the GMPC; and

WHEREAS, Policy G-1 of the CPPs requires ratification of the CPPs and amendments to the CPPs by 30 percent of the city and county governments representing at least 70 percent of the population of King County, within 90 days of adoption by the King County Council;

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

Section 1. The Kirkland City Council ratifies Metropolitan King County Ordinance 17783 amending the King County Countywide Planning Polices.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2014.

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
Michael Cogle, Deputy Director

Date: May 7, 2014

Subject: Funding Request for Nourishing Networks Central

RECOMMENDATION:

That Council approves the attached resolution authorizing the City Manager to allocate \$25,000 from the Council's Special Projects reserve fund to provide operational support of Nourishing Networks Central.

BACKGROUND DISCUSSION:

At the May 6, 2014 City Council Meeting, Linda Benson, CEO of Nourishing Networks Central (NNC), requested funding assistance from the City to support the operations of the organization. City Council directed staff to propose an allocation from the Council Special Projects reserve fund to be considered at their May 20, 2014 meeting.

NNC supports the development and sustainability of local volunteer grass-roots networks addressing hunger through ongoing coaching and trainings, connecting the networks through regional gatherings and online tools, applied research, and professional network development support.

Kirkland is one of six local communities thus far to establish a Nourishing Network. The Kirkland Nourishing Network is an active and diverse group of citizens which meets monthly at Kirkland City Hall (1-3pm on third Friday) with a major emphasis on a concentrated collaborative response to feeding Kirkland's most needy residents. A recent offshoot of the Kirkland network, Edible Kirkland, is working towards expanding urban agriculture opportunities in our community.

If approved, funding assistance from the City of Kirkland would be used for website development, community outreach, and technical support to local networks. More information about NNC and the requested funding is included in the attached letter from Ms. Benson (**Attachment 1**).

The funding source for this request is proposed to be from the Council's Special Projects reserve fund. A fiscal note is attached (**Attachment 2**).

Attachments

- 1 – Request Letter from Linda Benson, CEO, Nourishing Networks Central
- 2 – Fiscal Note
- 3 – Resolution



May 8, 2014

The Kirkland City Council
c/o City Manager
Kirkland City Hall
123 Fifth Avenue
Kirkland, WA 98033

Dear Madam Mayor and members of the Kirkland City Council:

We are deeply grateful for the opportunity to submit a formal request of support for Nourishing Networks Central in the amount of \$25,000. If funded, this timely support will allow this work to continue unimpeded toward our goals to:

- Deepen and broaden the impact of existing networks;
- Capitalize on the momentum that has begun by creating the tools and technological support needed. These tools will allow for a more rapid and consistent spread of new relationships, emerging best practices, and innovative efforts on the ground, while decentralizing and distributing the leadership and knowledge across many more communities;
- Expand the reach of this model to new communities.

Nourishing Networks Background

In 2011, the idea and concept of Nourishing Networks began to be realized within five N/E King County Communities – Bellevue, Issaquah, Kirkland, Northshore and Redmond. The effort began as an initiative of Hopelink to find new ways to “inspire and engage our community to end poverty.” Under Hopelink’s umbrella, the networks were launched with the expertise and resources needed to help lead, develop the model, and to provide ongoing support to the networks as they struggled to move into a “networked” way of working together. In July, 2013 Nourishing Networks moved from Hopelink to The Center for Ethical Leadership for a new kind of support and an environment that would allow the further incubation of this new approach. During the next 18 months, we began to develop the initial tools that would allow the networks to find ways build sustainability and the practice of shared leadership. The main purpose of the incubation period was to determine if Nourishing Networks was a viable approach that could be grown and sustained within the initial communities and replicated successfully in other communities.

In December of 2013, the founders and developers of this model determined that Nourishing Networks could be sustained with careful stewardship, professional coaching support, and the development of technology that would allow for the replication and distribution of leadership, ideas, best practices and new relationships across the region. And it was determined that the best way forward was to establish a formal organization to serve as the backbone of all

Nourishing Networks. This organization—Nourishing Networks Central – would create the infrastructure needed to allow the local networks to stay focused on building relationships and working together cross-sector to solve complex problems that matter most in those communities.

Nourishing Networks Central is a new non-profit registered with the State of Washington and has file an application for a 501c(3) IRS determination. The Center for Ethical Leadership is serving as our fiscal agent while we await our charitable designation.

Kirkland City Council Support

Below is a summary of how we would use Kirkland’s support of Nourishing Networks Central to accomplish our goals along with an estimate of where these dollars would be spent.

1. **The launch of the first phase (of three) for a multi-functional website** essential to both existing networks and to new and emerging networks. This phase will lay the foundation and include educational tools, a knowledge base of emerging best practices and initial functionality for local networks to share their work. The second and third phases will quickly follow with relationship networking capabilities and search functions. We are working with pro-bono network and web architects to develop the plans but need financial support to build the site.
 - \$9,000
2. **The creation of educational tools and assessments:** Nourishing Network founders have begun to develop critical tools and guidelines to help launch and sustain our initial networks, but there are many components of the Nourishing Network approach that have not yet been formally documented and translated into working tools. This requires special expertise and time, but once created, will provide the level of support all communities need to establish, grow and sustain a network.
 - \$5,000
3. **Ongoing coaching and support of existing networks:** We are still learning how to do this kind of work and most of the networks still need consistent coaching and support to successfully navigate the uniqueness of what it means to work in networks. As those involved will attest, this work requires a difficult shift in how we think about the problems, resources and solutions, as well as, how we work together differently to make impact on the ground. The professional staff of Nourishing Networks Central also need to be a part of the networks to continue to learn what is needed and what support might look like. The ability to work reciprocally is the key to the next phase of evolution of these networks.
 - \$5,000
4. **Outreach to new communities:** There is growing interest in other communities to explore the possibilities of establishing a Nourishing Network. Your support will allow us

to begin those assessments and conversations that will result in more networks across the region.

- \$3,000

5. **Networking together all networks:** In addition to technology solutions needed to network the relationships within and between communities, NNC also convenes two regional gatherings each year to allow for the sharing of work and the learning of new ways to work together. Kirkland's support will provide a much needed fund to allow for the best possible events we can produce.

- \$2,000

6. **Administrative support** of a small office

- \$1,000

Results for Kirkland

The City of Kirkland will be the first entity to step forward to fund the specific work of the new organization—Nourishing Networks Central. It has been difficult to find those who can see the value in investing in the capacity building function of the infrastructure itself when the work on the ground is so exciting and real. The irony of the situation is that with the infrastructure in place, we can exponentially grow the impact on the ground, but getting the first commitment to do so has been most challenging.

There will be direct support for the Kirkland Nourishing Networks as a result of this funding but let me start by letting you know that one of the first impacts will be the hastening of our ability to bring on more supporters. There are many interested parties who are waiting for more evidence before investing. One of the pieces they are looking for is evidence that a reputable entity will step forward to make that first gift. A special gift from the Kirkland City Council is as strong of an endorsement as one could expect.

It is also important to share that because of the uniqueness and assertiveness of the Nourishing Network process in Kirkland, I will be spending the majority of my coaching and support time within Kirkland. Specifically, the launch of Edible Kirkland is a very interesting network distribution action. It will require more on the ground time, not only because it is a new network, but because it is such a unique network that will teach us much about how to decentralize and increase connections within a single community while focusing on a slightly different shared purpose. It was a joy to work with Bobbi Wallace in the creation of this new network and I look forward to working with her and other strong Kirkland leaders in the future.

The original Kirkland Nourishing Network is also teaching how networks can evolve in purpose and process. I have been and will continue to spend a significant amount of time helping co-convene and move this network into a new phase of work.

In summary, the majority of the \$5,000 we are estimating to spend in the next six months in the coaching and support work will be spent in Kirkland. It is also important to note that I will also

be spending time in the Kirkland networks in the documentation the documentation and tools development aspect of our work as well.

Other Sources of Funding:

With the lead of the City of Kirkland, we will be in a favorable position to approach other eastside Cities for their consideration of start-up support. The most likely prospects are Redmond, Bellevue and Issaquah. Foundation and individual grants and contributions will provide another layer of support; and lastly, we will seek contract support from communities interested in establishing Nourishing Networks. There is one proposal pending for contract funds to establish three to five networks in Pierce County. If this is funded, the work would begin in early Fall.

In Closing: It is becoming increasingly clear that hunger and other challenges of poverty are growing in our local communities. It is also becoming evident that our country's current systems for addressing basic human needs, like food and housing is not getting the job done. The truth is, we are falling further and further behind because these systems were simply not designed to meet the changing realities that are plaguing our communities today.

Nourishing Networks was created to turn around this trend by helping communities find and unleash untapped resources that are limitless when harnessed within a different structure, but complementary system – networks.

Support from the City of Kirkland at this time will provide vital resources allowing us to grow and deepen the impact of this approach. It will also inspire and motivate those funders who are sitting on the fence to give serious consideration to the building of the infrastructure for this promising model.

Thank you for your consideration at this crucial moment of development and please let me know if I can provide anything additional

With gratitude,

Linda Benson
Executive Director
Nourishing Networks Central

Attachments:
NN Overview document
High level budget
NNC One Pager



Nourishing Networks Central Overview

I. Introduction

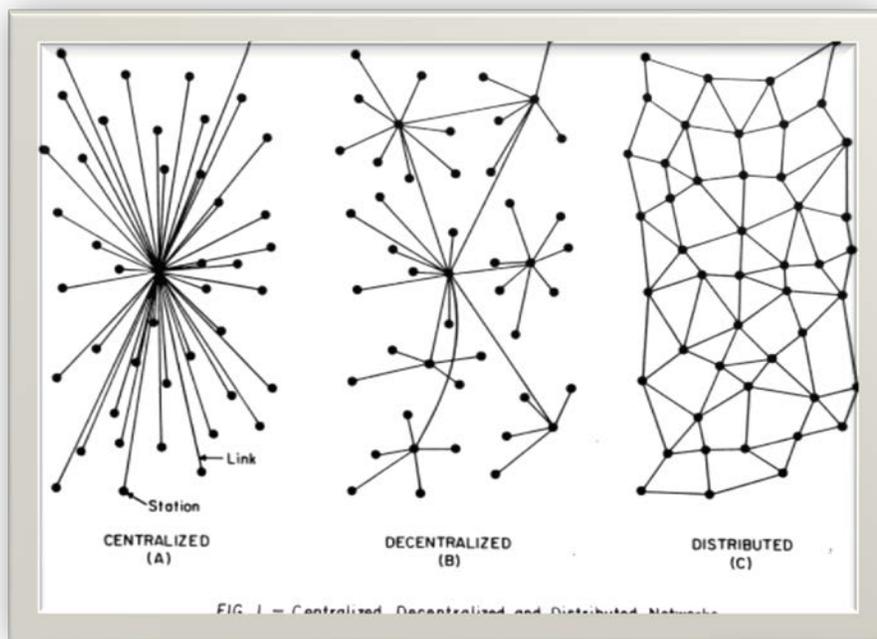
Purpose

Nourishing Networks Central (NNC) develops, supports, and networks together the formal and informal networks within communities; these networks forge cross-sector, purpose driven efforts that leverage local untapped talent and resources to create sustainable solutions to basic unmet needs. Using Nourishing Network methodologies and professional expertise we support communities in building collective ownership for community wellbeing.

Networks

A “network” refers to a group of individuals connected through a common cause and sustained by relationships.

A “Nourishing Network” is an intentional network of cross sector and diverse individuals that systematically incorporate the Principles, Practices, and Roles (*Attached in the Additional Materials Section*) of a new model for social change. The Nourishing Network effort is designed to create and/or link together local networks and begin the journey toward a decentralized and ultimately, a fully distributed network of networks. This process includes the linking together of the existing human services system with the growing connection of local-driven community-based networks. The ultimate vision of our existing Nourishing Networks is that “together we are creating a safety net so tightly woven that no one can fall through.”

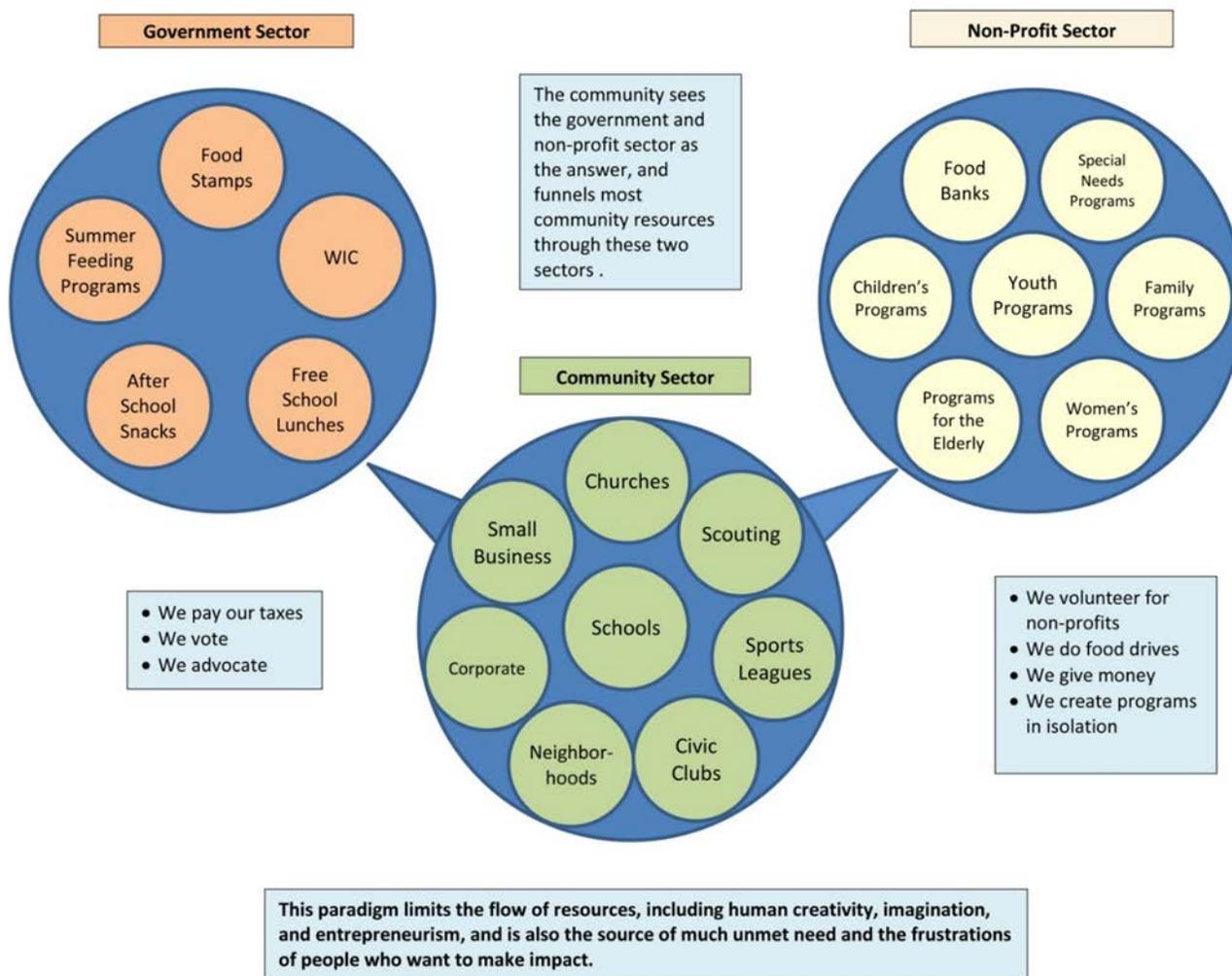


Evolution of networks from “centralized” to “distributed”

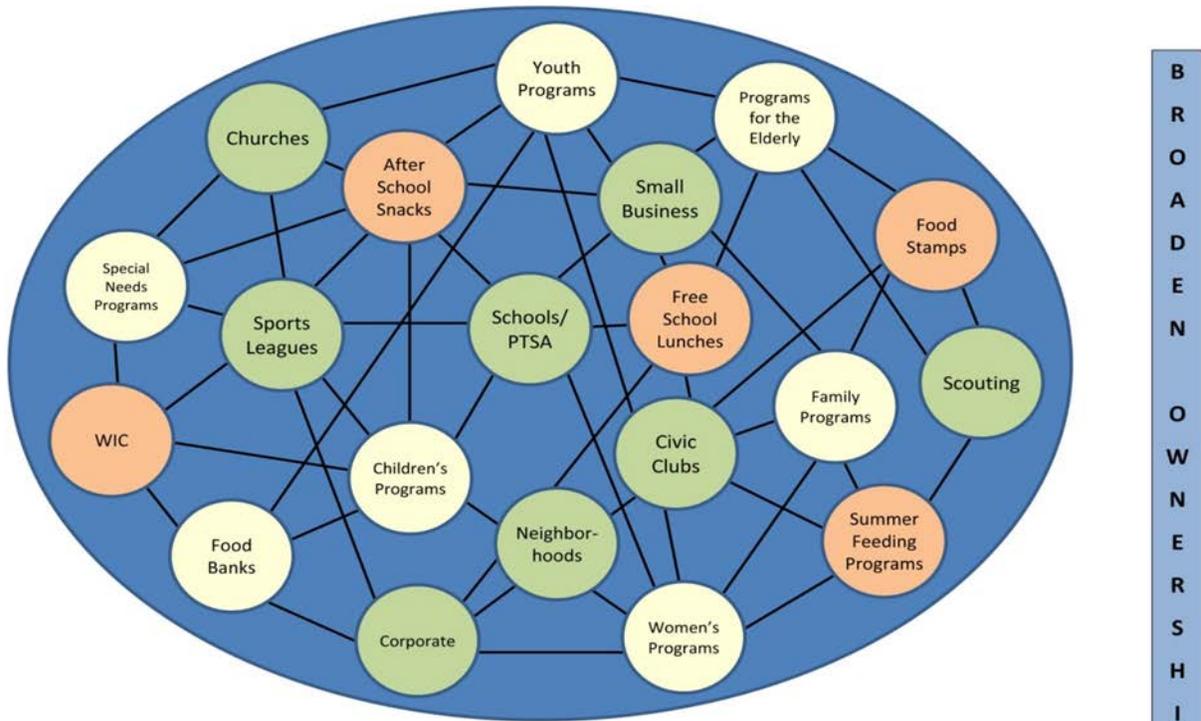
Nourishing Networks Central Philosophy and Systems Approach

Current Human Service System in our Country: Centralized systems (like the collection of organizations and institutions that make up the present human service structure in our country) work on a hub and spoke model. Hubs allow for control of information and alignment of tasks since everything flows through a central source. Some of the challenges of the centralized model include the layering of responsibility to one or a few people. This often leads to the collapse of a very helpful effort when the central person leaves, particularly in community-driven initiatives. Centralized systems also are not designed to naturally connect with other centralized structures, which inevitably leads to the creation of gaps in service for those in need and the inability to understand where gaps are forming.

Below is a graphic representation of various programs offered for hunger relief in our communities. They are a compilation of separate programs/organizations within three separate sectors (government, non-profit and community) that form a highly disconnected response to hunger.



The Nourishing Network System creates the structure, environment and methodology to connect passionate individuals from all sectors and programs to gather together, learn together, expand existing good work, and create the conditions for new innovations that can fill the gaps that have been created because of the very centralized and disconnected approach that undergirds our country's existing human services system.



Step 1: Broaden personal ownership to all those who live/work in the community. Expand personal perspective of hunger to acknowledge that everyone is hungry for something, and when we work together, we are all nourished.

Color Key
 Orange – Represents government solutions
 Yellow – Represents Non-profit solutions
 Green – Represents Community-based solutions

B
R
O
A
D
E
N

O
W
N
E
R
S
H
I
P

Nourishing Networks Central is developing the infrastructure for decentralized and distributed networks to grow and connect. The founding networks are organized at the grass roots community level and operate using a shared leadership approach. This kind of network approach stimulates and expedites the creation of dynamic self-organizing efforts that both link and strengthen existing human service work in the formal system to the informal system. This evolving networked approach is proving to unleash a whole new level of possibilities and innovation.

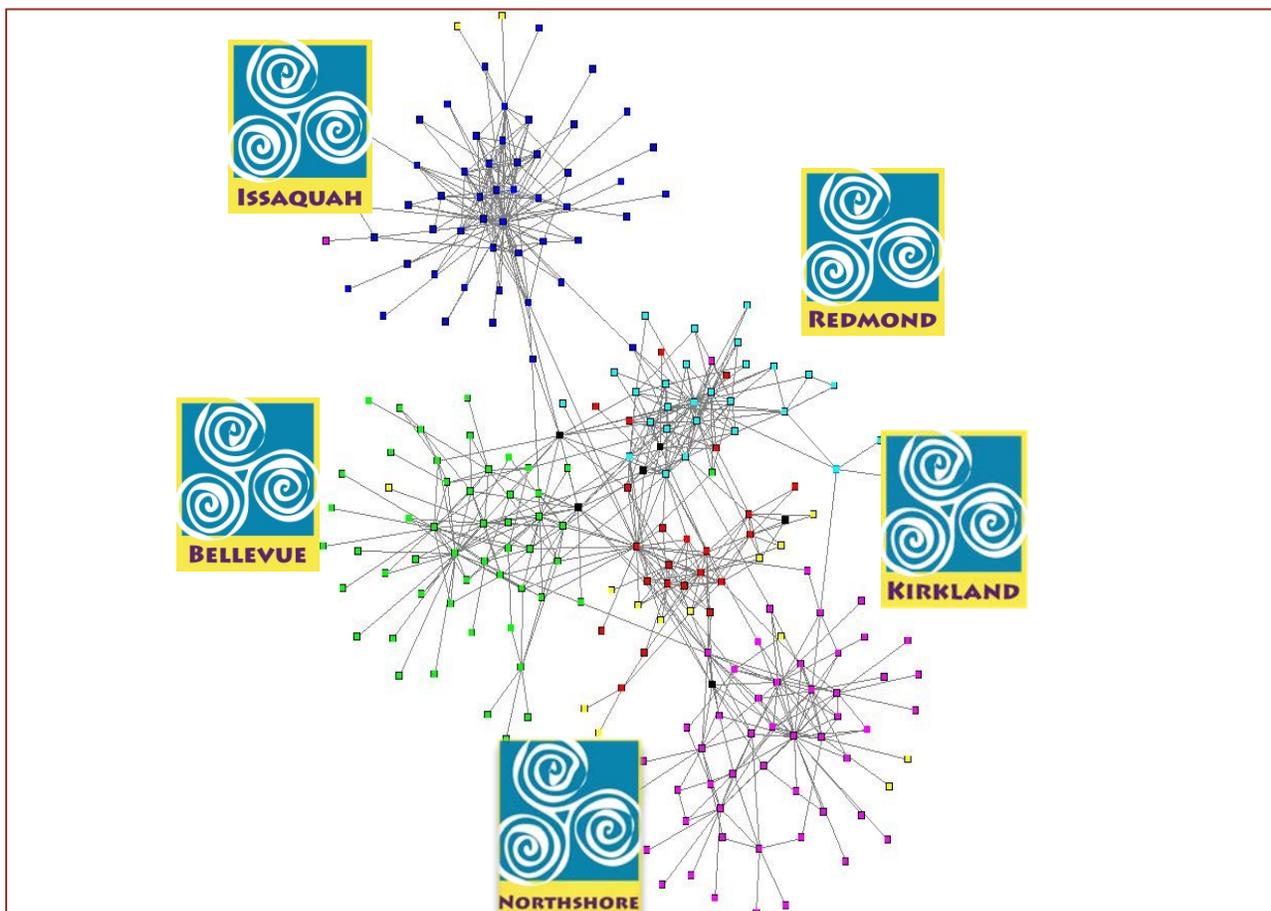
Over the past two years, the initial Nourishing Networks have begun to decentralize across the region, with dramatic results in the integration of the formal human service structure and real impact and change on the ground in filling some of the growing gaps within these communities. (A report to a local funder with results of one year's work along with stories that demonstrate some of the exciting changes can be found in Additional Materials Section.)

II. History & Current Background

The model and methodologies of Nourishing Networks were developed and incubated with four years of philanthropic program support provided by two highly respected non-profits, Hopelink and the Center for Ethical Leadership, and the guidance of many community leaders and funders. (See *List of Nourishing Networks Leadership Advisory Council—Additional Materials Section.*)

It was determined that when the Nourishing Networks concept and actual application of its evolving “working in networks” research was proven as a successful new model, a new non-profit would be formed with a board and an organization that would expand and replicate Nourishing Networks. This new non-profit, Nourishing Networks Central, would provide the infrastructure and support needed to develop the operational and technical tools that would enable the emerging Nourishing Network system to connect cross region, and to successfully move through the processes toward decentralization and a dynamic network of fully distributed cross-sector and purpose driven community networks.

A snapshot of the first network map of the initial five Nourishing Networks in July 2012



As seen above, there were five founding networks formed in 2011 that are thriving throughout N/E King County today: Bellevue Nourishing Network, Issaquah Nourishing Network, Kirkland Nourishing Network, Northshore Nourishing Network, Redmond Nourishing Network, with a new one which formed in 2013 – the Sammamish Nourishing Network. Each network includes passionate and dedicated people from many networks, including non-profits, churches, schools, local governments, businesses, neighborhoods and civic organizations. Using the principles, roles, and practices developed by Nourishing Networks Central’s founding organizations, they are working together in new ways to understand and grasp the extensiveness of the local need and to leverage the experience, the existing good work of that community, and the emerging new ideas and resources of the group.

Currently Evolving Nourishing Networks: While the founding networks were formed with a shared purpose of finding and filling gaps in *hunger*, the model is proving that it can be used for many complex community challenges. There are several new communities in Puget Sound exploring this model. These include a new Domestic Violence Nourishing Network that is launching in February 2014 and three to five new networks comprised of communities and organizations in the Pierce County Food Coalition which is organizing to launch in April 2014.

During 2014 Nourishing Networks Central anticipates adding these currently planned networks to this growing network system as well as others that express interest. It will also begin its work to connect and link the best practices and new innovations that will be occurring in both King County and Pierce County efforts and support the evolving decentralization of the original networks.

III: Nourishing Networks Central Key Activities

Nourishing Networks Central (NNC) provides the infrastructure that allows local networks to stay active in finding and filling gaps in need. Here is a summary of the key roles and plans to accomplish this.

- I. **Professional Network Development Support:** To access the full potential of working in a network structure requires a shift in the traditional way of thinking and working together. NNC provides the unique knowledge, experience and skill sets that are necessary to help communities make this shift.

Professional Support services provided to existing & emerging networks include:

- Community assessment & readiness
- Facilitation
- Meeting design services
- Coaching
- Planning and Problem Solving

- II. **Education and Training Support:** To effectively launch a Nourishing Network that can decentralize and be sustainable with evolving leadership, communities must fully understand the methods and processes of the network model. This includes incorporating the research-proven principles, roles, and practices that lead to a robust network.

Education and Training Support activities include:

- Curriculum Development
- Tailored training to individual networks
- Train the Trainer sessions that move the expertise directly into the community and away from NNC

III. Systems Changing Work and Ongoing Applied Research: Nourishing Networks Central has explored and incorporated exciting new and cutting-edge network theory developed by experts throughout the world into its work. Learning how to work in cross-sector networks to create solutions to complex community problems is counter to our current human service system.

Systems Changing Work & Ongoing Applied Research activities include:

- Documenting the lessons learned in the initial Nourishing Network research phase
- Supporting ongoing research processes to expand the Nourishing Network model and to answer evolving questions
- Sharing lessons learned and best practices in publications and on-line resources

IV. Networking together cross-sector, purpose driven Nourishing Networks: To ensure that the greatest level of impact can be achieved in Nourishing Network communities, it is vital that these networks are connected to each other in an environment that encourages new thinking, innovation and grounded action. Nourishing Networks Central works to provide the venues and the methodologies to allow these connections to be made and information and stories shared.

Networking together Tools & Technology activities include:

- Hosting and facilitating Networking Summits
- Connecting network leaders cross Nourishing Network communities
- Creating and maintaining a multi-purpose website for Nourishing Networks Central tools and support along with individual Nourishing Network Pages that can be managed by the local networks to share work
- Providing open-source access to all Nourishing Network tools, assessments, publications and methodologies

V. Building and Supporting the Nourishing Network Central Infrastructure: To accomplish our purpose, we will build the administrative and operational functions that will ensure our ability to develop, support and network together a dynamic Nourishing Network society.

Administrative and Operational Functions include:

- Fundraising to support all administrative and operational work
- Marketing and branding to ensure the integrity of the Nourishing Network approach
- Fiscal oversight
- Management of all organizational goals

IV: Sustaining this work

Nourishing Networks Central evolved first as a concept and theory to build on a strategic initiative of Hopelink – a large and well supported human services in King County. The strategic initiative was to find ways to “inspire and engage the community to end poverty.” The initial two and one-half years of research and development was funded by a broad array of individual and foundation philanthropic support developed by Hopelink. As the founding Networks were launched to test the theories and develop the model, Hopelink turned to another non-profit, the Center for Ethical Leadership (CEL), to move this initiative to the next level. CEL possessed the unique knowledge and community-engagement expertise that was essential to the full development of Nourishing Networks. CEL supported the evolution of this effort with their general fund and the support of The Seattle Foundation, United Way of King County, and the Kalliopeia Foundation, along with volunteer professional support of many others.

As a new non-profit, Nourishing Networks Central will continue the evolution of this new system of building local community capacity to build collective ownership for community wellbeing. Just as its founder organizations relied on philanthropic support to develop the model and the first networks, so will NNC need the philanthropic support of all sectors to sustain, replicate and expand the Nourishing Networks to communities everywhere.

Founding Partners and Supporters of the Research, Development and Incubation Phases:

Hopelink

Center for Ethical Leadership

The Seattle Foundation

United Way of King County

The Kalliopeia Foundation

The Hartman Group

Nourishing Networks Central
Budget Forecast
June 2014 – June 2015



Expenses

Salaries	\$ 45,000
Benefits	0
Contracting	10,000
Rent	3,600
Cable/Phone	1,600
Event Costs	4,000
Website (Three Phases)	25,000
Copying/Printing/Postage	800
Insurance	500
Americorps Expenses	250
Office Supplies	150
Total	\$ 91,000

Sources of Support

Municipal	\$35,000
Foundations	20,000
Individual	11,000
Contract	25,000
Total	\$ 91,000

Nourishing Networks At a Glance

We've only Just Begun

In the fall of 2011, several hundred passionate people from all sectors began gathering at tables throughout N/E King County to begin to answer a different kind of question in a new kind of way.

"If ending hunger in our community were up to us, what would we do?"

This question was directed to any person who cared deeply about the growing gaps of local hunger and food insecurity within their neighborhoods and towns.

Here's who answered: teachers, principals, coaches, PTSA parents, pastors, gardeners, civic leaders, neighbors, business owners, elected officials, police and firefighters, human service professionals and young people!

The result is seven Nourishing Networks at play throughout N/E King County, filled with caring people from diverse sectors and backgrounds, who are coming together to listen, learn and leverage the power of relationships and a shared purpose.

Our time together is spent connecting our interests with each other to expand existing good work, to initiate new solutions, and to tackle larger system questions.

What we all have in common is a passion to find and fill gaps of local hunger and food insecurity and other serious community challenges.

Highlights of our Networks' Collective Impact

- The support in food and volunteers to **pack and deliver more than 700 weekend food backpacks for children** attending Eastside schools
- The engagement of **hundreds of community members regularly delivering food boxes to help support families** through the long school breaks
- The creation of **nine new summer meal programs on the Eastside**
- The **dramatic growth of community garden support** for low income families and fresh food donations to local food banks
- **New community kitchens and expanded meal programs** throughout region
- The regular delivery of **thousands of granola bars and snacks to help kids get through their school day** by community groups, PTSAs and neighbors
- A much-needed **food pantry in an isolated area** through a new collaboration between a church and Hopelink
- The launch of community-directed **awareness raising efforts to educate and enlist support** from all interested people
- Dozens of **new collaborations between informal community efforts and our formal non-profit support structure**
- **New advocacy efforts** to educate our elected officials of the reality of food insecurity within their districts
- The **expansion of formal service and the decrease in duplication** due to new relationships and collaborations among human service providers

We know it works. Let's grow it!

Nourishing Networks Central – the backbone organization developing, supporting and networking together this promising and dynamic effort – is ready to deepen the impact of the existing Nourishing Networks and to expand the opportunity to work together in this new way.

Together, with financial support, we can:

***Fully develop the website that will connect people, offers of support, asks for help, tools to engage and leverage, and a venue to share the stories of success and lessons learned.

***Deepen and Increase the impact of existing Nourishing Networks

***Expand Nourishing Networks to communities throughout the region that are asking to become a part

Our vision is to create a safety net so tightly woven, that none of us can fall through.

We're on our Way. Let's keep going!!!

Thank you!!

FISCAL NOTE*CITY OF KIRKLAND*

Source of Request							
Jennifer Schroder, Director of Parks & Community Services							
Description of Request							
Provide funding of \$25,000 to provide operational support for Nourishing Networks Central from the Council Special Projects Reserve.							
Legality/City Policy Basis							
Fiscal Impact							
One-time use of \$25,000 of the Council Special Projects Reserve. The reserve is able to fully fund this request.							
Recommended Funding Source(s)							
<i>Reserve</i>	Description	2014 Est End Balance	Prior Auth. 2013-14 Uses	Prior Auth. 2013-14 Additions	Amount Request	Revised 2014 End Balance	2014 Target
	Council Special Projects Rsv.	250,000	107,128	0	25,000	117,872	250,000
	2013-14 Prior Authorized Use of Council Special Projects Reserve: \$71,628 to fund Human Services Option #2, \$7,000 for the 4th of July Fireworks, and \$15,000 for Kirkland Performance Center Storage Loft reimbursement. Council is also considering additional funding of up to \$13,500 for the aquisition and installation of the Spirit of America 9-11 Memorial Sculpture; the reserve balance assumes approval of this request.						
<i>Revenue/Exp Savings</i>							
<i>Other Source</i>							
Other Information							
Prepared By	Neil Kruse, Senior Financial Analyst				Date	May 9, 2014	

RESOLUTION R-5056

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO ALLOCATE \$25,000 FROM THE CITY COUNCIL SPECIAL PROJECTS RESERVE FUND TO PROVIDE OPERATIONAL SUPPORT OF NOURISHING NETWORKS CENTRAL.

WHEREAS, at the May 6, 2014, City Council Meeting, Linda Benson, CEO of Nourishing Networks Central requested funding assistance from the City to support the operations of Nourishing Networks Central; and

WHEREAS, Nourishing Networks Central supports the development and sustainability of local volunteer grass-roots networks addressing hunger through ongoing coaching and trainings; and

WHEREAS, Nourishing Networks Central connects networks of volunteers through regional gatherings and online tools, applied research, and professional network development and support; and

WHEREAS, the City Council wishes to allocate funds to provide operational support for Nourishing Networks Central;

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

Section 1. The City Manager is authorized to allocate \$25,000 from the City Council Special Projects Reserve fund to provide operational support of Nourishing Networks Central.

Section 2. The funding assistance from City Council Special Projects Reserve fund shall be used for website development, community outreach, and technical support to Nourishing Networks Central local networks.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2014.

Signed in authentication thereof this ____ day of _____, 2014.

MAYOR

Attest:

City Clerk



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

MEMORANDUM

Date: May 8, 2014

To: Kurt Triplett, City Manager

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

Subject: MRM PRIVATE AMENDMENT REQUEST (PAR) – FILE # ZON11-00006

RECOMMENDATION

Consider the Planning Commission recommendation and either:

- Direct the Planning Commission to consider the MRM proposal as part of the on-going Comprehensive Plan update and to report back to the Council on its findings when the update is complete (see Attachment 1), or
- Refer the proposal back to the Planning Commission for a recommendation on the PAR at this time.

BACKGROUND DISCUSSION

The City Council directed the Planning Commission and staff to study this proposed amendment to the Comprehensive Plan and Zoning Code for CBD 5. The PAR would allow increased height and residential uses for the parcel at 434 Kirkland Way in the Moss Bay Neighborhood (see Attachment 2). The proposal is to amend the Comprehensive Plan and zoning to increase height from the current 5 story (67 feet) maximum to 8 stories (100 feet) and to allow residential uses on the entire site (in addition to other permitted uses). The existing zoning allows residential uses only: (1) on properties with frontage on Second Avenue; and (2) within 170' of Peter Kirk Park provided that the gross floor area of the use does not exceed 12.5% of the total gross floor area for the subject property.

The original private amendment request was made in 2011 and the Planning Commission recommended that the PAR be considered in 2012 if staff resources were available. At that time, the majority of the Planning Commission felt that there was merit in considering the proposal because of its proximity to Parkplace and the need for residential development that would occur with the increased number of employees resulting from the potential redevelopment of Parkplace. The Commission also discussed including all CBD 5 properties in the study of the PAR when it occurred.

The City Council agreed with the Planning Commission's recommendation to consider the proposed PAR in 2012. There was not staff available to do the study in 2012 and so the project was moved to 2013.

At its February 28, 2013 meeting, the Planning Commission voted to recommend to the City Council that consideration of the MRM PAR be postponed so that the PAR could be included in the Comprehensive Plan update scheduled for 2013 and 2014. The Council made a decision at its March 19, 2013 meeting to complete work on the MRM PAR in 2013 and to expand the study area to include the entire CBD 5 zone as shown in Attachment 2. Beginning in February of 2013 the Planning Commission held several study sessions on the PAR and the CDB 5 study area as noted in the Planning Commission transmittal memo (Attachment 1). During those meetings the status of the Parkplace property to the north of the MRM site was discussed.

The Parkplace property was rezoned in December of 2008 to allow for a 1.8 million square foot mixed use development with 1.2 million square feet of office, as well as retail, a hotel, and an athletic club. The allowed height was increased to a maximum of 8 stories (up to 115 feet) on parts of the site, with lower heights adjacent to Peter Kirk Park and Central Way. Following the rezoning, a Master Plan was approved for the property by the Design Review Board in December, 2010. Residential is allowed for up to 10% of the gross floor area of the Master Plan for the site, but no residential use was included in the approved Parkplace redevelopment project.

The proposed Parkplace project is presently not moving forward as the original developer, Touchstone, has relinquished its interest in the project. The remaining owner, Prudential, is assessing whether to proceed with the project. In the meantime, the existing Comprehensive Plan and zoning allowing for a 1.8 million square foot development up to 115 feet high is in place.

The Planning Commission held a public hearing on March 13th, 2014 and continued the hearing to April 24th. After the March 13th public hearing, the applicant requested that the City table the MRM PAR pending greater clarity as to what will be proposed for the Parkplace site (see Attachment 3).

The Planning Commission discussed this option after taking further public comment at its April 24, 2014 hearing. The Commission decided to recommend to the Council that review of the MRM PAR be considered with the overall Comprehensive Plan update which is presently occurring.

PLANNING COMMISSION RECOMMENDATION PER ZONING CODE

Pursuant to Zoning Code Section 160.80, the Planning Commission can take action on a PAR proposal in one of the ways described below. The Commission's recommendation to defer the MRM PAR to the citywide Comprehensive Plan update falls under the wording highlighted in yellow.

160.80 Planning Commission Action

1. *General – Following the public hearing, the Planning Commission shall consider the proposal in light of all of the information submitted to it including the recommendation, if any, of the Houghton Community Council. The Planning Commission may modify the proposal in any way.*
2. *Modifications Requiring a Rehearing – If, following the public hearing, the Planning Commission fundamentally modifies the proposal, the Planning Commission shall hold a public hearing on the proposal as modified under the provisions of this chapter.*
3. *Recommendation – If the Planning Commission determines that the proposal meets the applicable decisional criteria established in KZC [160.60](#), it may, by majority vote of the entire membership, recommend that City Council give effect to the proposal by amending the appropriate text or Zoning Map. If the Planning Commission determines that the proposal does not meet the applicable criteria, it may, by a majority vote of the members present, recommend that City Council take no action. If the Planning Commission cannot take either of the actions described in this section, this fact will be included in the report to City Council under KZC [160.85](#).*

Given the uncertainty around Parkplace, the Planning Commission does not feel it has the information necessary to make a recommendation to either approve or deny the PAR. Therefore, the Planning Commission is recommending that the City Council take action per Section 160.85.4.d of the Zoning Code (see yellow highlighted area below). If the Council agrees with the recommendation of the Planning Commission, the Council should direct the Planning Commission to consider the MRM proposal as part of the on-going Comprehensive Plan update and to report back to the Council on its findings when the Comprehensive update is complete.

160.85 Planning Commission Report to City Council

1. *General – The Planning Official shall prepare a Planning Commission report containing the proposal, along with any explanatory information, and the Planning Commission recommendation, if any, on the proposal.*
2. *Transmittal to City Council – The Planning Official shall transmit the Planning Commission report to the City Manager for consideration by City Council. The City*

Manager shall acknowledge receipt of the report and shall direct the clerk to certify on the report the date of receipt.

3. Distribution – The Planning Official shall distribute the Planning Commission report to any person requesting it.

4. City Council Consideration – Within 60 days of receipt of the Planning Commission report by the City Manager, the City Council shall consider the proposal.

5. City Council Action – After consideration of the Planning Commission report, the City Council shall by majority vote of its total membership:

a. Approve the proposal by adopting an appropriate resolution or ordinance; or

b. Modify and approve the proposal by adopting an appropriate resolution or ordinance; or

c. Disapprove the proposal; or

d. Refer the proposal back to the Planning Commission for further proceedings. If this occurs, the City Council shall specify the time within which the Planning Commission shall report back to the City Council on the proposal.

If the Council concurs, the proposal would be referred back to the Planning Commission, the “further proceedings” would be an evaluation of the proposal as part of the Comprehensive Plan update. The time frame for the referral would be the timeline for completion of the Comprehensive Plan update.

Attachments:

1. Planning Commission Recommendation
2. Site/study area map
3. April 15, 2014 letter from Joe Razore

Cc: File ZON11-00006
Joe Razore, applicant
Rich Hill, Attorney for Joe Razore
Brian Brand, AIA
Moss Bay Neighborhood Association
KAN
Ken Davidson
Brent Carson, Attorney for Davidson, Serles and Associates



CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033 425.587.3225
www.kirklandwa.gov

MEMORANDUM

Date: May 8, 2014
To: Kirkland City Council
From: Jon Pascal, Chair, Kirkland Planning Commission
Subject: Recommendation on MRM Private Amendment Request (PAR)
(File No. ZON11-00006)

Recommendation

Defer consideration of the MRM PAR to the Comprehensive Plan update.

Background

The MRM PAR has been in process since mid-2013, with much of that time devoted to the preparation of an environmental impact statement that is available at the following link:

http://www.kirklandwa.gov/depart/planning/Code_Updates/PAR/MRM.htm

The MRM project was discussed at the following Planning Commission meetings: 4/24/2014, 3/13/2014, 2/27/2014, 11/14/2013, 10/24/2013, 4/25/2013 and 2/28/2013. Meeting packets and information for these Planning Commission meetings when the MRM project was discussed can be accessed at: http://www.kirklandwa.gov/depart/planning/Planning_Commission.htm

Minutes and audio recordings from the meetings are available at:

http://www.kirklandwa.gov/depart/Planning/Planning_Commission/Planning_Commission_Meetings_Online.htm

The Planning Commission received considerable public comment through e-mail and letters. The majority of the comments that were against the proposal were concerned with the additional height requested. Those in favor of the proposal supported both the height and residential uses. These comment letters and emails can be seen at the following link under "*Public Comment on the MRM PAR*" near the top of the page:

http://www.kirklandwa.gov/depart/planning/Code_Updates/PAR/MRM.htm

The Planning Commission held a public hearing on the MRM PAR on March 13, 2014. The Commission expressed considerable concern about changing the use from primarily office to primarily residential. The uncertain future of the Parkplace redevelopment project was a factor. Subsequently, the applicant requested that the Commission recommend tabling the MRM PAR pending greater clarity as to what will be proposed for the Parkplace site.

The Planning Commission discussed this option after taking further public comment at the April 24, 2014 hearing. After considerable deliberation, the Commission decided to recommend deferral of the MRM PAR and that it be considered with the overall Comprehensive Plan update which is presently occurring. This will give staff and the Planning Commission a chance to learn more about the future of the Parkplace project and to consider the proposal in relationship to these properties, the downtown area, and the overall Comprehensive Plan. The applicant stated at the Planning Commission hearing on April 24th that he would withdraw his PAR application if the Council agreed to consider the proposal as part of the Comprehensive Plan update, rather than as an individual PAR.

This current recommendation is consistent with the one made by the Planning Commission to the City Council in February, 2013, when postponement of consideration of the MRM PAR was recommended so that the request could be included in the Comprehensive Plan update.



April 15, 2014

Kirkland Planning Commission
123 Fifth Avenue
Kirkland, WA 98033

Re: MRM Private Amendment Request (PAR)

Dear Commissioners:

Thank you for your consideration of the MRM Private Amendment Request (PAR). As you know, the PAR includes two separate proposals. The first is to increase allowed height on the MRM property to eight stories, from the currently allowed five. The second is to add residential as an allowed primary use, in addition to the currently allowed office, on the property.

At the last Planning Commission meeting, it became clear that the lack of definition of the potentially new proposal for Parkplace rendered it difficult for the Planning Commission to review the MRM PAR with an adequate level of certainty as to how approval of the PAR would affect development in CBD 5 as a whole.

In that light, MRM respectfully asks the Planning Commission to recommend tabling of the MRM PAR, pending the development of greater clarity as to what will be proposed for the Parkplace site. Once that greater clarity is achieved, it will be possible for the Planning Commission to evaluate the MRM proposal with a greater sense of confidence.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "JR" followed by a horizontal line.

Joe Razore

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.kirklandwa.gov**MEMORANDUM**

To: City Council

From: Ellen Miller-Wolfe, Economic Development Manager

Date: May 15, 2014

Subject: Spirit of America 911 Memorial Sculpture

Recommendation

For the City Council to approve the acquisition of the Spirit of America 9/11 Memorial Statue, upon consideration of the recommendation by the Cultural Arts Commission to approve the acquisition of the Spirit of America 9/11 memorial sculpture, and the recommendation of the Park Board to site the sculpture on the west side of Juanita Beach Park. The estimated cost to cover the purchase, design and installation of the Spirit of America 9/11 Memorial Sculpture is up to \$13,500 depending on the final siting and installation design. The recommended funding source is the Council Special Projects Reserve. Approval by the Council does not guarantee purchase of the memorial sculpture, but it does allow the City to enter a competitive process for the acquisition.

Background

Maureen Baskin, a resident of Kirkland, has asked that the City of Kirkland consider the acquisition of the Spirit of America 9/11 Memorial sculpture, a bronze sculpture that includes four figures representing the heroes of 9/11, together with remnants of the Pentagon and World Trade Center. The process for consideration of the sculpture requires that the Cultural Arts Commission evaluate it against the Guidelines for Public Art acquisition and make a recommendation to the Parks Board, whose review pertains to the siting of the sculpture. At the April 17, 2014 meeting the Cultural Arts Commission approved a recommendation to submit a proposal to acquire the Spirit of America sculpture for Kirkland. At the May 14, 2014 meeting the Park Board unanimously approved a recommendation to City Council to site the sculpture at the location in Juanita Beach Park that was proposed by Parks Staff. Background materials for both of those meetings are included as attachments to this memo.



The cost to acquire the 9/11 sculpture as outlined in the Bill of Sale is \$9,803.22. The Spirit of America Foundation will contribute their remaining bank account balance of \$3689.09 to the purchase bringing the cost of acquisition to \$6,114.13.

Staff recommends a fiscal note of up to \$13,500 depending on specific siting requirements and other elements to be determined.

If City Council approves the acquisition of the sculpture, the proponent, with assistance from City Staff will prepare a proposal to the Spirit of America Foundation. The decision to award the sculpture to a municipality is a competitive one and proposals are due by June 1, 2014.

Attachments

Fiscal Note

Spirit of America Proposal

9/11 Memorial Sculpture Images

Bill of Sale

Memo re: Cultural Arts Commission Recommendation

April 16, Cultural Arts Commission Draft Minutes

Memo to the Park Board

FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Ellen Miller Wolfe, Economic Development Manager							
Description of Request							
Request for up to \$13,500 from the Council Special Projects Reserve to provide funding for the purchase and installation of the Spirit of America 9/11 Memorial Sculpture.							
Legality/City Policy Basis							
Fiscal Impact							
One-time use of \$13,500 of the Council Special Projects Reserve. The reserve is able to fully fund this request.							
Recommended Funding Source(s)							
<i>Reserve</i>	Description	2014 Est End Balance	Prior Auth. 2013-14 Uses	Prior Auth. 2013-14 Additions	Amount This Request	Revised 2014 End Balance	2014 Target
	Council Special Projects Rsv.	250,000	118,628	0	13,500	117,872	250,000
	2013-14 Prior Authorized Use of Council Special Projects Reserve: \$71,628 to fund Human Services Option #2, \$7,000 for the 4th of July Fireworks, and \$15,000 for Kirkland Performance Center Storage Loft reimbursement. Council is also considering additional funding of \$25,000 to provide support for Nourishing Networks Central operations; the reserve balance assumes approval of this request.						
<i>Revenue/Exp Savings</i>							
<i>Other Source</i>							
Other Information							

Prepared By	Neil Kruse, Senior Financial Analyst	Date	May 6, 2014
-------------	--------------------------------------	------	-------------

Spirit of America 9/11 Memorial basic requirements for proposal

Any city can present a proposal to us for the memorial to be placed **permanently** in that city.

The location must be free and accessible to everyone at least 75% of the time. It should be where people passing through or visiting your city would be drawn to it (i.e. not small parks or areas off the beaten path.) How do you plan to make people aware that the memorial is in your city? What draws people to your city? Fairs, Festivals, parades, special events, etc. What are the lengths of the events, one day, one weekend, a week? How many events in a year and what is the approximate overall total attendance for these events?

The city must be willing to donate the land that the memorial would be placed on.

Your location and platform must be one that is compliant with the Americans Disability Act.

You should consider the security of the selected site due to the artifacts from the World Trade Center and the Pentagon that are part of the memorial.

You can design any platform or base that you desire to enhance the memorial. Elaborate vs. simple? That will be your choice. We do not expect it to be left on the trailer that it is currently mounted on for travel and display purposes. If you have contractors, design specialists, builders or businesses that may want to donate time and materials or are going to help you prepare your site plan and if you choose to identify them, please do so. We want to hear about any positive aspects about your proposal that would make your cities proposal more attractive.

What is your plan to raise the funds necessary to accomplish the building of your base? What is the time estimated to complete the base and the installation of the memorial? We are a 501 3 c nonprofit organization. We will keep the foundation in place if your city wants to use it for fund raising. This would help you in not having to establish a new nonprofit organization.

Tell us how you plan to maintain the memorial in the coming years.

Attached is a bill of sale from the Sculptor Jim Demetro on the funds still owed him for the sculptures. The foundation currently has \$3689.09 in our bank account. We would use this money to help satisfy the remaining debt. We will continue to solicit donations and use raffles to raise funds in hopes of making the memorial debt free. If the debt to Mr. Demetro is not paid in full, your city would be responsible for any remaining debt and would have to be willing to pay the remaining debt as part of your proposal.

We do not want you to spend a lot of money on this proposal. The board and I are very comfortable with type written letters, power points, DVD videos, e mails, photographs of proposed location and hand drawn maps. Save your money to use when we select your city for the permanent location of the Washington State 9/11 Memorial.

Your proposal should be ready by June 15th, 2014. We anticipate announcing the winning city in July.

Please see the second page for specific data about the memorial.

If you have additional questions please contact me by e-mail.

Thank You

Dave Lewis
Executive Director
Spirit of America Foundation
dgldouble@gmail.com

Memorial Data

The circumference of the memorial with a person completing the circle of unity will be 25 feet around.

The firefighter is 6'4" tall.

The military man is 6'2".

The female office worker is 5'7".

The flight attendant is 5'6".

All four are bronze cast. They weigh together a little over 1,000 pounds.

The steel from the 60th floor of the north or south tower of the World Trade Center weighs over 1200 pounds. It is 58" long, 40" wide and 15" deep.

The lime stone from the fifth floor top corner of the pentagon weighs 460 pounds. It is 42" long, 21" wide and 12" deep. It is from the same side of the Pentagon that the plane crashed into.

The statues are held together by a bolt at the wrist. The bolt must be removed and then the joined hands will slide out of the arms. In this way each statue can be handled separately, removed from the trailer and then rejoined on your site of selection.

Hope fully this will help with your planning process.













JIM DEMETRO

Sculptor

21727 N.E. Allworth Road
Battle Ground, WA 98604

Tel: (360) 687-4187

BILL OF SALE**Date:** Wednesday, October 30, 2013**INVOICE NO:** 1819066238**Sold To:** Spirit of America Foundation
4820 Yelm Hwy SE PMB 311 STE B
Lacy, WA 98503

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>EDITION</u>	<u>SALE PRICE</u>
00065	Spirit of America Monument		35,652.14

0.00

SUB-TOTAL: 35,652.14

TAX: 0.00

TOTAL: \$35,652.14

<u>PAYMENTS</u>	<u>DATE</u>	<u>CHECK NO</u>	<u>AMOUNT</u>
Paid by Spirit of America	8/25/2011	1003	9,560.00
Paid by Spirit of America	9/10/2011	1004	4,680.30
Sale Payment	10/7/2011	1006	10,000.00
Sale Payment	10/30/2013	1012	1,608.62

TOTAL: \$25,848.92**BALANCE: \$9,803.22**



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

MEMORANDUM

To: Parks Board, Police and Fire Department Representatives

From: Ellen Miller-Wolfe, Economic Development Manager

CC: Philly Hoshko, Special Projects Coordinator

Date: April 17, 2014

Subject: Spirit of America 9/11 Memorial Sculpture

RECOMMENDATION:

Recommend that the Parks Board and any other affected departments consider City acquisition of the Spirit of America 9/11 Memorial sculpture commemorating the heroes of 9/11. At its April 16, 2014 meeting, the Kirkland Cultural Arts Commission (KCAC) reviewed the sculpture in accordance with the Guidelines for Public Art, and by a 7-2-1 vote recommended City acquisition of the sculpture.

BACKGROUND DISCUSSION:

Maureen Baskin, a resident of Kirkland, has asked that the City of Kirkland consider the acquisition of the Spirit of America 9/11 Memorial sculpture, a bronze sculpture that includes four figures representing the heroes of 9/11, together with remnants of the Pentagon and World Trade Center. The process for consideration of the sculpture requires that the KCAC evaluate it against the Guidelines for Public Art acquisition and make a recommendation to the Parks Board, whose review pertains to the siting of the sculpture. Both KCAC and Parks Board recommendations will then be referred to the City Council who will take action on the sculpture. If the decision is to approve, City Council will direct staff to work with the applicant on the preparation of a proposal to the Spirit of America Foundation, and to allocate \$6,000 plus the cost of installing the sculpture for its purchase. Plans call for Parks Board action on May 14, 2014 and City Council action on May 20, 2014.

At its April 17, 2014 meeting the Cultural Arts Commission heard from the applicant Maureen Baskin. A Spirit of America Foundation commissioned the sculpture and has recouped all but \$6,000 of the costs. Ms. Baskin showed photographs of the sculpture and two artifacts, one from the Trade Center and the other from the Pentagon, and also one potential site on a berm in Heritage Park. She stated the cost to the City would be \$6,000 plus costs of installation. Cities will compete for the sculpture and one site in Washington State will be selected. She answered questions and the Commission discussed the piece.

Commission members reviewed the sculpture in accordance with Public Art Guidelines. Several commissioners questioned whether Kirkland was the right setting even though all agreed about the significance of the event. There was a question about setting a precedent with this sculpture as it commemorates an event far away from Kirkland.

A commissioner noted that people have various ideas about the event. There may be different social, political and religious responses to 9/11, and the sculpture could be polarizing. Another commissioner asked whether the sculpture would unite the community or ignite anger; either way, the commissioner noted that this is what art is meant to do.

There was discussion about the potential siting of the sculpture. The applicant prosed to site the sculpture in Heritage Park on the Southeast knoll and demonstrated that although viewable from several locations, a requirement of the grant, it did not obstruct views of the water. An existing tree already obstructs the water view at the proposed location. Staff read from the park master plan which discusses art that is "natural, well integrated, and keeping with the Northwest character." Although the proponent did not have other location ideas to present she would not be opposed to other location suggestions if they were in accordance to the proposal requirements.

Commissioners noted that it was an opportunity to acquire art at little or no cost. The art, some suggested could be a draw.

Another member commented that this would be one of many bronze sculptures and asked whether it would be just another statue and not get the attention it deserves.

Christine moved to recommend the submittal of a proposal to acquire the Spirit of America sculpture for Kirkland. Gaerda seconded. In favor, 7 (Dawn, Erin, Marianna, Christine, Linda, Gaerda, Carol); Opposed 2 (Ryan, Melissa); 1 Abstention (Gabe).

Attachments: Spirit of America Proposal, Bill of Sale, images



Cultural Arts Commission Meeting Minutes
April 16, 2014 4:00pm-6:30pm
Kirkland City Hall – Rose Hill Room

Present: Marianna Hanefeld, Christine Exline, Melissa Nelson, Carol Belval, Erin Zangari, Linda Paros, Gaerda Zeiler, Dawn Laurent, Gabriel McCormick, Ryan James Turok, Ellen Miller-Wolfe (staff), Philly Hoshko (staff)

Absent: Dana Nunnelly, Rachel Roberts, Alexandra Dorsett

Guests: Maureen Baskin, Spirit of America 9/11 Memorial proponent

Call to Order/Welcome:

Meeting came to order at 4:02 p.m.

Minutes from March 19th and March 27th were approved (Marianna moved, Christine seconded, Unanimous)

Spirit of America 9/11 Memorial Sculpture

Ellen introduced Maureen and Maureen gave a presentation on the Spirit of America 9/11 Memorial Sculpture.

The Spirit of America Foundation commissioned the sculpture and has recouped all but \$6,000 of the costs. Ms. Baskin showed photographs of the sculpture and two artifacts, one from the Trade Center and the other from the Pentagon, and also one potential site on a berm in Heritage Park. She stated the cost to the City would be \$6,000 plus costs of installation. Cities will compete for the sculpture and one site in Washington State will be selected. She answered questions and the Commission discussed the piece.

Commission members reviewed the sculpture in accordance with Public Art Guidelines. Several commissioners questioned whether Kirkland was the right setting even though all agreed about the significance of the event. There was a question about setting a precedent with this sculpture as it commemorates an event far away from Kirkland.

A commissioner noted that people have various ideas about the event. There may be different social, political and religious responses to 9/11, and the sculpture could be polarizing. Another commissioner asked whether the sculpture would unite the community or ignite anger; either way, the commissioner noted that this is what art is meant to do.

There was discussion about the potential siting of the sculpture. The applicant proseed to site the sculpture in Heritage Park on the Southeast burm and demonstrated that although viewable from several locations, a requirement of the grant, it did not obstruct views of the water. An existing tree already obstructs the water view at the proposed location. Staff read from the park master plan which discusses art that is “natural, well integrated, and keeping with the Northwest character.” Although the proponent did not have other location ideas she would not be opposed to other location suggests.

Commissioners noted that it was an opportunity to acquire art at little or no cost. The art, some suggested could be a draw.

Another member commented that this would be one of many bronze sculptures and asked whether it would be just another statue and not get the attention it deserves.

Christine moved to recommend the submittal of a proposal to acquire the Spirit of America sculpture for Kirkland. Gaerda seconded. In favor, 7 (Dawn, Erin, Marianna, Christine, Linda, Gaerda, Carol); Opposed 2 (Ryan, Melissa); 1 Abstention (Gabe).

RETREAT

Evaluation of Commission Duties

The commission had a chance to speak on what they liked working on as a Commission member and what they want to re-evaluate or improve the process on. Below is a summary of what people liked and disliked.

Like

STQRY – Try to expand it. Maybe create a treasure hunt for kids. Distribute STQRY to educational Institution and get neighborhoods involved with STQRY. Create a PowerPoint presentation we can go on the road with. More engagement with community – going to neighborhood meetings

CACHET was a great event, good attendance, great entertainment and networking.

Cow and Coyote Engagement. Meeting was managed really well. Became a win-win and the chance to express opinions was significant to all the people involved. Opportunity for community to voice something they were very passionate about. Setting the ground rules, time limit, up front keeps it contained.

Welcoming ryan james fine arts

CVI was interesting and could lead to interesting guidance down the road. The project gave us a pulse of our own community and individual artist. Art does bring in money.

CKC – Love the engagement and excited for the art activation on the CKC. A project that can harness a lot of enthusiasm and community engagement.

Public Safety Building – fascinating, educational. Process was highlight of art career. Weird, but gave great insights to how the process can work. Great learning experience. The scope and scale of the project was impressive.

Public Art Training with Perry was fantastic. Touring Seattle Public art with Consultant was a great learning experience as was the education of other stakeholders in the process.

Pump Station will have art we recommended.

Don't Like

CACHET should be reviewed in general. What is the intent of it? Community doesn't understand CACHET

CACHET Awards planning for the event was challenging, negative experience on committee

CACHET Awards Voting Process was confusion. In advance need to know how many awards are going to be given. Two awards is better.

Controversial Issues. Challenge of not being able to openly discuss and opinions of people not on the commission hold more sway than opinion at the table

Public Safety Public Art Process Outcome: getting to the end and having people not like it after the process had happened

Commission Structure

Melissa explained attendance policy and ambassadorship duties of being out and about in the community as a member of the Kirkland Cultural Arts Commission to let people know about the Cultural Arts Commission.

Ellen brought up adding ex officio members to the Commission from art organizations in order to know what they are doing and how the Commission can help. It was also suggested to add art, music and drama teachers from school districts in order to ensure Inclusion of arts educators and the next generations. It was suggested to use the Seattle Art Commission as an example and staff suggested bringing back different commission structures.

CACHET

A discussion occurred around CACHET and included the following:

C for Collaboration is missing from CACHET. Make CACHET into the idea of all of the arts organizations involvement.

CACHET – E for Education is also missing.

People don't understand what CACHET is and they might not see the value in it. Organizations need to see how it will advance their mission.

What is the intent? Where is the collaboration – Art organizations self-defining in what collaboration means. Organizations collaborate with natural partners in community but no forum for true collaboration.

Questions:

CAC could act as the facilitators of that Collaboration. What is the role of the facilitator?

What is the intent of CACHET?

What are the goals of the new CACHET?

Who are the people to invite to the table?

COMMITTEE

Suggestion of bring CACHET back into Commission and creating a volunteer group through the City with old Commission members to help with various Commission projects. However, it was expressed that working in large groups is difficult and committees are essentials. Discussion was tabled for the next meeting.

FUNDING APPLICATION and BUDGET

The commission reviewed the 2014 funding application and that it was just one call instead of the two separate funding periods that occurred in 2013. Philly will add in sentence that includes the Commission's interests in events and programs that activate the Cross Kirkland Corridor.

The Commission voted to approve the funding application with the amount of up to \$5,000 (Carol moved, Erin seconded, unanimous)

The commission voted to table determining the remaining budget to the next meeting. (Marianna moved, Gabe seconded, unanimous)

Funding Opportunities

Ellen to ask Kurt how it would like additional funding presented. Chair and Vice Chair will then present work plan and needs to Kurt.

Artists in Residence Grants were discussed. Perry might be able to help with this,

Grants: Marianna suggested going to the Redmond library that has a grant specialist to research grants. Without City Staff capacity volunteer director assistance is needed.

ELECTIONS

Gearda moves to reelect Melissa and Christine and Carol seconded. During the discussion was asked if we they wanted to continue with their roles and they both expressed interest in continuing with their responsibilities. Marianna recalled the questions and they were elected unanimously.

STAFF REPORTS

Arts Education Month

The committee recommended to proclaim may as art education month. Philly will submit Proclamation and relay to Chair date and her presence at the meeting.

Art Walk Brown Bag

Ellen explained an Art Walk brownbag regarding the second Friday Art Walk. Ryan explained conflict between the two Art walks and that there was supposed to be a joint postcard that was not made.

Paint the Town

Ellen explained Paint the Town on Park Lane and the interest in the Kirkland Arts Center constructing a class around painting the boards that will be put up on the construction fence on park lane. There could be a theme and also maybe an event around the revealing of the boards.

Fine Feathered Friends Sculpture

Ellen mentioned the sculpture of boy with the bird and that the CAC did not participate in giving an opinion about it. Now that Park Lane is in construction they should revisit and evaluate it.

Local Arts Agency (LAA) meetings

It was suggested to put LAA meetings on bottom of agenda every month.

Meeting adjourned at 6:42 p.m.

Minutes prepared by Philly Hoshko

**CITY OF KIRKLAND**

Department of Parks & Community Services

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

www.kirklandwa.gov

MEMORANDUM

To: Park Board

From: Jennifer Schroder, Director

Date: May 6, 2014

Subject: The Spirit of America 9/11 Memorial Sculpture

Recommendation

That the Park Board receives a presentation from Ellen Miller-Wolf, Economic Development Manager, on a proposal for the City to purchase a bronze sculpture called "The Spirit of America Memorial" and, for the Park Board to consider recommending a location within a park.

Background

The Spirit of America Memorial Sculpture is an interactive and educational tribute, honoring both the victims and those who risked their lives during the September 11, 2001 tragedy.

Jim Demetro, sculptor secured artifacts at the Pentagon and former World Trade Center Twin Towers on behalf of the Spirit of America foundation. He and his daughter finished creating the memorial in time for the ten year anniversary on 9/11/11.

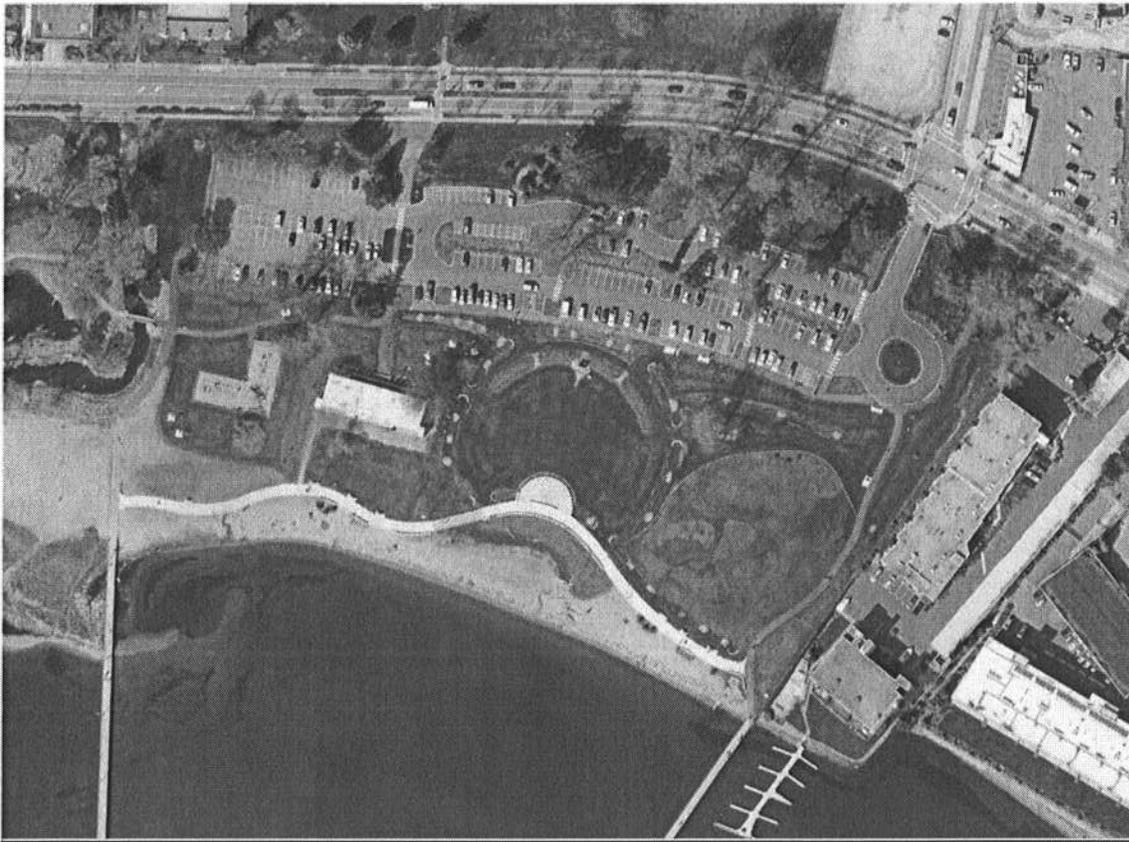
The sculpture is part of the Spirit of America Foundations collection. The Foundation hopes the memorial will bring comfort to the countless people who lost loved ones in the Sept. 11 terrorist attacks. The Spirit of America Foundation, a nonprofit corporation devoted to establishing, promoting and developing works that commemorate the efforts made by American men and women to support their fellow citizens in the aftermath of the Sept. 11 terrorist attacks and advancing works that sustain Americans' spirit. The Foundation is accepting proposals to purchase the sculpture.

Maureen Baskin, a resident of Kirkland, has asked that the City of Kirkland consider the acquisition of the Spirit of America 9/11 Memorial sculpture, the bronze sculpture includes four figures representing the heroes of 9/11, together with remnants of the Pentagon and World Trade Center. The process for consideration of the sculpture requires that the Kirkland Cultural Arts Commission (KCAC) evaluate it against the Guidelines for Public Art acquisition and make a recommendation to the Parks Board, whose review pertains to the siting of the sculpture. Both KCAC and Parks Board recommendations will then be referred to the City Council who will take action on the sculpture. If the decision is to approve, City Council will direct staff to work with the applicant on the preparation of a proposal to the Spirit of America Foundation, and to allocate \$6,000 plus the cost of installing the sculpture for its purchase. Plans call for Parks Board action on May 14, 2014 and City Council action on May 20, 2014.

Park Site Recommendation

Based on the Spirit of America Foundations criteria, staff recommends a location with in the west side of Juanita Beach Park. The location is highly visible, host to special events, can meet ADA requirements for associability. For added security, there is access to electricity to light the sculpture at night.

The location is along Juanita Drive and near the crosswalk; the red circle marks the location on the map below.



Park Board Recommendation

The Park Board is to review the proposal and make a recommendation whether to locate the sculpture at Juanita Beach Park and/or consider other park sites.

Attachments: Memo from Ellen
Proposal Requirements
Bill of Sale



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

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: May 8, 2014

Subject: Billy Creek Ravine Stabilization Phase 2 Project
Authorize Condemnation

RECOMMENDATION:

It is recommended that City Council approves the attached Ordinance authorizing staff to proceed with acquisition of a permanent construction and maintenance easement, and associated property rights, through eminent domain (condemnation) for a portion of private property along the limits of the Billy Creek Ravine Stabilization - Phase 2 Project.

BACKGROUND DISCUSSION:

The design of the Billy Creek Stabilization Project was completed in early 2011 by King County personnel; however, the improvements were not constructed before Kirkland's annexation of this part of the City in June of that year. At their regular meeting of September 20, 2011, City Council was informed of the Project's transfer and authorized the use of \$150,000 from the City's Surface Water Construction Reserve to supplement the \$60,000 that King County had available for construction of the improvements. At that same September meeting, City Council also authorized the City Manager to sign a Professional Services Agreement with King County allowing the County's Rivers Group to construct the improvements – work began immediately after that authorization and was completed in November, 2011. At the close-out of the Phase I Project, \$24,000 was returned to the City's Reserve.

The Project, as originally scoped, was not able to be fully completed though because the County had been unable to secure a construction and maintenance easement on property owned by Mr. and Mrs. Scott Jones ("Jones Property"), located at 12737 89th Place NE (Attachment A). As a result, the Project was modified into a multi-phased one; the Phase 1 Project stopped approximately 70 lineal feet short of the original design length with the Phase 2 Project being created to complete the original scope of work.

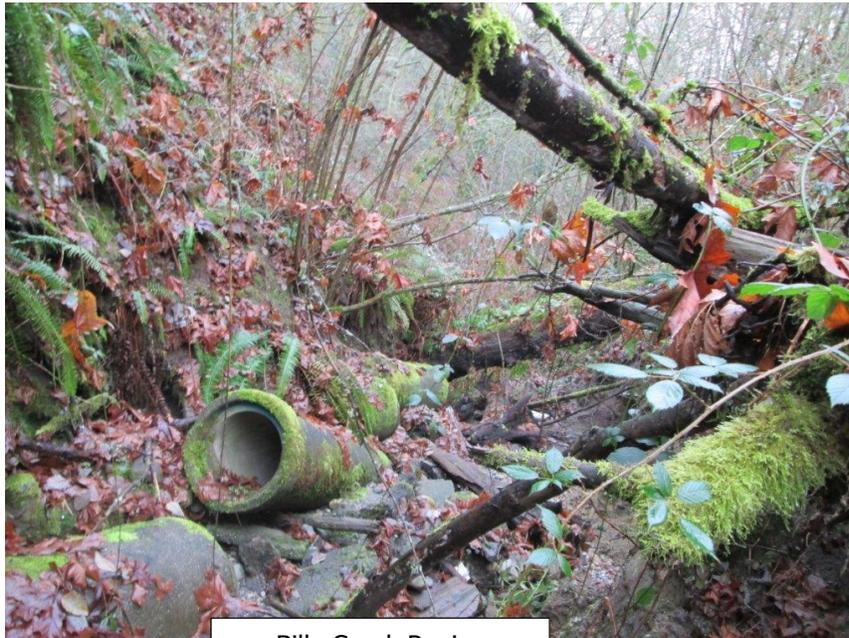
The Billy Creek Ravine Stabilization - Phase 2 Project is an approved Kirkland 2013-2018 Capital Improvement Program project with all project elements scheduled to be complete in 2014; the currently approved budget for the Project is \$67,400. The plans, specifications and permits are now ready to advertise for contractor bids. At this point, however, City staff has also been unable to obtain the required permanent construction and maintenance easement on the Jones Property, as needed to complete the remaining 70-feet of pipe extension (Attachment A).

This last section of pipe installation is necessary to help reduce erosion that regularly occurs in Billy Creek, resulting in silts and silt-laden water being deposited on downstream neighboring properties and Juanita Neighborhood streets during heavy rain events.

In order to maintain the Project's schedule, staff began discussions and attempted property rights negotiations with Mr. & Mrs. Jones starting in December, 2013, without success (Attachment B). At this point, the City must begin the condemnation process as the judicial course can take several months or longer. Staff will continue to work with the property owners in an attempt to address any expressed concerns and to work out a fair market value for the easement. The mechanics of the Ordinance will provide an opportunity to obtain the property rights through judicial process if continued negotiations are unsuccessful.

RCW 8.12 authorizes and empowers cities to condemn land and property for public improvements such as those proposed for this Project. Condemnation authority is not granted to public entities as a coercive measure; instead, its purpose is to allow for the progress of improvements that are in the public interest. The statutes prevent unreasonable demands being placed on public entities, as well as affording property owners a fair market value for granting certain property rights to the City. Passing the Ordinance does not preclude agreements being reached with the property owners prior to the actual condemnation proceedings taking place, but it will enable the City to move toward construction in the event an impasse is reached with the property owners. A best-case scenario would be to resolve the easement transactions without instituting condemnation proceedings.

Public Works staff has worked closely with the City Attorney's Office in preparing the attached Ordinance to comply with the requirements of the eminent domain process (Attachment C, Exhibits A & B).



Billy Creek Ravine

Attachment A – Vicinity Map
Attachment B – Contact Log
Attachment C – Ordinance w/Exhibits



**BILLY CREEK
Phase 1:
Completed**

12737 89th Place NE

**BILLY CREEK Phase 2:
Planned**

8800 NE 127th Place

12641 88th Place NE

ATTACHMENT B

Summary of Resident Contact

December 18, 2013 - Verbal contact with Scott Jones via telephone.

December 30, 2013 - Voicemail for Scott Jones, no response.

January 10, 2014 - Voicemail for Scott Jones, no response.

January 24, 2014 - Letter sent to Mr. & Mrs. Jones regarding Phase 2 Project. Requested response either by email or telephone by 1/31/14.

February 14, 2014 - Kirkland Project Engineers Aaron McDonald and Patrick Herbig met with Scott & Karen Jones at 4:30-5:30 PM. The meeting seemed productive and minutes were taken and distributed.

March 27, 2014 - Project Engineer Patrick Herbig spoke with Scott Jones on the telephone. Mr. Jones agreed to the meeting minutes verbally on the phone (10AM on 3/27/2014). He inquired as to having the old concrete pipe removed as part of easement agreement. Mr. Jones was told that the current plans and permit call out removing the old concrete pipe.

Mr. Jones subsequently inquired as to a cash compensation for the easement. He asked that a calculated offer be sent via email, indicating that he would be available to discuss further after receipt.

March 27, 2014 - An offer letter was sent via email to Mr. & Mrs. Jones. The offer was \$1,152 for a 20' x 80' (1600 square feet) easement area. The offer was based on the 2014 King County Assessed values on a per square foot basis. The value was reduced by 50% to reflect the fact that the property is currently encumbered and is in the bottom of a ravine.

April 1, 2014 - A brief telephone conversation with Mr. Jones occurred at 10 AM. Mr. Jones stated he was busy and would call back in the afternoon to discuss the offer.

April 2, 2014 - Voicemail left for Mr. Jones at 2 p.m., no response.

April 3, 2014 - Voicemail left for Mr. Jones at 3:30 p.m., no response.

April 4, 2014 - Voicemail left for Mr. Jones in afternoon, no response.

April 9, 2014 - Sent email to Mr. Jones inquiring about the offer, no response.

April 11, 2014 - Based on consultation with the City Attorney's Office, the process for requesting a condemnation ordinance began.

April 23, 2014 - Registered letter sent to Mr. and Mrs. Jones; receipt signed April 30.

May 4, 2014 - Registered return receipt received

ORDINANCE O-4444

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF THE BILLY CREEK RAVINE STABILIZATION PHASE 2 PROJECT WITHIN THE CITY OF KIRKLAND, PROVIDING FOR THE COST OF PROPERTY ACQUISITION AND AUTHORIZING THE INITIATION OF APPROPRIATE EMINENT DOMAIN PROCEEDINGS IN THE MANNER PROVIDED FOR BY LAW.

WHEREAS, the Billy Creek Ravine Stabilization Phase 2 Project ("Project") is an approved and funded project in the City's Capital Improvement Program ("CIP"); and

WHEREAS, the Project improvements are necessary to improve the City's storm-water drainage system and prevent erosion and deposit of silt and sediment on downstream properties and City streets; and

WHEREAS, the City Council finds that the public health, safety, necessity, and convenience require construction of the Project and acquisition of the property described in this Ordinance; and

WHEREAS, the City has provided notice to affected property owners of this final action authorizing condemnation pursuant to RCW 8.25.290;

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

Section 1. The land and property rights within the City of Kirkland, King County, Washington, described in Exhibit A & Exhibit B attached to this Ordinance and which description is hereby incorporated by reference, necessary for public storm drainage purposes, is hereby condemned, appropriated and taken for such public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

Section 2. The Project is fully-funded and the expense of acquiring said property rights shall be paid for from the appropriate funding source within the city's portion of general current revenue for each CIP project.

Section 3. The City Attorney is authorized to begin and prosecute legal proceedings in the manner provided by the law to purchase, condemn, take, appropriate, and otherwise acquire the lands and other property rights and privileges necessary to carry out the purposes of this Ordinance.

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

publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2014.

Signed in authentication thereof this ____ day of _____, 2014.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

EXHIBIT "A"

BILLY CREEK
LEGAL DESCRIPTION: DRAINAGE EASEMENT

TRIAD JOB # 14-064
APRIL 29, 2014
REVISED MAY 8, 2014

THAT PORTION OF THE NE ¼ OF THE NW ¼ OF SECTION 30, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WITHIN A STRIP OF LAND 20.00 FEET IN WIDTH, LYING 10.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE NORTHWEST CORNER OF LOT 16, PANORAMA ESTATES ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 91, PAGE 43 RECORDS OF KING COUNTY, WASHINGTON;

THENCE, ALONG THE NORTH LINE OF SAID LOT 16, SOUTH 87°08'29" EAST 43.91 FEET TO THE TRUE POINT OF BEGINNING OF THIS CENTERLINE.

THENCE NORTH 29°56'25" EAST 80.00 TO THE TERMINUS OF SAID CENTERLINE.

THE SIDE LINES OF SAID STRIP OF LAND TO BE EXTENDED OR SHORTEND TO TERMINATE ON THE NORTH LINE OF SAID PLAT OF PANORAMA ESTATES.



5/8/14

WRITTEN: ETH
CHECKED: BTF



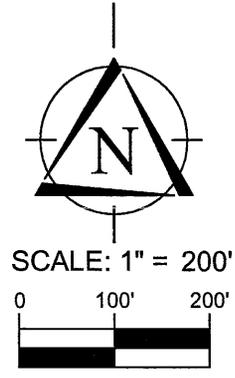
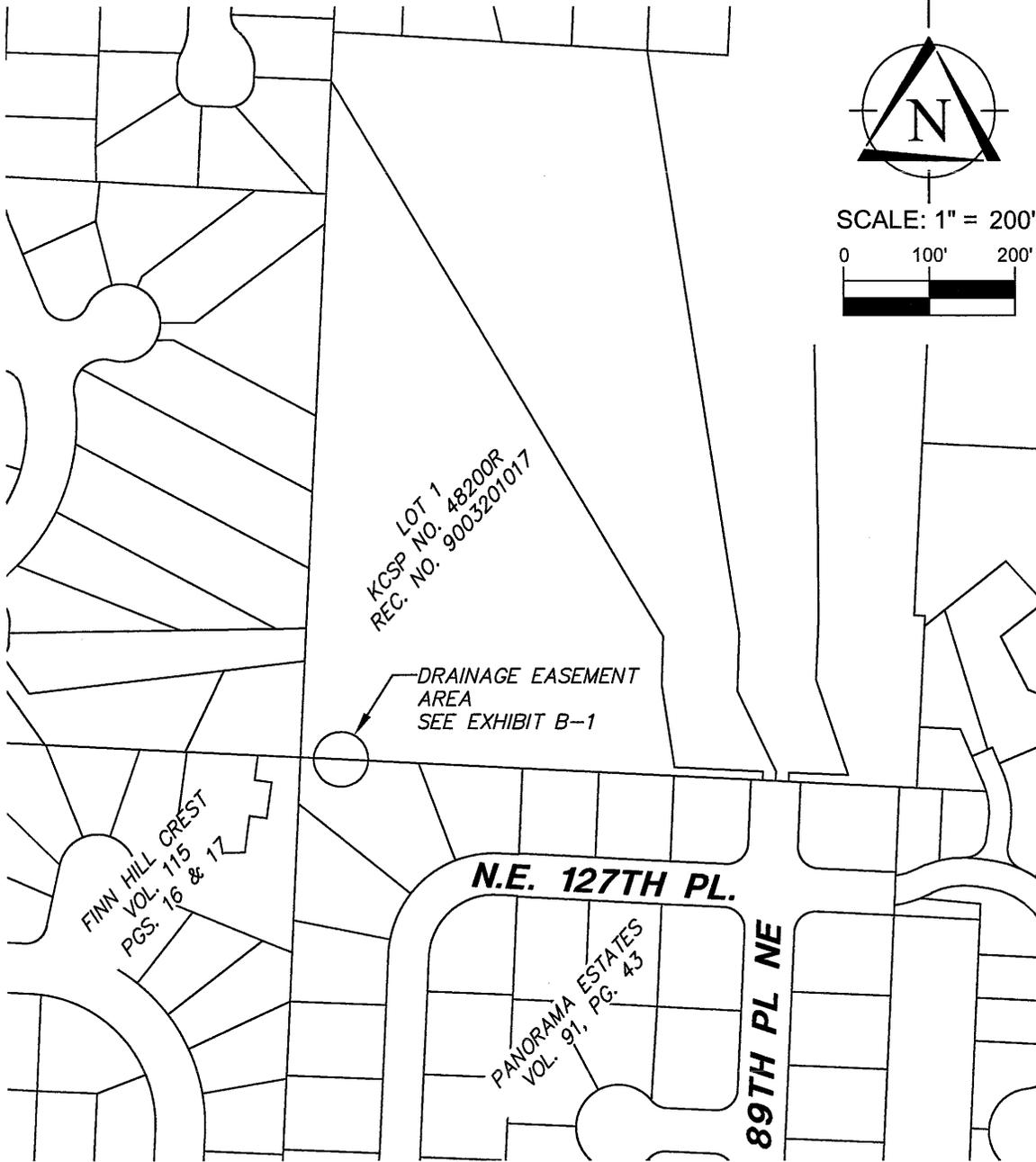
12112 115th Avenue NE Kirkland, Washington 98034-9623
425.821.8448 · 800.488.0756 · Fax 425.821.3481
www.triadassociates.net

Land Development Consultants

EXHIBIT B

BILLY CREEK
DRAINAGE EASEMENT

TRIAD JOB #14-064
MAY 07, 2014



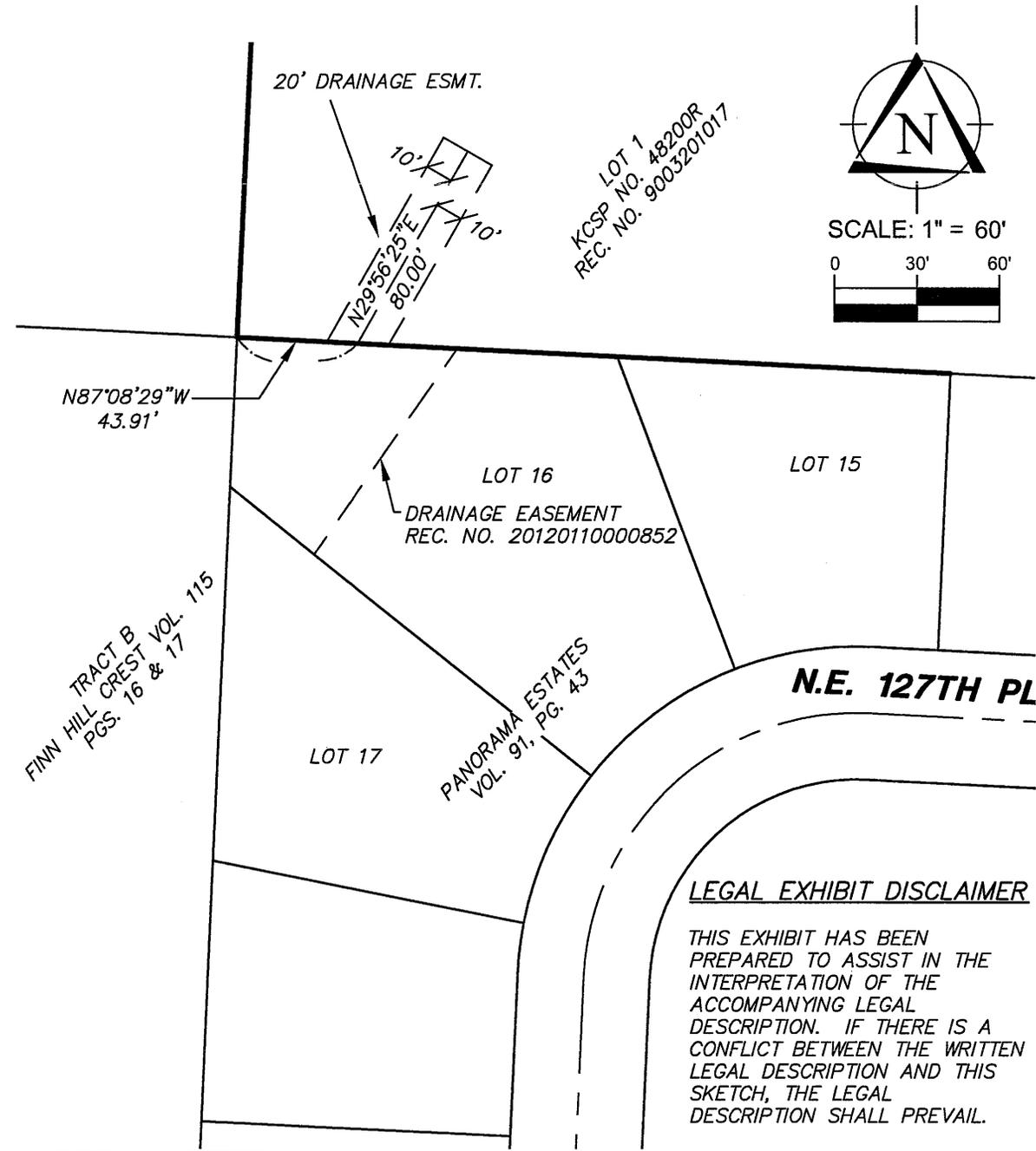
12112 115th Avenue N.E. Kirkland, Washington 98034-6929
425.821.8448 - 800.488.0756 - Fax 425.821.3481
www.triadassociates.net

14064.dwg

EXHIBIT B-1

BILLY CREEK
DRAINAGE EASMENT

TRIAD JOB #14-064
MAY 07, 2014



12112 115th Avenue N.E. Kirkland, Washington 98034-6929
 425.821.8448 - 800.488.0756 - Fax 425.821.3481
 www.triadassociates.net

14064.dwg

PUBLICATION SUMMARY
OF ORDINANCE O-4444

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF THE BILLY CREEK RAVINE STABILIZATION PHASE II PROJECT WITHIN THE CITY OF KIRKLAND, PROVIDING FOR THE COST OF PROPERTY ACQUISITION AND AUTHORIZING THE INITIATION OF APPROPRIATE EMINENT DOMAIN PROCEEDINGS IN THE MANNER PROVIDED FOR BY LAW.

SECTION 1. Authorizes condemnation of property necessary for the Billy Creek Ravine Stabilization Phase II Project ("Project").

SECTION 2. Provides that the Project is fully funded and that the expense of acquiring the property shall be paid for from the appropriate funding source within the city's portion of general current revenue for each CIP project.

SECTION 3. Authorizes the City Attorney to initiate condemnation proceedings to acquire the property necessary for the Project.

SECTION 4. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2014.

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

City Clerk