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, June 17, 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.

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

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

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
   a. Fire Strategic Plan Update
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
6. *COMMUNICATIONS*
   a. *Announcements*
   b. *Items from the Audience*
   c. *Petitions*
7. *SPECIAL PRESENTATIONS*
   a. Lake Washington Institute of Technology Update, President Dr. Amy Goings
8. *CONSENT CALENDAR*
   a. *Approval of Minutes:* (1) May 30, 2014 Special Meeting
      (2) June 3, 2014

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

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 They are the most permanent and binding form of Council action, and may be changed or repealed only by a subsequent ordinance.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

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

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

b. Audit of Accounts:

Payroll $

Bills $

c. General Correspondence

d. Claims

e. Award of Bids

(1) NE 85th Street Corridor Improvement Project, Johansen Excavating, Inc., Buckley, Washington

f. Acceptance of Public Improvements and Establishing Lien Period

(1) 2013 Striping Project, Stripe Rite, Inc., Pacific, Washington

(2) Rose Hill Business District Sidewalks, 124th Avenue NE Sidewalks Project, Road Construction Northwest, Inc., Renton, Washington

g. Approval of Agreements

h. Other Items of Business

(1) Resolution R-5059, Authorizing the City Manager or His Designee to Enter into a Contract with Kirkland Crossings, L.L.C., Regarding a Potential Multifamily Housing Property Tax Exemption and Approving the Issuance of a Conditional Certificate of Tax Exemption.

(2) Roster of Process IVA Miscellaneous Zoning Code Amendments

(3) Resolution R-5060, Authorizing the Duly-Appointed Administering Agency for a Regional Coalition for Housing (ARCH) to Execute All Documents Necessary to Enter Into an Agreement for the Funding of Affordable Housing Projects, as Recommended by the ARCH Executive Board, Utilizing Funds From the City's Housing Trust Fund.

(4) Preliminary Update of the 2013-2018 Capital Improvement Program

(5) Spirit of Washington 9-11 Memorial Update

(6) Cultural Arts Commission Youth Resignation

(7) Report on Procurement Activities

9. PUBLIC HEARINGS

a. Resolution R-5058, Approving a Public Benefit Rating System Current Use Assessment for Tax Parcel Number 388580-1295.

b. Ordinance O-4446 and its Summary, Relating to Land Use and Zoning, Amending Ordinance O-4439, Adopting Interim Zoning Regulations Regarding the Retail Sale of Recreational Marijuana, Including Locational Restrictions, Providing for Severability, and Approving a Publication Summary.

10. UNFINISHED BUSINESS

a. Ordinance O-4445, Amending the Biennial Budget for 2013-2014.

b. Resolution R-5061, Adopting the Cross Kirkland Corridor Master Plan.

c. Neighborhood Safety Pilot Program Approval

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.

11. NEW BUSINESS

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

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.

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

Council Meeting: 06/17/2014
Agenda: Study Session
Item #: 3. a.

CITY OF KIRKLAND
Fire & Building Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3650
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: J. Kevin Nalder, Director of Fire and Building Services
Joseph Sanford, Deputy Fire Chief

Date: June 9, 2014

Subject: Update on Standards of Cover Study, Fire Strategic Plan, Washington Survey and Rating Bureau Evaluation, Fire Accreditation Process and Finn Hill Station Siting Study.

RECOMMENDATION

City Council receives the Emergency Services Consulting International (ESCI) *"Standards of Coverage and Deployment Plan"* (Appendix A) and provides feedback to staff regarding the proposed recommendations and deployment plan.

City Council also receives updates on:

- Progress toward implementation of the fire department response and prioritization of recommendations provided by ESCI's *"Organizational Evaluation, Future Planning, Feasibility of Cooperative Service Deliver and Organizational Strategic Plan"* (Strategic Plan);
- Kirkland Fire Department insurance classification rating performed by the Washington State Survey and Ratings Bureau;
- Accreditation through the Commission on Fire Accreditation International;
- Update on the Finn Hill Station Siting Study and the choice facing the Council of building one station or two on or around Finn Hill.

Each of these interconnected topics is complex and each could be the subject of its own dedicated study session. Therefore the focus on June 17th will be a presentation of the Standards of Coverage and Deployment Plan. The memo includes updates and attachments for each of the other subjects. If Council wishes, future study sessions can be scheduled on any of these topics.

The Standards of Coverage presentation will be made by Fire Chief (Retired) Joe Parrott of Emergency Services Consulting. Chief Parrott's vast experience as lead consultant includes: Orange County (CA) Fire Authority; Philadelphia (PA) Fire Department; Spokane (WA) Fire Department; Kansas City (MO) Fire Department; Reno (NV) Fire Department; Vancouver (WA) Fire Department; Maple Valley (WA) Fire District; Richland (WA) Fire Department; Salem (OR) Fire Department; and North Los Angeles County Fire Agencies.

BACKGROUND INFORMATION:

The *"Organizational Evaluation, Future Planning, Feasibility of Cooperative Service Deliver and Organizational Strategic Plan"* (Strategic Plan) was completed and presented to Council in September, 2012. The consultant's report identified five goals. Two of these goals identified a need to perform a more in-depth analysis of department response capabilities.

Goal No. 2: Staffing and Deployment

Goal Statement:
Increase the ready availability of fire apparatus and personnel.

Problem Statement:
Kirkland Fire is dependent on neighboring agencies for the provision of apparatus and personnel on routine structure fire incidents and many emergency medical responses. Resources are deployed in a manner which routinely reduces the number of fire and EMS units and personnel that are available in the City. A crew "swings" from a fire engine to an aid unit to respond with the appropriate apparatus, leaving a key piece of equipment unstaffed and unavailable until the first incident is concluded and the personnel return to quarters. This occurs in every fire station. The City is routinely exposed to insufficient resources to handle a structure fire, as many of the firefighting resources are deployed on EMS incidents. This substantially increases the reliance upon neighboring agencies and delays response to in-city emergencies.

Goal No. 4: Performance (Response time)

Goal Statement:
Develop, measure, and meet response and measurable performance benchmarks.

Problem Statement:
Kirkland Fire is meeting its stated response performance goals approximately 50 percent of the time. Difficulty in acquiring complete response data is inhibiting the department from analyzing and compiling accurate response activity.
Multiple false and nuisance responses reduce availability of fire and EMS units for emergency response.

Council authorized the department to conduct a Standards of Coverage and Deployment Plan (SOCDP). An SOCDP is an in depth evaluation of response times and resource allocation including dispatch times, turnout times and drive times to emergency incidents. The study also looks at station location, deployment of resources and the steps necessary to achieve response time standards. It provides valuable insight into the impacts of mutual and automatic aid, multiple false alarms, time of day, geographic hindrances, dispatching issues and non-emergent responses.

The ESCI Standard of Coverage and Deployment Plan follow closely the Center for Public Safety Excellence (CPSE) Standards of Coverage model that develops written procedures to determine the distribution and concentration of an organization's fixed and mobile resources. The purpose for completing such a document is to assist the agency in ensuring a safe and effective response force for fire suppression, emergency medical services, and specialty response situations. Because it follows the CPSE model, the Plan also meets the requirements for fire department accreditation set forth by the Commission on Fire Accreditation International and it hits key elements in the Washington State Survey and Ratings Bureau (WSRB) evaluation for improving the City's fire protection system classification. These two items were the highest

department priorities of the recommendations identified in the department Strategic Plan.

The SOCDP report details the following information:

- Description of Community Served
- Review of Services Provided
- Review of Community Expectations
- Overview of Community Risk Assessment
- Critical Tasking and Alarm Assignments
- Review of Historical System Performance
- Factors Influencing Incident Outcomes
- Overall Evaluation and Recommendations

MAJOR FINDINGS AND RECOMMENDATIONS

The City of Kirkland currently has adopted aggressive response time goals. The consultant recommends modifying the goals to align with national standards such as:

National Fire Protection Association Standard 1710 - "Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, Special Operations to the Public by Career Fire Departments"; and

National Fire Protection Association Standard 1221 - "Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems".

Modification entails an evaluation of current call processing time goals, turn out time goals and travel time goals. In addition to this evaluation, the consultant recommended several priority steps to consider that would reduce overall response times. These recommendations include:

1) Improving Street Connectivity – Adding connector streets and removing several street barricades is suggested to reduce both travel distance and response times to specific neighborhoods. See SOCDP page 127.

    - Associated preliminary cost estimate: Costs are dependent on many variables and available remedies. The connector between Juanita Drive and NE 132nd Street on Finn Hill has been estimated at $14,000,000. Removing the barricades prohibiting through access to neighborhoods would have minimal associated costs but significant community opposition.

2) Relocation of Two Fire Stations – Moving both Station 24 and Station 27 would significantly decrease response times to both the Finn Hill and Totem Lake neighborhoods. See SOCDP page 128.

    - Associated preliminary cost estimates: Station costs can vary up to $10 million depending on costs for land acquisition, site upgrades and station design and construction. Currently $5.2 million is allocated for construction of a new station to better serve North Finn Hill.

3) Staff Engine Companies with Four Firefighters - This effectively doubles the number of Emergency Medical Service (EMS) response units. When two firefighters respond to an EMS call the remaining two can respond to subsequent calls in their area. See SOCDP page 129.

- There are currently five engine companies and one ladder company serving Kirkland. Each apparatus is staffed 24 hours/7 days per week/365 days a year with three firefighters. Adding a fourth firefighter to each fire apparatus that is cross staffed with an aid unit for each of the three shifts and to staff firefighters to cover all leave types require a hiring ratio of 4.8 firefighter per single firefighter position. Therefore it will require thirty firefighters to staff engine companies with four firefighters.

- Associated preliminary cost estimate: The cost to hire thirty firefighters in order to increase six companies to four firefighter minimum staffing is between $3 million and $4 million annually, including benefits and support overhead.

4) Improve the Quality of Advanced Life Support (ALS) Service to Kirkland – Response times for ALS service are below standards. The department should continue to pursue becoming an ALS provider. See SOCDP page 130.

   - Associated preliminary costs estimates: If Kirkland was allocated an ALS unit from the Medic One levy, the estimated $2.2 million cost would be paid for by the levy. If Kirkland kept some of the Medic One levy revenue it currently exports to the region, the City would have the financial ability to hire more paramedic/firefighters, depending on the amount retained.

5) Provide Fire Suppression and Water Rescue Capabilities to our Shoreline – Several factors show this continues to be a high risk for our citizens without adequate response capabilities. See SOCDP page 131.

   - Associated preliminary cost estimate: Costs for rapid rescue water craft are estimated at $20,000 each. Rapid rescue water craft would not have fire suppression capabilities. A fire suppression vessel is estimated at between $750,000 and $1,500,000, plus maintenance and operation.

6) Improve Community Risk Reduction with a Residential Sprinkler Ordinance is recommended. See SOCDP page 132.

   - Associated preliminary cost estimate: Plan review and inspection costs would need to be offset by plan review and inspection permit fees.

7) Improve Response to High Risk Structures – Kirkland relies heavily on automatic aid to provide an effective response force to structures requiring a large number of firefighters to accomplish critical tasks. Because these resources come from neighboring departments, response times are below standard. See SOCDP page 133.

   - Associated preliminary cost estimate: Response resource deficiencies identified by the consultant include a second Battalion Chief on duty each shift and the addition of one staffed ladder truck

Three Battalion Chief's Salary, Benefits and Support Overhead	$ 561,000
One Ladder Truck	$ 1,200,000
Annual Maintenance, Operation and Replacement Reserve Fund	$ 133,000
Twenty Firefighters Salary, Benefits and Support Overhead	$ 2,975,000

BACKGROUND INFORMATION ON ADDITIONAL TOPICS:

I. Fire Department Strategic Plan:

During the August 6, 2013 Study Session City Council received the fire department response to the 90 recommendations contained in the ESCI *"Organizational Evaluation, Future Planning, Feasibility of Cooperative Service Deliver and Organizational Strategic Plan"* (Summarized in Appendix B). The department set priority goals, based on consultant recommendations, of seeking accreditation through the Commission on Fire Accreditation International (CFAI) and reducing our Washington State Ratings Bureau (WSRB) rating from the current Class 4 to a Class 1. Departments that have Class 1 ratings and who are CFAI accredited experienced reduced fire loss, fewer fire fatalities, increased medical service and may receive substantial reductions in insurance premiums to both businesses and homeowners. Additionally, the department added five high priority recommendations.

- Develop Incident Action Plans for special events and high hazard target occupancies
- Centralize Department purchasing
- Establish proactive community risk reduction
- Create Regional Fire Investigation Team
- Regional Cooperative Apparatus Purchasing

This memo will include an update and progress report on the status of implementation.

II. Washington State Survey and Ratings Bureau (WSRB):

On December 12, 2013, WSRB completed its evaluation of the Kirkland Fire Department fire protection resources and assigned the City a fire protection classification. The City of Kirkland previously held a Class 4 WSRB rating. This memo includes areas where WSRB rated the department as having sufficient fire protection resources. It also identifies areas where WSRB rated the department as having deficient fire protection resources. A Class 4 WSRB rating has been maintained with this evaluation.

III. Commission on Fire Accreditation International (CFAI):

In January of 2014 the Department became a "registered agency" with CFAI and began the formal process of accreditation. Accreditation was recommended by the consultant as a long term goal in the Fire Department Strategic Plan. This was due to the time consuming and labor intensive nature of the process. However, the Department views the benefits of continuous quality improvement, plan implementation and the enhancement of service delivery to the community that is inherent in the accreditation process as paramount and subsequently moved this recommendation to a high priority. This memo includes a status report on that process.

IV. Finn Hill Station Siting Study:

In early 2012, the City hosted community stakeholder meetings to hear from residents on the process that would lead to the siting of a new fire station in the Finn Hill Neighborhood. Currently, the Holmes Point Fire Station (#25), a fully

staffed station, and the Finn Hill Fire Station (#24), a station staffed on a limited basis by volunteer EMTs, are located in the Finn Hill Neighborhood. During the City's outreach efforts, plans to initiate a strategic analysis of the Kirkland Fire Department began to evolve and the City agreed to postpone the siting of a new fire station until the Strategic Plan was completed.

Upon completion of the Strategic Plan and the fire department response to the consultant recommendations in July 2013, the station siting process resumed. This memo includes a status report on that process.

STATUS UPDATES:

I. Fire Department Strategic Plan

The Fire Department Strategic Plan contained 90 recommendations for improvement in the Department. The Department added 5 recommendations to the list for a total of 95. After a thorough review process, 88 recommendations were seen as priority recommendations that the Department supported and began implementing. Of those 88 recommendations, 81% have been completed or are listed as in process of being completed. The current status of all the recommendations is as follows:

- 34 – Completed (These items have been completed. They are either finished or have become ongoing processes to be revisited on a consistent basis)

- 37 - In Process (Includes items that have been started but not yet completed. Example: regional apparatus purchasing is "in process" with ongoing discussions with partners to reach mutual agreements)

- 2 - Done on a Limited Basis (Items that are done as staffing allows. Utilize media outlets for public information/messaging is an example)

- 15 - Not Yet Started (Medium and low priority items. Will accomplish as staffing allows. Example: develop public education plan)

- 6 - Disagreed with or redundant (These would include items limited by Collective Bargaining Agreement or were similar to other recommendations)

A detailed description of the consultant's recommendations sorted by their current status is provided in Appendix B attached to this memo. The following is a synopsis of the high priority recommendations and their status:

1. Request WSRB to conduct an evaluation of the fire and suppression capabilities of KFD.
    a. The survey was completed in December 2013.
    b. City has maintained its current rating of 4.
    c. A breakdown of the deficiencies and credits is provided below.

2. Move Accreditation through Commission on Fire Accreditation International from long term recommendation to high priority Department goal.
    a. Registration with CFAI completed in January 2014.
    b. Certification of Accreditation Manager completed in March 2014.
    c. Accreditation process is 18-36 months.
    d. A detailed description of the accreditation process is included below.

3. Conduct Standard of Cover Study
    a. Department received the draft report on May 12, 2014.
    b. Presented draft report to Public Safety Committee on May 15th.
    c. Standard of Cover Study will be presented to City Council at the June 17th Study Session by Chief Joe Parrott of Emergency Services Consulting International. The study document is included as a supplemental document to this memo.

4. Finn Hill Station Response Gap
    a. Standard of Cover Study is addressing the Finn Hill gap as part of a citywide response evaluation.
    b. Temporary funding was provided in the 2013-2014 budget to staff North Finn Hill Station 24 with two firefighters/EMT's for 12 hours per day. The department felt that a more effective way to serve Finn Hill and maintain staff at fire stations in other Kirkland neighborhoods was to initiate a pilot study of placing one additional firefighter/EMT at South Finn Hill Station 25 for 24 hours per day. Staffing South Finn Hill Station 25 with one additional firefighter/EMT increases daily minimum staffing at that station from a minimum staffing of three firefighter/EMT's to a minimum daily staffing of four firefighter/EMT's. This pilot provides two firefighter/EMT's for a medical response which leaves the other two to respond to subsequent alarms. This results in a quicker response to subsequent alarms on Finn Hill and it eliminates the need to call other stations out of their respective district to respond to Finn Hill. This approach is more cost effective and efficient as it provides 24 hour coverage of professional firefighter/EMT's to Finn Hill in contrast to the proposed 12 hour model.

5. Evaluate potential for establishing a Regional Fire Authority (RFA)
    a. Despite outreach from Kirkland in 2012 and 2013, Northshore Fire District, Woodinville Fire and Rescue and the City of Bothell have elected to explore an RFA for the north end that does not initially include Kirkland. The neighboring jurisdictions have expressed interest in working with Kirkland after their current RFA efforts have concluded. The City Manager and Fire Chief are evaluating whether to initiate a letter of interest to bordering jurisdictions to seek level of interest in participation in a Kirkland RFA study or wait for the northern effort to conclude.
    b. Exploring an RFA is listed on Council's 2014 work plan. Potential other RFA partners might include Bellevue and Redmond. In addition Kirkland might consider advocating for state legislation allowing for the creation of a single-city RFA.

6. Hire a City Emergency Manager
    a. Department hired Patti Jean Hooper as new Emergency Manager in February 2014.
    b. Office of Emergency Management hired a part time Emergency Preparedness Coordinator, Erin Tramontozzi in May of 2014.

7. Develop a dedicated Emergency Operations Center (EOC).
    a. This is included in the current discussions on the City Hall Remodel.

8. Operations Recommendations
    a. Developed an internal CIP for maintenance and replacement of equipment.
    b. Established a medical baseline for new firefighters at time of hire.
    c. Monitoring automatic aid for service impacts on an annual basis.
    d. Tracking rates of first due units inability to respond due to being committed to a prior incident.

9. Emergency Medical Services
    a. Completed detailed analysis of revenue vs expenditure to validate EMS transport activity is meeting stated goals
    b. Participated in Medic One Strategic planning in attempt to become an ALS provider. Will continue participating in regional Medic One planning.
    c. Add one FTE administrative support for EMS. Staff position increased from temporary .25 to permanent .5
    d. Requested participation in discussions during the current levy cycle with KCEMS regarding:
        - Community Medical Technician strategic initiative (Recommendation 7)
        - BLS Lead Agency strategic initiative (Recommendation 6)
        - Provision of ALS Medic One Services study (Recommendation 9)
        - Independent Study to Develop Scope of Work and Staffing Model (Recommendation 10)
        - Revision of BLS funding model to comply with recommendations of the 2011 Financial Review and Compliance Audit.

10. Facilities
    a. Rebuild or replace Station 27 (Totem Lake) and Station 22 (Houghton)
        - Capital Plan to be developed and presented
    b. Finn Hill Station 25 rebuild or replacement (Finn Hill Siting Study)
    c. Completed energy audit of all Fire Stations.
        - Corrections/Upgrades completed.

11. Administration
    a. Completed policy and procedure for reporting and retaining employee exposure records
    b. Policy Manual in process of being updated.
    c. Conducting interactive video conferencing with Fire Chief was a rejected recommendation. Fire Chief prefers face to face conversations and meets crews at different fire stations 5-6 times per month.

12. Training
    a. Formalize East Metro Training Group (EMTG) via interlocal agreement. Completed.
    b. Succession Planning and Mentoring Programs:
        - Developed and implemented an Officer Development Program and updated the Acting Officer Program
        - Participated in Managing to Excellence for Supervisors
        - Provided Incident Safety Officer training for Captains
    c. Identifying Training Competencies
        - Addressing all WAC 296-305 competencies annually.

d. Create East Metro Training Group training manual
   - Several sections completed
e. Created and refined EMTG goals and purpose statements
f. Currently conducting regular night drills as recommended
g. Lesson plans developed for core competencies. Live Fire, Communications, HazMat, auto extrication, Instructor 1

13. Prevention
    a. Integrated fire prevention RMS with EnerGov RMS - EnerGov proved unworkable for Fire Prevention needs. Currently using Zoll RMS for prevention.
    b. Self-inspection program for low risk occupancies
       - Researching options with jurisdictions that currently have SIP's.
    c. Create Regional Fire Investigation Team
       - Currently working with 5 agencies in cooperation together. Collecting data and have developed shared response criteria for investigators. Discussions with Zone 1 Fire Chiefs is ongoing.
    d. Residential Sprinkler Ordinance - The Fire Prevention Bureau, in cooperation with the Building Division, has initiated a public outreach process regarding residential sprinklers.

II. Washington State Survey and Ratings Bureau Evaluation

The Washington State Survey and Ratings Bureau (WSRB) reviews the fire protection resources within communities and provides a Community Fire Protection Rating system from which property insurance rates are often based. For example, each reduction in classification in a WSRB rating can equate to a 10% savings in property insurance premiums for a commercial structure.

In December of 2013, the WSRB completed its evaluation of the Kirkland Fire Department. The WSRB rates fire protection resources on a 1 to 10 scale with 1 being the best classification and 10 being the worst classification. At the conclusion of the evaluation, the department maintained its previous rating of Class 4.

To determine a community's protection class, the WSRB evaluates four major areas:

- **Fire Department** - they review engine companies, ladder companies, fire station distribution, automatic aid, personnel and training to name a few.
- **Water Supply** – determining the adequacy for fire suppression purposes
- **Emergency Communications Systems** – evaluates the 911 system including facilities, dispatching for fires, personnel and training.
- **Fire Safety Control** – examines code enforcement, public education and building code enforcement.

A synopsis of the grading calculation is contained in the Summary of Points graph below. Water Supply and Emergency Communications received a rating of 1, the best possible. Fire department staffing, apparatus and training received an overall rating of 5. The largest deficiency was in Fire Safety Controls (Fire Prevention and Community Risk Reduction) receiving a rating of 8 out of 10.

WSRB takes the total overall number of points possible and divides them into each category based on the weighted percentages listed below. Then each specific item in a category is rated on a negative scale by deducting points for deficiencies. Those deficiency points are totaled and a percentage of credit is assigned. The WSRB then assigns a relative class for each section and then a relative class for the City's fire protection resources.

In the Summary of Points schedule below the following definitions apply:

1. Points Deficient are the number of points that were deducted from the total number of points given to each category.
2. Total points are the number of points possible to each given category.
3. Credit received is the percentage of the total points in a category that was received.
4. Relative value is a weighted percentage relative to each category.
5. Relative Class is the WSRB rating for each individual category from which they formulate an overall score for the Department.

Summary of Points
Final Calculation of Community Protection Class Grade

	Water Supply	**Fire Department**	**Emergency Communications**	**Fire Safety**
Controls				
Points Deficient	122	840	31	463
Total Points	1450	1950	450	650
% Credit Received	92%	57%	92%	29%
Relative Value of Section	35%	40%	9%	16%
Relative Class of Section	**1**	**5**	**1**	**8**

The following are the areas in the WSRB evaluation where the fire protection resources scored extremely well, above 90%. Both the Water Supply and Emergency Communications for Kirkland received a class score of 1, the highest possible. Areas where the fire protection resources also scored extremely well include the areas of Officer, Driver and Recruit training, response cards and response to both commercial and residential areas. Fire Prevention division scored well with regards to Fire Marshal credentials and education, fire permitting process and code enforcement. A more detailed breakdown is included below.

<u>WSRB scores above 90% were obtained in the following categories:</u>

Water Supply:
100% 1b. Adequacy of Water Supply in Residential Districts
99% 2a. Distribution of Hydrants in Commercial Districts
100% 2b. Distribution of Hydrants in Residential Districts
94% 3. Hydrant size, type and installation
96% 5a. Arrangement, Operation and Maintenance of Water System Components

Fire Department:
100% 1a. Number of Engines
100% 1b. Number of Reserve Engines
100% 2c. Ground Ladders (number and size)
100% 4a. Engine Pump Capacity
100% 4b. Reserve Engine Pump Capacity
100% 11a. Total Amount of Large Diameter Hose and 2 ½" hose
100% 11b. Total amount of 1 ½" hose
100% 11c. Total amount of pre-connected hose
100% 12a. Hose testing frequency
100% 12d. No cotton jacketed hose
100% 13d. Officer Training
100% 13e. Driver/Operator Training
100% 13f. Recruit Firefighter Training
100% 14a. Run Cards
100% 14b. Adequate response to commercial districts
100% 14c. Adequate response to residential districts
100% 14d. Multiple alarms assignments should be same for first alarm assignment
100% 14e. Cover Plan for 2nd in resource when 1st in resource is out of service.
100% 16b. Other needed special protections (wildland, bulk oil storage, etc.)

Emergency Communications:
All areas in emergency communications exceeded a 90% score with exception of an 18 point deficiency noted on page 8 under "1a. Building Construction" below.

Fire Safety Control (Prevention)
100% 1a. Fire Marshal
90% 1c. Fire Code Permits
90% 4. Building Code Enforcement

The following is a review of the primary deficiencies contained in the WSRB evaluation of the department. The points listed are the number of points deducted from the total score of that category within that section. The percentage listed is the percentage of total points the department scored (100% is a perfect score). There are a couple of percentages listed without corresponding deficiency points. Those points were not provided by WSRB.

WSRB - Review of Deficiencies

Water Supply: total deficiency points, 122

City of Kirkland and Northshore Utility District water supply were included in the grading criteria. The inspector commented that the City of Kirkland has a "stellar" water supply. The scores are indicative of that.
Deficiencies noted:

49 pts/94% 1a. Adequacy of Water Supply in Commercial Districts – Compares required fire flow for a building to available fire flow. We scored excellent.

32 pts/68% 4. Hydrants – Deficiencies for lack of static pressure flow tests every 5 years. Also hydrants not color coded by available flow.

5 pts/95% 5a. Arrangement, Operation and Maintenance of Water System Components – Daily visits = 0% deficient, Weekly visits = 10% deficient

28 pts/86% 5b. Maintenance – Inspection of components at 10% deficiency. Includes Inspection of every pressure reducing valve, flat control valve. Also records of visits incomplete.

Fire Department: total deficiency points, 840

Deficiencies noted:

13 pts/87% 2a. Ladder Truck – Maximum points for Ariel with platform for continuous means of egress. Automatic 10% deficiency for non-platform Ladder Truck.

12 pts/40% 2b. Number of Reserve Ladder Trucks – Kirkland's population and risk is such that we should have a reserve. We have none.

83 pts/59% 3. Distribution of Companies – Deficiencies is based on best case scenario of structures being within 1.5 road miles of first alarm engine company. This is based on density. Rating takes total number of addressed parcels inside 1.5 mile grid and total number outside 1.5 miles to get a percentage of covered structures. WSRB states significant fire loss reduction to those structures within 1.5 miles of engine company.

80% 5a. Vehicle Maintenance Facilities and Personnel – Best case scenario is to have "Master" level certifications for vehicle maintenance personnel. Our folks are EVT Level 1 and 2. That is 5% deficiency in points.

55% 5b. Preventative Maintenance Vehicles – We do not test CAFS or foam systems on pumpers so we we're deficient in that area. Also no records on "road testing". We road test but don't include that in our records.

NOTE: Inspector said we had a "GREAT SHOP" and crew

5 pts/91% 6a. Number of Chief Officers – 15% deficient. Company Officers acting as Battalion Chiefs are not counted as having a Chief on duty at structure fires. BC could respond to fires when off duty or continuous duty Chiefs on duty for best case scenario.

9 pts/83% 6b. Number of Company Officers – same as 6a. Acting Officers are not counted as Officers. This number is based on number of required companies, NOT the number of companies in service. For our population, density and building types WSRB states Kirkland is required to have seven companies. Currently we have six companies so we are deficient by one. This estimate is based on estimated fire flow for structures in our response area. That is 5250 gpm basic fire flow. WSRB states best case for this fire flow is 5 engine companies and 2 ladder trucks for a total of 7.

200pts/50% 7. Department Staffing – A perfect score here requires 6 firefighters on duty for each required engine and ladder company. Automatic Aid (AA) is also considered. Bellevue and Redmond scored at 90% of the maximum for AA companies. Northshore, Bothell and Woodinville scored at 60%. These agency scores are averaged for the final score for AA. Our Day and Night shift strength is virtually identical.

80 pts/75% 8. Engine and Ladder Company Staffing – Again based on 6 firefighters on duty for each apparatus in service.

23 pts/54% 9. Stream Devices – we are deficient in some stream devices on the ladder truck. No portable monitor, no cellar nozzles, etc. We have no need to carry them.

14 pts/86% 10. Equipment for Engines and Ladder Trucks – We have sufficient equipment on our Engines and Ladders but do not do annual testing so credit is limited.

70% 12b. Age of Hose – Deficiencies for average age of hose.

Less than 5 years old -	0% deficient
5 to 10 years old -	10% deficient
10 to 15 years old -	20% deficient
15 years or more	30% deficient

Department hose averaged between 4 and 10 years old by diameter.

5 pts/80% 13a. Training Supervision – best case scenario: Training Officer with 10 years of direct incident command experience, rank of Captain or higher, certification as Fire Instructor 2. We don't have FI 2 certification. This only cost 5 points.

30% 13b. Company Training – requires 20 hours of structural firefighting training per month per firefighter. 20 hrs can be reduced by 25% (to 15 hrs) if firefighters are FF1 certified. 20 hours can be reduced by 50% (to 10 hrs) if firefighters are FF2 certified. Most firefighters are neither. In addition, this is "non-training center" training. So it is ad hoc and must be recorded to receive credit. We do ad hoc training but traditionally it has not been documented.

45% 13c. Training Center Training – Inspector was impressed by the training center and by the drills that were conducted there. WSRB criteria call for ½ day training sessions in order to be credited which was defined as 3 hours or more. Typically our MCO's are 2 hours in duration. He did give us credit for these 2 hour drills as fulfilling the requirement but couldn't say what next inspector might do. Two night drills per year required. We had none at the time of evaluation.

10% 13g. Pre-Fire Planning – should be done via annual pre-fire inspection of each occupancy. Best case is that these are separate from annual life safety inspections. We do these only on an "as needed" basis.

168 pts/48% 15. Fire Operations – Ability of the department to operate effectively at a fire is considered dependent on staffing and training. So 7a/7b Department Staffing, 8 Unit Staffing and 13 Training scores are averaged to determine score.

13 pts/87% 17a. Fire Stations – Joisted masonry construction considered best case scenario. Stations 21, 26 and 24 are not.

11 pts/45% 17b. Fuel availability – Best case at every fire station.

13 pts/87% 17c. Delays in Response – Our roads are good, no issues with snow or ice, no draw bridges, etc. Some access issues on Goat Hill.

<u>Emergency Communications: total deficiency points, 31</u>

Deficiencies noted:

18 pts/64% 1a. Building Construction – only real deficiency was fact that NORCOM has internal fire exposures. Otherwise Inspector said they are "stellar"

Fire Safety Control (Prevention): total deficiency points, 463

Deficiencies noted:

8 pts/84% 1b. Fire Plan Review – a certified plan reviewer will receive 10% less credit than a design professional. The plan review department needs to have adequate staffing to ensure comprehensive plan reviews.

5 pts/90% 1c. Inspections of Fire Code Permits – Fire Inspectors shall be certified with 5 or more years of experience. Adequate department staffing levels must be maintained to ensure comprehensive inspections.

376 pts/6% 1d. Fire Code Inspections – Best case is inspections of every occupancy twice a year and bi-monthly inspections of H class (high hazard) occupancies. These inspections to be done by certified fire inspectors with 5 or more years of experience. Staffing levels must be adequate to ensure comprehensive inspections. Non-certified inspectors (engine company firefighters) receive maximum credit of 50%. **This was largest deficiency of 376 points**.
Inspector stated we are significantly understaffed with regards to our ability to complete Fire Inspections.

18 pts/10% 1e. Confidence Testing of Fire Protection – must be inspected and tested in accordance with NFPA standards.

32 pts/9% 2a. Public Fire Education in Public Schools - school programs provided at age appropriate levels. Currently not done.

15 pts/0% 2b. Public Fire Education for Adults – currently not done.

5pts/75% 3. Fire Investigations – Fire investigators must have 5 years experience, be commissioned law officers and be certified fire investigators. None of our investigators are commissioned law officers.

The WSRB uses a five year history in order to make its calculations for determining rating class. This means that the Department cannot successfully resubmit corrections to deficiencies for reconsideration until five years of updated data exists. The department has already begun the process of correcting deficiencies and collecting data in anticipation of improving our rating in five years.

III. Fire Department Accreditation

The accreditation process is an industry standard to assist in achieving organizational and professional excellence through a self-assessment model and accreditation process for continuous quality improvement and enhanced service delivery to the community. Currently there are 192 Fire Departments that have been accredited in the United States and only 6 in the State of Washington. Seeking accreditation is a large

investment in time but the process can secure improvements and efficiencies in each area evaluated.

Seeking accreditation through the Commission on Fire Accreditation International (CFAI) was determined by the department as a high priority in the department response to the consultant's recommendations in the Fire Department Strategic Plan. Registration with CFAI was completed in January 2014. In March, 2014, the department sent one individual to complete the CFAI Accreditation Manager training. Also in March, an inventory of individuals interested in participating in the accreditation process was completed. The next step will be to assign segments of the process to category "leads". After leads are assigned, accreditation training will be given to the leads and the actual process of accreditation will commence. It is typically an 18 to 36 month process to complete the accreditation process.

CFAI accreditation requires assessment of these performance evaluation categories:

- Assessment and Planning
- Essential Resources
- External System's Relations
- Financial Resources
- Goals and Objectives
- Governance and Administration
- Human Resources
- Physical Resources
- Programs
- Training and Competency

Working towards accreditation meets or exceeds the consultant's recommendations in the areas of response times, deployment, fire and emergency medical training, facilities, apparatus, records management, water supply, fire prevention and public education. In addition, achieving accreditation can eliminate many of the deficiencies listed in the recent WSRB evaluation.

IV. Finn Hill Fire Station Siting Update – One Station or Two?

For the past six months City staff have been evaluating the siting of a new fire station on Finn Hill on the parallel paths of a consolidated station and a potential additional new station. Background is provided here for both paths and in August the City will need to decide which path to pursue once more detailed information is knows. In 2004, Fire District #41 began a process to find a site to build a new consolidated fire station on Finn Hill. Property owned by Lake Washington School District was considered early in the process but was deemed unsuitable. Later in the siting process, a portion of Big Finn Park was considered.

After annexation took effect on June 1, 2011, the governance of fire protection and emergency medical services was transferred from Fire District #41 to the City of Kirkland. The City of Kirkland assumed responsibility for the proposed Finn Hill fire station project initiated by Fire District #41.

In November 2011, the firm TCA Architecture and Planning was selected to study the alternatives and host outreach meetings so that residents could receive information and comment on potential sites. In 2012 the City attended Finn Hill Neighborhood

community meetings to hear from residents on the process that would lead to the siting of a new fire station in the Finn Hill Neighborhood. Currently, the Holmes Point Fire Station (#25), a fully staffed station, and the Finn Hill Fire Station (#24), a station staffed on a limited basis by volunteer EMTs, are located in the Finn Hill Neighborhood. Also in 2012 the *"Organizational Evaluation, Future Planning, Feasibility of Cooperative Service Deliver and Organizational Strategic Plan"* was initiated and the City agreed to postpone the siting of a new Finn Hill fire station until the Strategic Plan was completed. The plan identified three response coverage gaps. One of those gaps was service to North Finn Hill.

To address the three gaps the City of Kirkland initiated A Standard of Coverage and Deployment Plan Study (SOCDP) in the Fall of 2013. The SOCDP was conducted to provide an in depth analysis of fire department resources currently deployed and the fire department ability to meet the current set of response standards and what resources would be required to meet adopted response standards. The results of the SOCDP have an integral relationship to the Finn Hill Station siting Study. Based on the SOCDP, two additional sites have been added to the list of potential sites to be considered to better serve North Finn Hill.

On October 7, 2013 the Fire Department provided the community an opportunity to review and discuss the current status of the Finn Hill Fire Station site selection process at the Finn Hill Neighborhood Association meeting.

In an open house format, group presentation and question and answer session, the fire chief and consultant team provided a project overview and discussed what was heard during the public outreach during DennyFest and the on-going study process. During the public meeting, the City's goal was to listen to the community and obtain feedback on four distinct GIS based response options which were presented as follows:

1. Status Quo - maintain existing response and upgrade Fire Station 25 only.
2. Dual Station - maintain Fire Station 25 at its current location and locate a new fire station in the northwest area of the city.
3. Single Station - relocate Fire Station 25 and provide a single fire station in the northwest area of the city.
4. Single Station with New Emergency Access Drive- relocate fire station 25 and provide a single fire station in the northwest are of the city. Add a new emergency access drive to the Holmes Point neighborhood.

During the community discussion various response time maps were presented. The City staff and consultants posed several questions and listened to feedback as to what issues were most important to the community when locating a fire station.

On January 14, 2014 during the Finn Hill Neighborhood Alliance meeting, Chief Nalder provided an update regarding the development of a long list of potential sites under consideration in the Finn Hill study area.

An appointed committee was formed from selected members of the Neighborhood Alliance, City staff and members of the consultant team.

- Site selection criteria identified by the community was weighted by the committee
- A shortlist of sites was identified by the committee based on the ranked criteria

On March 12, 2014 during the Finn Hill Neighborhood Alliance meeting, Chief Nalder provided an update on the committee work and how the Standard of Coverage Study preliminary draft report had identified a new station location option that would provide improved service to Finn Hill and the City as a whole if Fire Station 25 was also maintained and staffed.

In April, 2014, engineering review and analysis of shortlisted sites was prepared by consultant team

1. In May, 2014, the City prepared and entered into a brokerage agreement with New Ventures to contact shortlisted site property owners. Owners are currently being contacted. Based on the draft Standard of Cover report findings, two additional sites further east near 100th Ave NE and 132nd NE St. were added to the shortlisted sites. Of the four distinct GIS based response options, these two additional sites are included in option 2 - Dual Station - maintain Fire Station 25 at its current location and locate a new fire station in the northwest area of the city.

2. A GIS map showing the long lists of potential consolidated station locations is included as Appendix C. A GIS map showing the short lists of potential consolidated station locations, identified by the appointed stakeholder committee, is included as Appendix D.

Next Steps

- Identification of acquisition potential and both capital and staffing costs for new station and consolidated station options
- Identify site challenges
- Prepare updated station cost analysis based on potential site locations and current construction costs
- Bring full report to Council in August 2014
- In August, staff will be looking for direction from Council as to whether to pursue one consolidated station on Finn Hill which could be staffed with existing resources, or to leave Fire Station 25 operational and explore an additional new station and new staffing as recommended by the Standards of Cover study.

City of Kirkland Fire Department

Washington

Standards of Coverage and Deployment Plan

June 2014

Emergency Services Consulting International

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City of Kirkland

Fire Department

Washington

Standards of Coverage and Deployment Plan

2014

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Introduction

The following report serves as the Kirkland Fire Department (KFD) Standards of Coverage and Deployment Plan. It follows closely the Center for Fire Public Safety Excellence (CPSE) Standards of Coverage model that develops written procedures to determine the distribution and concentration of an organization's fixed and mobile resources. The purpose for completing such a document is to assist the agency in ensuring a safe and effective response force for fire suppression, emergency medical services, and specialty response situations.

Creating a Standards of Coverage and Deployment Plan document requires that a number of areas be researched, studied, and evaluated. This report will begin with an overview of both the community and the agency. It will continue with a community risk assessment, a review of historic response workload, completion of a critical task analysis, establishment of agency service level objectives, and a detailed analysis of current resource distribution and concentration. The report will provide analysis and documentation of response reliability and response performance. The report will conclude with policy and operational recommendations.

ESCI extends its appreciation to the members of KFD, elected and appointed officials from the City of Kirkland, and all others who contributed to this plan.

Executive Summary

This document describes the Kirkland Fire Department (KFD) Standards of Coverage and Deployment Plan for the City of Kirkland, Washington. Response resources, deployment strategies, and overall community risks have been evaluated in this document. It establishes response time objectives and standards for measuring the effectiveness of the deployment of department resources. The document is segregated into components generally based on the format recommended by the Center for Public Safety Excellence, *Standards of Cover 5th Edition,* which will be referenced elsewhere in this document.

KFD is a direct operating department of City of Kirkland and provides fire protection and emergency medical services as well as hazardous materials response and technical rescue services to the community. It also manages the community building code enforcement program through plans review and inspection of new construction. The department's service area encompasses all of the area within the governmental boundaries of Kirkland.

The City of Kirkland has a resident population of 81,730. The department serves an area of approximately 18.25 square miles within the City of Kirkland. The department operates five fully staffed fire stations, one volunteer staffed station, and 19 apparatus. The North East King County Regional Public Safety Communications Agency (NORCOM) provides call receipt and dispatch services. KFD is also a participant in the King County Medic One system.

The Washington Survey and Rating Bureau (WS&RB) reviews the fire protection resources within communities and provides a Community Fire Protection Rating system from which insurance rates are often based. The rating system evaluates four primary areas: the emergency communication and dispatch system, the fire department emergency response capability, fire prevention and risk mitigation services, and the community's pressurized hydrant or tanker-based water supply. The overall rating is then expressed as a number between 1 and 10, with 1 being the highest level of protection and 10 being unprotected or nearly so. As of the latest rating, WS&RB gave the City of Kirkland a rating of Class 4. This rating was conducted in 2013.

In the typical deployment planning process, potential service area classifications are broken down into five categories:

- **Metropolitan** – geography with populations of over 200,000 people in total and/or a population density of over 3,000 people per square mile. These areas are distinguished by mid-rise and high-rise buildings, often interspersed with smaller structures.
- **Urban** – geography with a population of over 30,000 people and/or a population density of over 2,000 people per square mile.
- **Suburban** – geography with a population of 10,000 to 29,999 and/or a population density of between 1,000 and 2,000 people per square mile.
- **Rural** – geography with a total population of less than 10,000 people or with a population density of less than 1,000 people per square mile.
- **Wilderness/Frontier/Undeveloped** – geography that is both rural and not readily accessible by a publicly or privately maintained road.

An analysis of the City of Kirkland's population density reveals that it is primarily of one classification; urban.

A Performance Statement and Objectives for the services provided by KFD to the City of Kirkland have been developed. These further define the quality and quantity of service expected by the community and consistently pursued by KFD.

Overall Performance Statement

KFD has adopted the following Performance Statement:

Performance Statement (Mission Statement)

*"Our City * Our People * Our Duty * Our Commitment to Serve"*

In addition to the overall performance statement, the following response-specific performance objectives have been established by KFD and have been analyzed as part of this report. These objectives are based on the department's current resources, capability, and performance. As noted previously, the City of Kirkland is primarily urban.

Dispatch Performance Objective:

- *Response resources shall be notified of a priority emergency within 75 seconds of **receipt of the call at the dispatch center**, 90 percent of the time.*

Turnout Time Performance Objective:

- *Response personnel shall assemble on apparatus and initiate movement towards a priority emergency within two minutes seven seconds **of notification by the dispatch center**, 90 percent of the time for incidents requiring full personal protective equipment and within two minutes 0 seconds **of notification by the dispatch center**, 90 percent of the time for all other incidents.*

First-Due Total Response Performance Objective – Fire:

- *The first response unit capable of initiating effective incident intervention shall arrive at a priority emergency within eight minutes 55 seconds **from receipt of call at the dispatch center**, 90 percent of the time.*

First-Due Total Response Performance Objective – Emergency Medical Service:

- *The first response unit capable of initiating effective incident intervention shall arrive at a priority emergency within seven minutes 34 seconds **from receipt of the call at the dispatch center**, 90 percent of the time.*

Concentration Performance Objectives:

- *For moderate risk incidents, KFD shall assemble an Effective Response Force (ERF) consisting of personnel sufficient to effectively mitigate the incident based on risk within 13 minutes 0 seconds **from receipt of the call at the dispatch center**, 90 percent of the time.*

- *For high risk incidents, KFD shall assemble an Effective Response Force (ERF) consisting of personnel sufficient to effectively mitigate the incident based on risk within 16 minutes three seconds **from receipt of the call at the dispatch center**, 90 percent of the time.*

The analysis conducted during the evaluation phase of this process identified a number of opportunities to improve service (performance goals). The following goals to improve the capabilities of the KFD are offered for consideration. These goals and specific recommendations for each are described in more detail at the end of this report (Component I).

Improvement Goal A: Adopt New Response Performance Goals

In order to set targets for future improvement of the system it is recommended that the Kirkland City Council adopt response performance goals describing its desired level of response performance. These are goals to be achieved in the future as funding is available to provide the necessary resources. The following are recommended:

Dispatch Performance Goal:

- *Response resources shall be notified of a priority emergency within 60 seconds **of receipt of the call at the dispatch center**, 90 percent of the time.*

Turnout Time Performance Goal:

- *Response personnel shall assemble on apparatus and initiate movement towards a priority emergency within 80 seconds **of notification by the dispatch center**, 90 percent of the time for incidents requiring full personal protective equipment and within 60 second **of notification by the dispatch center,** 90 percent of the time for all other incidents.*

First-Due Total Response Performance Goal – Fire:

- *The first response unit capable of initiating effective incident intervention shall arrive at a priority emergency within six minutes 20 seconds **from receipt of the call at the dispatch center**, 90 percent of the time.*

First-Due Total Response Performance Goal – Emergency Medical Service:

- *The first response unit capable of initiating effective incident intervention shall arrive at a priority emergency within six minutes 0 seconds **from receipt of the call at the dispatch center**, 90 percent of the time.*

Concentration Performance Goal:

- *For moderate risk incidents, KFD shall assemble an Effective Response Force (ERF) consisting of personnel sufficient to effectively mitigate the incident based on risk within ten minutes 20 seconds from **receipt of the call at the dispatch center**, 90 percent of the time.*

- *For high risk incidents, KFD shall assemble an Effective Response Force (ERF) consisting of personnel sufficient to effectively mitigate the incident based on risk within ten minutes 20 seconds from **receipt of the call at the dispatch center**, 90 percent of the time.*

Improvement Goal B: Reduce Call Processing Time

This recommendation includes reviewing procedures to identify opportunities to notify response personnel more quickly.

Improvement Goal C: Reduce Turnout Time

Opportunities to reduce turnout time include review of station configuration, improved routing technology, and personnel management.

Improvement Goal D: Reduce Travel Time

Several initiatives were identified that will reduce the time required to travel to an incident these include:

- Improving street system connectivity.
- Relocating two fire stations.
- Staff all fire engines with four personnel to improve system reliability. This is accomplished by providing sufficient staffing to operate fire engines when personnel respond with an aid unit.

Improvement Goal E: Improve the Quality of Emergency Medical Services

Recommended is staffing all KFD response units with at least one properly equipped paramedic. This will reduce the time it currently takes to provide advanced life support care to a patient.

Improvement Goal F: Improve Water-Based Fire and Rescue Capability

This initiative recommends adding an appropriately sized and equipped fire boat to the KFD system to provide water-based fire and rescue capability.

Improvement Goal G: Improve Community Fire Risk Mitigation

Home fire sprinklers have a proven history in reducing fire deaths and property loss. Adopting residential fire sprinkler requirements is recommended.

Improvement Goal H: Improve Effective Response Force Capability

Delivering the full effective response force to a moderate risk structure fire within the recommended response performance goal is achievable. Delivering the full effective response force to a high risk structure fire within the same time standard is not without additional resources. Whether to add the resources or adjust the response performance goal is a policy level decision.

Component A – Description of Community Served

Organization Overview

Governance and Lines of Authority

The City of Kirkland is a municipal corporation operating under a Council-Manager form of governance (Revised Code of Washington Chapter 35). The City Council is provided with necessary power and authority to govern the provision of fire protection and emergency services. The City Council maintains strictly policy-level involvement, avoiding direct management and hands-on task assignment—an arrangement established within written policy.

The City Council appoints a City Manager who is responsible for carrying out the Council's policies and general administration of city government. The Fire Chief is appointed by the City Manager and is tasked with responsibility for directing fire and life safety emergency services within the city.

Organizational Finance

Establishment of financial policy for the City of Kirkland and KFD is the responsibility of an elected City Council with the City Manager responsible for fiscal administration.

The city uses a two-year budget cycle to prepare the operating budget and the capital improvement plan based on a January through December fiscal year. The City of Kirkland has a total assessed valuation of $15,774,360,007.[1] The total fire department budget for the 2013-14 biennium is $42,156,424. The Building Inspection Permit Services portion of this total is $4,782,909. The total 2013-14 budget for fire and emergency services is $37,373,515, or an annual average of $18,686,758.

The fire department's operating funds are received through the general revenue of the city. 36.7 percent of general fund revenue is property tax and sales tax. Fees for service, other taxes, and other revenues make up the balance.

[1] Source: King County Department of Assessments

Figure 1 lists the source and amount of non-tax revenue for KFD for 2013-14 biennium.

Figure 1: Budgeted Revenue

Fire Department Revenue Source	2013-2014 Biennium
Fire Permits	$95,778.00
Emergency Medical Services	$1,769,290.00
Emergency Transport Fees	$1,787,136.00
Fire Department Plan Review	$24,000.00
TOTAL	$3,676,204.00

Source: City of Kirkland

Figure 2 shows the general operating expenditure history (excluding the Capital Improvement Fund) for the previous two and the current biennia. Three major divisions of the budget are shown.

Figure 2: Budget/Expenditures by Biennium and Category, 2009 – 2014

	Fire Department Budget/Expenditure by Year and Category			
Budget (Biennium)	Salaries & Benefits	Services & Supplies	Capital Outlay	Total
2009-2010 (Actual)	$25,636,628.39	$5,802,602.34	0	$31,439,230.73
2011-2012 (Actual)	$28,225,603.02	$7,202,663.43	0	$35,428,266.45
2013-2014 (Budget)	$31,727,406.00	$7,104,040.00	$27,500.00	$38,858,946.00

Source: City of Kirkland

During the six-year period, the department's overall budget increased 23.6 percent. The current average annual cost of fire and emergency services to the community (excluding Building Department functions), based on assessed valuation, is $1.23 per $1,000 of assessed valuation.

A comprehensive capital improvement and replacement program is important to the long-term financial stability of any fire and emergency medical service organization. Such programs provide systematic development and renewal of the physical assets and rolling-stock of the agency. Items usually included in capital improvement and replacement programs are facilities, apparatus, land acquisition, and other major capital projects.

The City of Kirkland has an adopted a Capital Improvement Plan for the period 2013-2018. This plan describes capital facility and other improvement needs for a five-year timeframe, and schedules those improvements based on available funding. KFD has projects addressed in this plan.

Service Area Overview

KFD is a direct operating department of City of Kirkland and provides fire protection, emergency medical service, specialized rescue, city-wide emergency management, and building department services to the community. The department's service area encompasses all of the area within the governmental boundaries of Kirkland.

The City of Kirkland has a resident population of 81,730.[2] The department serves an area of approximately 18.25 square miles. The department operates five fully-staffed fire stations, one volunteer staffed station, and 19 apparatus. The North East King County Regional Public Safety Communications Agency (NORCOM) provides call receipt and dispatch services. KFD is also a participant in the King County Medic One system.

There are 104 individuals (104 FTE) directly involved in providing or supporting response, fire prevention, and other services. Staffing coverage for emergency response is through the use of career firefighters on 24-hour shifts at five stations and volunteer emergency medical technicians at night at a sixth station. For immediate response and at full staffing, no less than 19 personnel are on duty at all times.

The Washington Survey and Rating Bureau (WS&RB) reviews the fire protection resources within communities and provides a Community Fire Protection Rating system from which insurance rates are often based. The rating system evaluates four primary areas: the emergency communication and dispatch system, the fire department emergency response capability, fire prevention and risk mitigation services, and the community's pressurized hydrant or tanker-based water supply. The overall rating is then expressed as a number between 1 and 10, with 1 being the highest level of protection and 10 being unprotected or nearly so. As of the latest rating, WS&RB gave the City of Kirkland a rating of Class 4. This rating was conducted in 2013.

[2] Washington Office of Financial Management, April 2013.

Component B – Review of Services Provided

Services Provided

KFD provides a variety of services, including fire suppression, basic level emergency medical service, entrapment extrication, high-angle rescue, initial trench, confined space, and hazardous materials emergency response (Level A). The following figure provides basic information on each of the department's core services, its general resource capability for that service, and information regarding staff resources for that service.

Figure 3: Core Services Summary

Service	General Resource/Asset Capability	Basic Staffing Capability per Shift
Fire Suppression	5 staffed engines 1 staffed ladder truck (Truck Company) 1 command response unit Additional automatic and mutual aid engines, aerials, and support units available	19 minimum suppression-trained personnel per day Additional automatic and mutual aid firefighters available 3 minimum per engine and truck 1 minimum on command unit
Emergency Medical Services	5 engines – BLS equipped 1 ladder truck – BLS equipped 6 aid units – cross-staffed	94 certified emergency medical technicians
Vehicle Extrication	1 truck company equipped with hydraulic rescue tools, hand tools, air bags, cutting saws, stabilization cribbing. All engines carry a combination cutter-spreader hydraulic rescue tool.	All firefighters are vehicle rescue operation's level trained. The truck company members are advanced vehicle/machinery technicians, 3 minimum on duty.
High-Angle Rescue	1 truck company equipped with rescue rope, software, and all associated hardware. All truck members are Rope Rescue Technicians.	All personnel trained to the operations level. 9 personnel per shift trained to the technician level in rope rescue, 3 minimum on duty.
Trench and Structural Collapse Rescue	1 truck company with pneumatic shoring jacks, sheeting, cribbing, limited lumber, and hand tools for initial stabilization. All truck members are Trench Technicians. Additionally, there is 1 collapse rescue equipment trailer.	All personnel trained to the operations level. 9 personnel per shift trained to the technician level in trench and collapse rescue, 3 minimum on duty.

Service	General Resource/Asset Capability	Basic Staffing Capability per Shift
Swift-Water Rescue	All aid units, BC unit, and trucks equipped with PFD's and water rescue kits.	All personnel trained to the operations level. 20 personnel per shift trained to the technician level in swift-water rescue.
Confined Space Rescue	1 Truck Company equipped with tripod, SABA, communications set, air monitoring equipment, ventilation, basket stretchers, and rope rescue gear.	All personnel trained to the operations level. 9 personnel per shift trained to the technician level in confined space rescue, 3 minimum on duty.
Hazardous Materials Response	Hazardous materials response is via ILA and consortium. Primary response unit is a Bellevue Fire asset.	All personnel trained to the operations level. 3 personnel per shift trained to the technician level in hazardous materials.

Assets and Resources

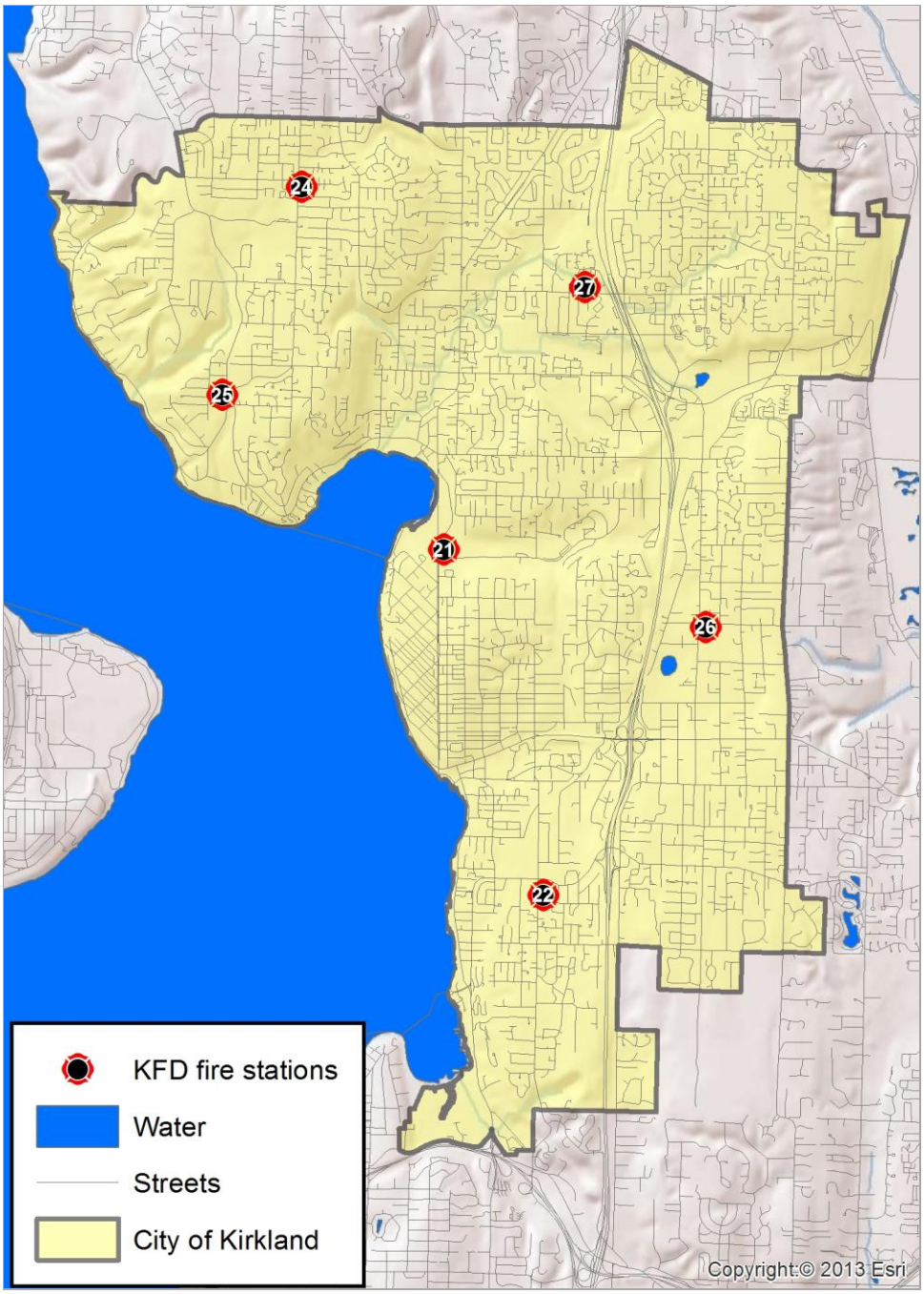
Fire Stations

Fire stations play an integral role in the delivery of emergency services for a number of reasons. A station's location will dictate, to a large degree, response times to emergencies. Fire stations also need to be designed to adequately house equipment and apparatus, as well as the firefighters and other personnel assigned to the station.

Station Location and Deployment

KFD delivers fire and EMS response from six city-owned fire stations located throughout the city. Five are staffed 24-hours per day by career personnel. A sixth is staffed at night by volunteer emergency medical technicians. The following figure shows the city boundaries and the locations of Kirkland fire stations.

Figure 4: Current Facility Deployment



Apparatus

Other than the firefighters assigned to stations, response vehicles are probably the next most important resource of the emergency response system. If emergency personnel cannot arrive quickly due to unreliable transport, or if the equipment does not function properly, then the delivery of emergency service is likely compromised. Fire apparatus are unique and expensive pieces of equipment, customized to operate efficiently for a specifically defined mission. The following figure lists apparatus assigned to each of the six KFD fire stations.

Figure 5: Apparatus Assigned to KFD Fire Stations

Station	Apparatus	Year built	Condition
Station 21	Engine 21	2005	Good
	Aid 21	2010	Good
	Engine 28 (Reserve)	1999	Fair
Station 22	Engine 22	2003	Good
	Aid 22	2006	Good
	Engine 29 (Reserve)	1995	Fair
	Air Unit 21	2006	Good
Station 24	Aid 24	2001	Fair
	Disaster Response Vehicle	1991	Fair
Station 25	Engine 25	2003	Good
	Aid 25	2008	Good
Station 26	Engine 26	2013	Excellent
	Aid 26	2002	Good
	Battalion 21	2008	Good
	Aid 28 (Reserve)	2006	Good
Station 27	Engine 27	2010	Good
	Aid 27	2012	Good
	Ladder 27	1997	Good
	Aid 29	2007	Good

KFD uses several types of apparatus as shown in the figure above. Each type is further described as follows:

- Engine – Primary response unit from each station for most types of service requests. Each is equipped with a 1,500 gallon per minute pump and carries 500 gallons of water.
- Ladder – A specialized apparatus equipped with long ladders, hose, salvage and overhaul equipment, and rescue tools. Used for structure fires, rescues, and other service requests. The ladder truck has a 1,250 gallon per minute pump and 300 gallon water tank.
- Aid – Vehicle for the transportation of people experiencing a medical emergency to the hospital.
- Air unit – A vehicle equipped with extra self-contained breathing air cylinders, cylinder refilling equipment, and lighting.

The department's apparatus are generally in good condition, properly equipped, and well maintained.

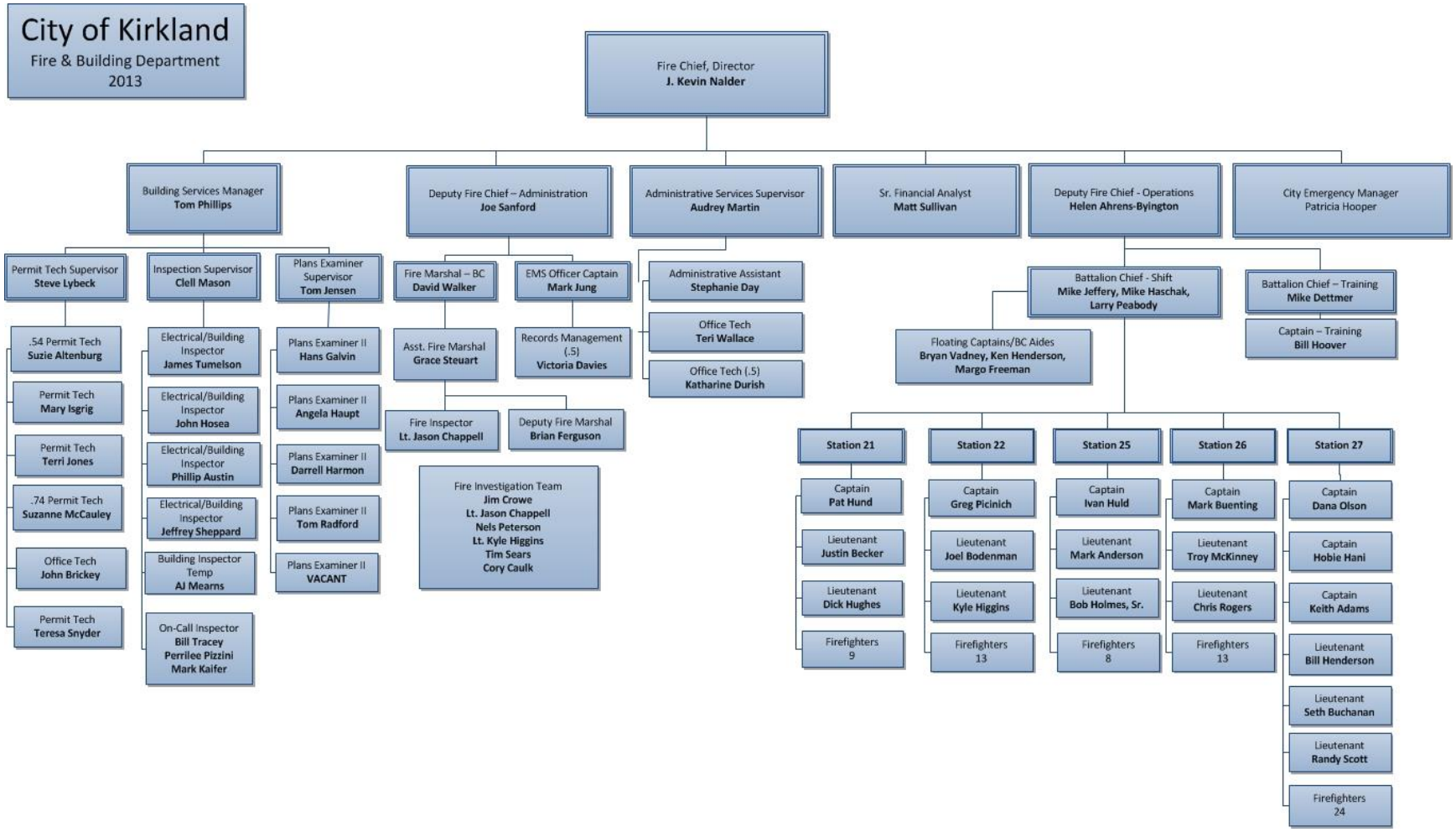
Staffing Information

Effective fire and emergency service organizations must provide adequate staffing in four key areas: emergency response services, administration, risk mitigation (prevention), and support. Key support functions include personnel training and development, logistics services, and records management.

Organizational Structure

KFD is organized in the typical top-down hierarchy. The chain of command is identified with common roles for a department of this size. KFD has six stations that house emergency response resources. The department's administrative office is located at the Kirkland City Hall. The department's multiple facilities and its three-shift, 24-hour-per-day, seven-day-per-week operational schedule create numerous internal communications and management challenges. The department's organizational chart is functional and primary roles are well identified.

Figure 6: Organizational Structure



Administration and Support Staff

One of the primary responsibilities of a department's administration and support staff is to ensure that the organization's operational elements have the ability and means to accomplish their service delivery responsibilities. Without sufficient oversight, planning, documentation, training, and maintenance, the department's operational entities will struggle to perform their duties well. Like any other part of a fire department, administration and support require appropriate resources to function properly.

There are 104 individuals involved in delivering or supporting response services to the City of Kirkland. KFD uses career and volunteer staffing to carry out its functions. All administrative and support staff are career personnel. The department's primary management team includes a fire chief, two deputy chiefs, administrative support manager, and a temporary senior financial analyst.

Figure 7: Management, Administration, and Support Personnel by Position

Position	Number
Fire Chief	1
Deputy Chief	2
Fire Marshal/BC	1
Asst. Fire Marshal	1
Training BC and Captain	2
EMS Officer	1
Fire Inspectors	2
Office Manager	1
Administrative Assistants	1
Office Tech's	1.5
Office Specialist	.5
TOTAL	14

Emergency Services Staff

It takes a sufficient number of well-trained emergency responders to put the community's emergency apparatus and equipment to its best use in controlling emergency incidents. Insufficient staffing at an operational scene decreases the effectiveness of the response and increases the risk of injury to all individuals involved. The following figure shows emergency personnel by rank.

Figure 8: Emergency Response Personnel by Rank

Position	Number
Battalion Chief	3
Fire Captain	10
Fire Lieutenant	11
Firefighter	66
TOTAL	90

KFD employs 90 emergency response personnel for emergency medical, rescue, and fire suppression activities. The population of the KFD service area is 81,730. KFD provides the City of Kirkland with 1.10 career firefighters per 1,000 population.

Regardless of the raw numbers of personnel available to a department, what matters most is actual number of emergency responders the agency is able to deliver to an emergency. This almost always relates to the actual number of emergency responders available for immediate deployment. KFD provides no less than 19 personnel on duty.

Methodology for Incident Staffing

This document will analyze how well KFD staffs incidents within its primary service area. This data is important and can be an indicator for the department as to the effectiveness of its staffing efforts.

It is also true that for larger incidents, this fire department is typically acting together with one or more neighboring fire departments in providing fire and life protection through a coordinated regional response system of mutual and automatic aid agreements. This is particularly true for large structure fires, other high-risk incidents where staffing needs are high, and during periods of high incident activity. Therefore, the document will go on to provide an overall view of aggregate staffing in this department and the neighboring agencies.

The prompt arrival of at least four personnel is critical for structure fires. Occupational safety and health regulations require that personnel entering a building involved in fire must be in groups of two. Further, before personnel can enter a building to extinguish a fire, at least two personnel must be on scene and assigned to conduct search and rescue in case the fire attack crew becomes trapped. This is referred to as the two-in, two-out rule.

There are, however, some exceptions to this regulation. If it is *known* that victims are trapped inside the building, a rescue attempt can be performed without additional personnel ready to intervene outside the structure. Further, there is no requirement that all four arrive on the same response vehicle. Many departments rely on more than one unit arriving to initiate interior fire attack. KFD's current minimum staffing policy provides one fire engine temporarily staffed with four firefighters, four engines with three firefighters, and a ladder truck with three firefighters. If a three person unit arrives first, it must wait for a second unit to arrive before it can initiate interior fire attack operations in a non-rescue incident.

Some incidents (such as structure fires) require more than one response unit. The ability of this department and its automatic aid neighbors to assemble an effective response force for a multiple unit incident within a specific period of time, also known as *resource concentration*, will be analyzed in a later section of this document.

KFD's minimum shift staffing is 19 firefighters, 24-hours per day. The following figure lists each station, staffed unit, and the staffing assigned to each at minimum staffing. Cross-staffed means that firefighters assigned to another response unit in the station may transfer to the cross-staffed unit as needed. An aid unit at Station 24 is staffed by volunteer personnel at night.

Figure 9: Staffing Complement

Station	Apparatus	Minimum Staffing
Station 21	Engine 21	3
	Aid 21	Cross-staffed by Engine 21
Station 22	Engine 22	3
	Aid 22	Cross-staffed by Engine 22
	Air Unit 21	Cross-staffed by Engine 22 if available
Station 24	Aid 24	3 Volunteers 1930-0500
	Emergency Supply Van	Not staffed
Station 25	Engine 25	3[3]
	Aid 25	Cross-staffed by Engine 25
Station 26	Engine 26	3
	Aid 26	Cross-staffed by Engine 26
	Battalion 21	1
Station 27	Engine 27	3
	Aid 27	Cross-staffed by Engine 27
	Ladder 27	3
	Aid 29	Cross-staffed by Ladder 27
	TOTAL	19 career personnel minimum

KFD relies on regional mutual and automatic aid agreements for major structure fires, other higher risk incidents, and during periods of high incident activity. The following figure represents the apparatus and staffing of fire agencies in reasonable proximity to the city and available for immediate dispatch.

Figure 10: Immediate Region Automatic Aid

Department	Resources Engines	Ladders Trucks	Other	Total Available Staffing
Bellevue Fire Department	9	2	2 Battalion Chiefs/6 Aid/1 Haz Mat	38
Redmond Fire Department	4	1	1 Battalion Chief/7 Aid/1 Rescue	27
Woodinville Fire and Life Safety	2	1	1 Battalion Chief/1 Rehab Unit	10
Bothell Fire Department	3	1	1 Battalion Chief	13
Northshore Fire Department	2	0	1 Battalion Chief	9
TOTAL AVAILABLE STAFFING				97

There are additional resources available for the rare major fire emergency. Fire agencies in the King County region have partnered to provide specialty response services such as hazardous materials response. This effectively spreads the cost of seldom used services across a broader base of agencies.

The State of Washington has a state-wide mobilization system that provides resources from around the state as requested and available. This can include one or more “strike teams” (groups of five similar

[3] This unit is temporarily staffed with four firefighters allowing two on Engine 25 for subsequent incidents.

resources) or "task forces" (groups of five dissimilar resources) staffed and equipped for the specific emergency.

Current Service Delivery Objectives

KFD has established response performance objectives primarily used to evaluate performance and provide guidance for future resource planning. The objectives are:

Dispatch Performance Objective:

- *Response resources shall be notified of a priority emergency within 75 seconds of **receipt of the call at the dispatch center**, 90 percent of the time.*

Turnout Time Performance Objective:

- *Response personnel shall assemble on apparatus and initiate movement towards a priority emergency within two minutes seven seconds of **notification by the dispatch center**, 90 percent of the time for incidents requiring full personal protective equipment and within two minutes 0 seconds of **notification by the dispatch center**, 90 percent of the time for all other incidents.*

First-Due Total Response Performance Objective – Fire:

- *The first response unit capable of initiating effective incident intervention shall arrive at a priority emergency within eight minutes 55 seconds **from receipt of the call at the dispatch center**, 90 percent of the time.*

First-Due Response Performance Objective – Emergency Medical Service:

- *The first response unit capable of initiating effective incident intervention shall arrive at a priority emergency within seven minutes 34 seconds **from receipt of the call at the dispatch center**, 90 percent of the time.*

Concentration Performance Objective:

- *For moderate risk incidents, KFD shall assemble an Effective Response Force (ERF) consisting of personnel sufficient to effectively mitigate the incident based on risk within 13 minutes 0 seconds **from receipt of the call at the dispatch center**, 90 percent of the time.*

- *For high risk incidents, KFD shall assemble an Effective Response Force (ERF) consisting of personnel sufficient to effectively mitigate the incident based on risk within 16 minutes three seconds **from receipt of the call at the dispatch center**, 90 percent of the time.*

KFD is currently achieving these objectives as will be demonstrated in a later section of this report.

Component C – Review of the Community Expectations

The ultimate goal of any emergency service delivery system is to provide sufficient resources (personnel, apparatus, and equipment) to the scene of an emergency in time to take effective action to minimize the impacts of the emergency. This need applies to fires, medical emergencies, and any other emergency situation to which the fire department responds. Obtaining and understanding the desires and expectations of community stakeholders is an important first step. KFD is committed to incorporating the needs and expectations of residents and policy makers in the service delivery planning process.

An extensive stakeholder input process was conducted in preparation for the development of the KFD 2012 Strategic Plan. The information gathered then is relevant to this document and is reprinted below.

Summary of Discussions

ESCI solicited input from internal and external stakeholders through two separate venues: one-on-one interviews conducted by the ESCI team during the initial data gathering process and a citizens group formed to participate in the strategic planning process. As part of the interview process, the internal and external stakeholders were asked to identify their perspectives on the department's strengths and weaknesses, as well as the challenges facing the department and critical issues it needs to address.

Internal and External Stakeholders

Organizational Strengths

It is important for any organization to identify its strengths in order to assure it is capable of providing the services requested by customers and to ensure that strengths are consistent with the issues facing the organization. Often, identification of organizational strengths leads to the channeling of efforts toward primary community needs that match those strengths. Programs that do not match organizational strengths or the primary function of the business should be seriously reviewed to evaluate the rate of return on precious staff time. In the course of ESCI's stakeholder interviews, the strengths of the KFD were identified by both internal stakeholders (representatives of the City Council, city management, and department directors, and the fire department) and a select group of external stakeholders (neighboring emergency service providers). They are listed below as stated by those interviewed.

City Council

- Community satisfied with service
- Good department—they work well with each other and know how to cooperate
- Personnel are devoted and well trained
- Provides good service and delivers what the public expects
- Good relationship between labor and management
- Department is trusted and respected by the public

City Management and Department Directors

- Best trained and highest morale in the area
- The fact that it is a city service—it is personal and available to the public
- Service is excellent and well-coordinated
- Good quality service and effective

KFD Members

- Training division is good, personnel are well trained
- Comprehensive system that has identified hazards and appropriate resources
- Building division is not under direction of Planning Department
- Good people who are interested and dedicated
- Good neighbors that we train with
- Good follow through on calls
- Cohesive staff—no grandstanding
- We do a lot with less
- People are treated well by their peers
- Good people
- Citizens really appreciate the service
- Training has improved significantly
- Chief is motivated and provides leadership
- Apparatus/equipment/PPE are in good shape
- Our people work hard
- Training is really good, troops are very professional

Neighboring Providers

- Department has good people and a good leader
- Good relations with KFD staff
- Partnership in mutual aid and NORCOM

Organizational Weaknesses

Performance or lack of performance within an organization depends greatly on the identification of weaknesses and how they are confronted. While it is not unusual for these issues to be at the heart of the organization's overall problems, it is unusual for organizations to be able to identify and deal with these issues effectively on their own.

For any organization to either begin or to continue to move progressively forward it must not only be able to identify its strengths but also those areas where it does not function well. These areas of needed enhancements are not the same as challenges, but rather those day-to-day issues and concerns that may slow or inhibit progress.

City Council

- System has never met response time goals
- The issue of overtime
- Huge department with very few fires—most calls are for EMS; many people are sitting around waiting for something to happen
- Concerns about sustainability of the system
- Location of fire stations—difficult to serve Kingsgate and Finn Hill
- Having building and fire under the same department is wrong

City Management and Department Directors

- City departments do not see that finances are now really difficult; there is a new normal
- Loss of public information/education and outreach capabilities
- Public education loss is serious

KFD Members

- Hard to say "no" to new projects
- Economy forces FDs to decrease resources and become over reliant on mutual aid
- No comprehensive wellness and fitness program
- Struggle with relationships with other city departments
- Low company staffing

- Struggle to maintain facilities
- We struggle with appropriate discipline
- Lack of buy-in on the importance of prevention by some operations personnel
- Very limited ability to change
- Uncertainties
- Declining money
- Officer training is non-existent
- Lack of standards
- Lack of administrative control
- No support to take corrective action

Neighboring Providers

- Rumor that KFD wants own paramedics—this will hurt regional strength
- Redundancies among neighbors
- Government can be a barrier
- Procedural differences; they seem to be out of position quite a bit (Engine 25)

Challenges

To draw the strong suit and gain full benefit of any opportunity, the challenges to the organization must also be identified. By recognizing potential challenges, an organization can greatly reduce the potential for future setbacks. In this particular exercise, stakeholders were asked to identify up to three challenges facing KFD.

City Council

- Geography; jurisdictional boundaries
- Money
- Political issues
- Coverage
- Competition for financial resources
- Possibility of RFA
- Staffing levels

City Management and Department Directors

- Need for a fireboat
- Stability and predictability in costs
- Any incident will generate overtime
- Getting people to engage in safe practices/emergency preparedness
- Firefighters at risk from injuries and age

KFD Members

- Containing growth of call volume
- Number of non-emergency calls
- Fees are not enough to finance Building Division
- Adding new permit tracking software
- Budget support
- Connecting to the community
- Need more staff (in prevention)
- Building good relationships with neighbors
- Act/behave like the size city we are
- Reserve program is gone
- Finn Hill Station
- Annexation impacts

Neighboring Providers

- External political forces

Critical Issues

After organizational strengths and weaknesses and challenges posed by the current environs, ESCI asked stakeholders to identify the critical issues they perceive the agency is facing. The following reflect the critical issues that the respondents felt pose the greatest risk today to the success KFD's service delivery. As with the organizational challenges, each stakeholder was asked to identify up to three critical issues.

City Council

- Response time
- Coverage in annexation area
- Financial stability
- Funding
- Building codes are overwhelming

City Management and Department Directors

- Slow growth of expenses
- Funding that is sustainable for all city departments
- Annexations, revenue, change in building stock

KFD Members

- Funding, leadership, too few administrative staff
- Funding, levy approval for Medic One program
- Budget challenge
- Administrative support resources (for data extraction and analysis)
- IT support
- Organizational communications
- No recognizable vision—old strategic plan not implemented
- Strategic planning
- Organizational communication—most information comes via the rumor mill
- Lack of communication between fire and building
- Team building
- Chief's decisions will set tone for organizational culture
- Administration is understaffed Operations Chief is overwhelmed
- Structure and accountability for offenders
- Staffing issue at the line (Fire Station No. 27)
- Battalion aid needs to be staffed 24/7

Neighboring Providers

- Cost of service
- Housing prices down
- Dramatically underprepared for a disaster
- Money
- Ongoing workload/cultural shift—need to be more community connected
- Need to be more agile in addressing change
- King County EMS Levy
- Declining economy
- Revenues
- Controlling expenses

Community Members

A citizens' group consisting of local business owners and representatives of several neighborhood associations were invited to participate in the strategic planning session facilitated by ESCI; a total of 11 community members attended the session. Rather than focusing on the organization's strengths, weaknesses, challenges, and critical issues, the community members were asked to identify their priorities, expectations, and concerns with regard to the department and its services.

Customer Priorities

In order to dedicate time, energy, and resources on services most desired by its customers, KFD needs to understand the community's priorities. To assist with the overall strategic planning process, members of the citizens' group were asked to review a short list of planning considerations and rank them through a direct comparison process. The results of that ranking appear below (in priority order):

- Technical competence of firefighters and emergency medical personnel.
- Ensuring that facilities and equipment are reliable and functional.
- Improving the response time of the first engine or ambulance to arrive at a scene.
- Maintaining the existing response times of the first engine or ambulance.
- Compassion, empathy, and customer service of emergency responders.
- Expanding the types of services offered by KFD.
- Keeping KFD costs and tax rates as low as possible.

Customer Expectations

Understanding what the community expects of its fire and emergency services organization is critically important to developing a long-range perspective. With this knowledge, internal emphasis may need to be changed or bolstered to fulfill the customer needs. The following are the expectations identified by several members of the citizens' group.

- Well trained, competent, professional personnel.
- Fast response times.
- Reliable, appropriate equipment and facilities.
- Community education and training for disaster preparedness.
- Adaptable to changing conditions; willingness to consider alternative delivery methods.

Areas of Customer Concern

The Customer Centered Strategic Planning process would fall short and be incomplete without an expression from the customers of their concerns about the organization. Some areas of concern may, in fact, be a weakness within the delivery system. However, they may also be perceptions of the customers based on limited knowledge.

- Does it have a sustainable structure? Can it adapt to changes in resources?
- How can services be provided equally across the city? Shift in city resources/personnel away from certain neighborhoods.
- Accountable and efficient. Do they have what they need to do the job? Training, equipment, etc.
- Lack of public outreach; communication skills could be improved.

Positive Customer Feedback

For a strategic plan to be valid, the customer views on the strengths and image of the emergency services organization must be established. Needless efforts are often put into over-developing areas that are already successful. However, utilization and promotion of the customer-identified strengths may often help the organization overcome or offset some of the identified weaknesses.

- Personnel are professional, well trained, experienced, and knowledgeable.
- Equipment and facilities are appropriate, adequate for the job, and well-maintained.
- The department enjoys good leadership.
- KFD firefighters/EMTs are visibly committed to their community.

Other Thoughts and Comments

The citizens' group participants were asked to share any other comments they had about KFD or its services. The response that appeared most often was an appreciation for the opportunity to participate in the process and a desire to improve and enhance the partnership that exists between KFD and the community it serves.

Component D – Overview of Community Risk Assessment

This section analyzes certain categorical risks that are present within the City of Kirkland that potentially threaten the people and businesses within the community and that can create response workload for KFD. These risks are identified to assist KFD in identifying where to locate response resources in the types and numbers needed to effectively respond to likely emergencies.

Additional information can be found in the *2005 City of Kirkland Hazard Vulnerability Assessment Update.* This comprehensive document describes various natural and man-made hazards that exist in the City of Kirkland and strategies to mitigate these risks.

General Risk Assessment

The fire service assesses the relative risk of properties based on a number of factors. Properties with high fire and life risk often require greater numbers of personnel and apparatus to effectively mitigate a fire emergency. Staffing and deployment decisions should be made with consideration of the level of risk within geographic sub-areas of a community.

The community's general risk assessment has been developed based on intended land use within the jurisdiction's boundaries. These uses are described on the City of Kirkland Zoning Map. The following figure translates these land uses to categories of relative fire and life risk.

Figure 11: Fire and Life Risk Based on Zone Description

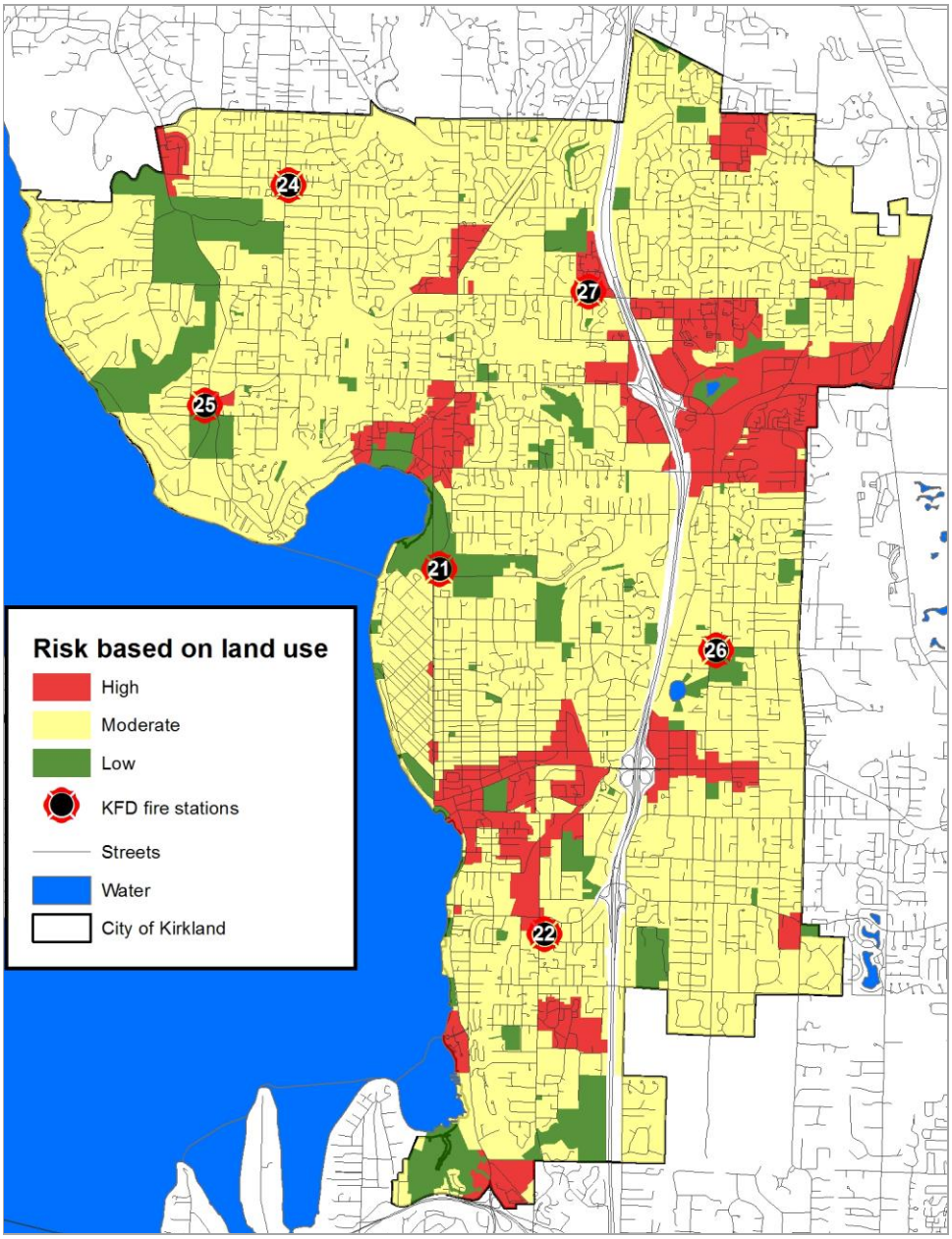
Zone Description	Risk
Commercial	High
High Density Residential	High
Industrial	High
Institutions	High
Low Density Residential	Moderate
Medium Density Residential	Moderate
Office	Moderate
Park/Open Space	Low
Transit Oriented Development	Moderate

Risk level is defined as follows.

- **Low Risk** – Minor incidents involving small fires (fire flow less than 250 gallons per minute), single patient non-life threatening medical incidents, minor rescues, small fuel spills, and small wildland fires without unusual weather or fire behavior.

- **Moderate Risk** – Moderate risk incidents involving fires in single-family dwellings and equivalently sized commercial office properties (fire flow between 250 gallons per minute to 1,000 gallons per minute), life threatening medical emergencies, hazardous materials emergencies requiring specialized skills and equipment, rescues involving specialized skills and equipment, and larger wildland fires.
- **High Risk** – High risk incidents involving fires in larger commercial properties with sustained attack (fire flows more than 1,000 gallons per minute), multiple patient medical incidents, major releases of hazardous materials, high risk rescues, and wildland fires with extreme weather or fire behavior.

Figure 12: Community Risk Assessment Based on Land Use Zones



Geographic and Weather-Related Risks

Weather Risk

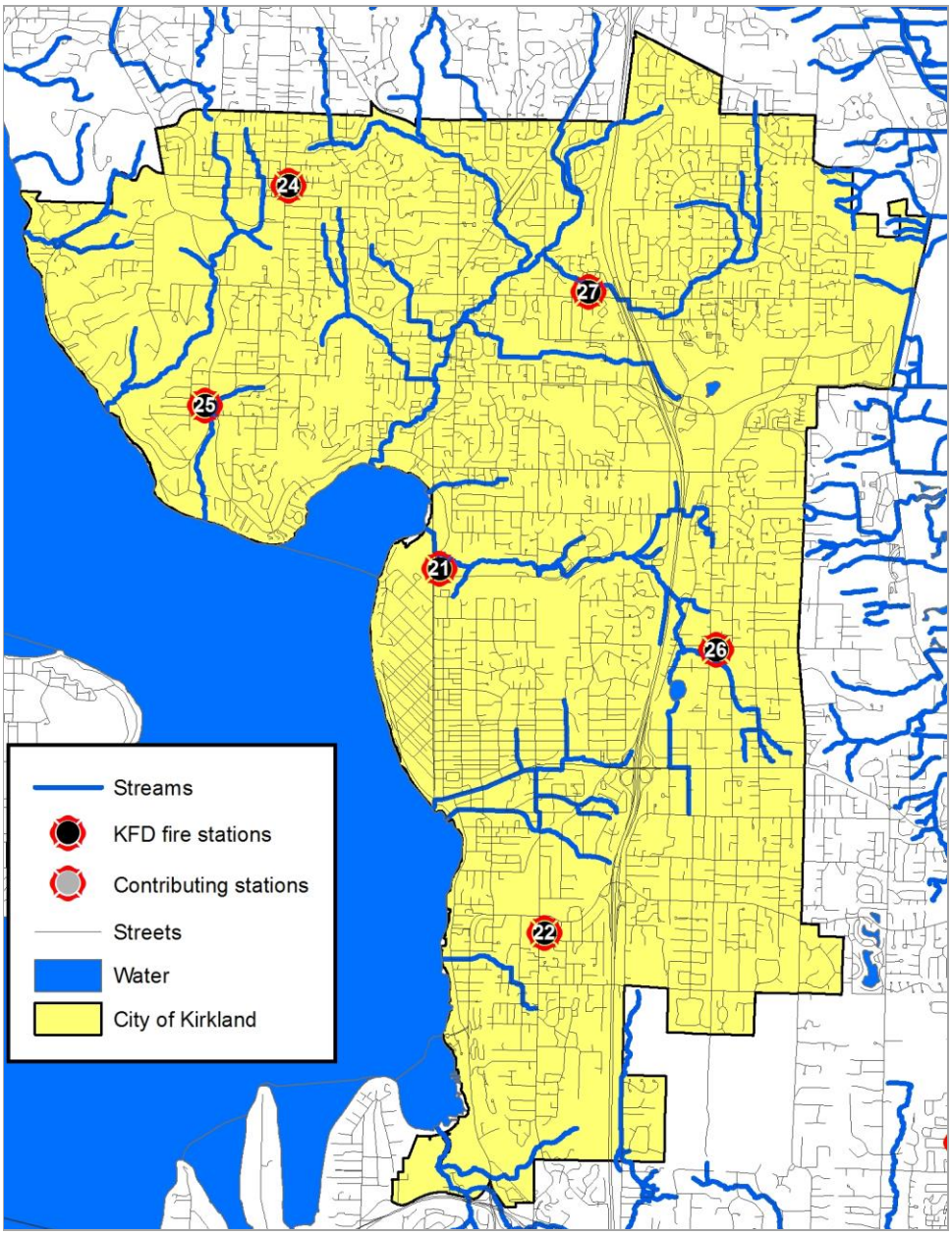
The weather a community experiences can impact the fire department's ability to respond. Snow, ice, and other conditions can slow response. Major storms can create emergency situations that can overwhelm local emergency response forces.

The Kirkland area enjoys a temperate marine climate and has a cool Mediterranean climate influenced by the Puget Sound. Temperatures are typically moderate with average monthly temperatures varying by only a few degrees. The average low temperature is in the mid-30°F during winter months and the summertime average high temperature is 75°F. Average rainfall is 37.4 inches per year.

Extreme weather, though rare, does occur. Thunderstorms, strong wind storms, and significant rain events happen infrequently. Snowfall is experienced annually but typical not in amounts more than a few inches at a time. The lowest recorded temperature was 0°F in 1950 and the highest recorded temperature was 103°F in 2009.

Flooding is a risk. There are numerous perennial streams that pass through Kirkland and empty into Lake Washington. During heavy rainstorms these streams can flood impacting areas along their path. The following figure illustrates the locations of these streams.

Figure 13: Streams Subject to Flooding



Wildfire Risk

Kirkland's climate, vegetation, topography, and the extent to which the community has developed make wildland fire a low risk to the most of the community. Few occur and primarily in park land or vacant lots.

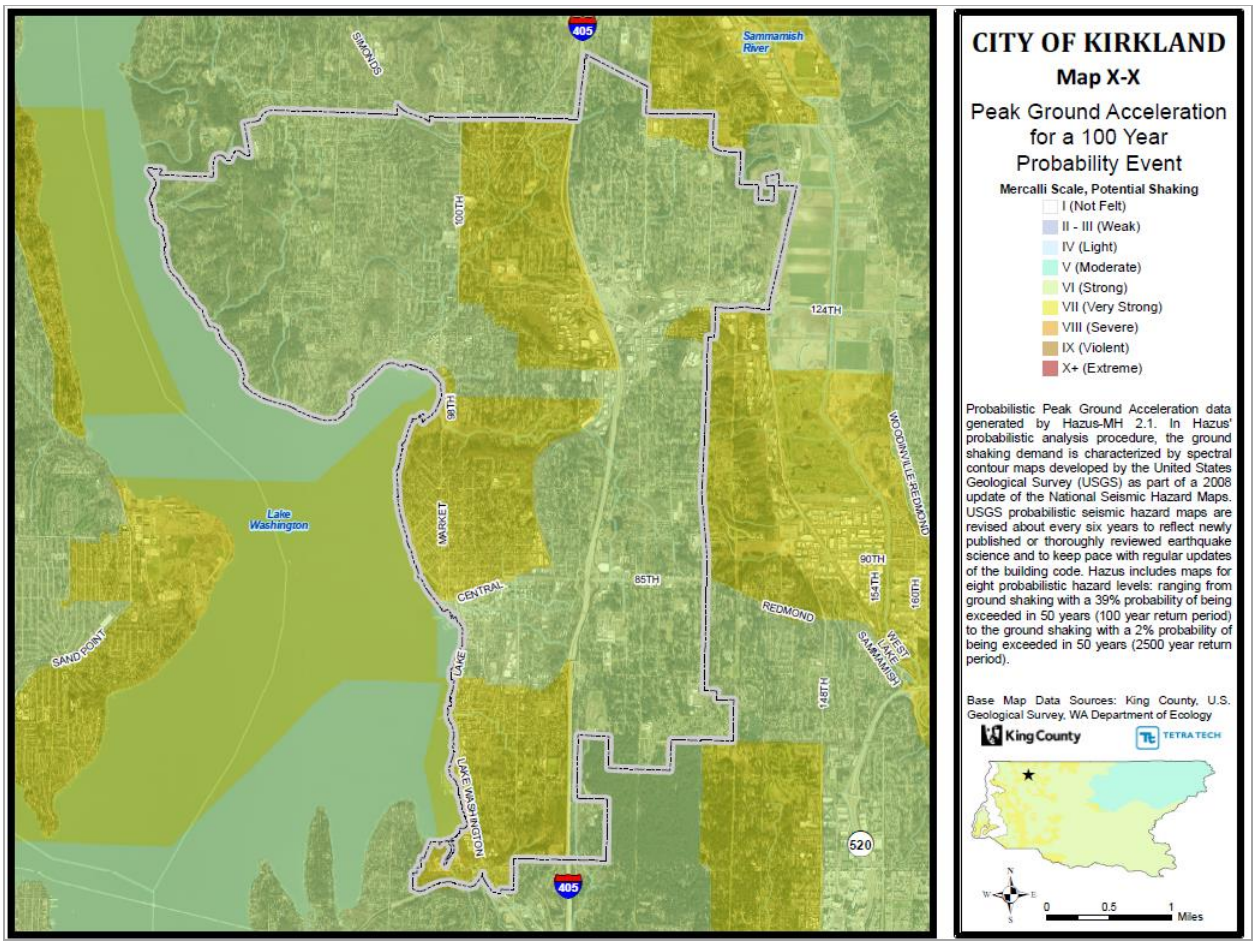
There are areas in the northwest portion of Kirkland with moderately dense vegetation, steep slopes, and interspersed homes that present a wildland/urban interface risk. A wildland fire in these areas combined with an extended drought and strong winds could lead to a significant fire event.

Geographic/Geological Risk

Certain geographic and geologic risks create situations that threaten the community, or are physical barriers to street connectivity for emergency service response. Steep slopes, water barriers such as rivers, and other geographic features can impede rapid response. The City of Kirkland area contains many geographic hazards.

The Kirkland region is geologically active. Damaging earthquakes have occurred with regularity through recorded history, most recently on February 28, 2001. The following figure shows the peak ground acceleration for the Kirkland area. The City of Kirkland lies in an area of strong to very strong ground shaking potential.

Figure 14: Earthquake Hazard – Peak Ground Acceleration



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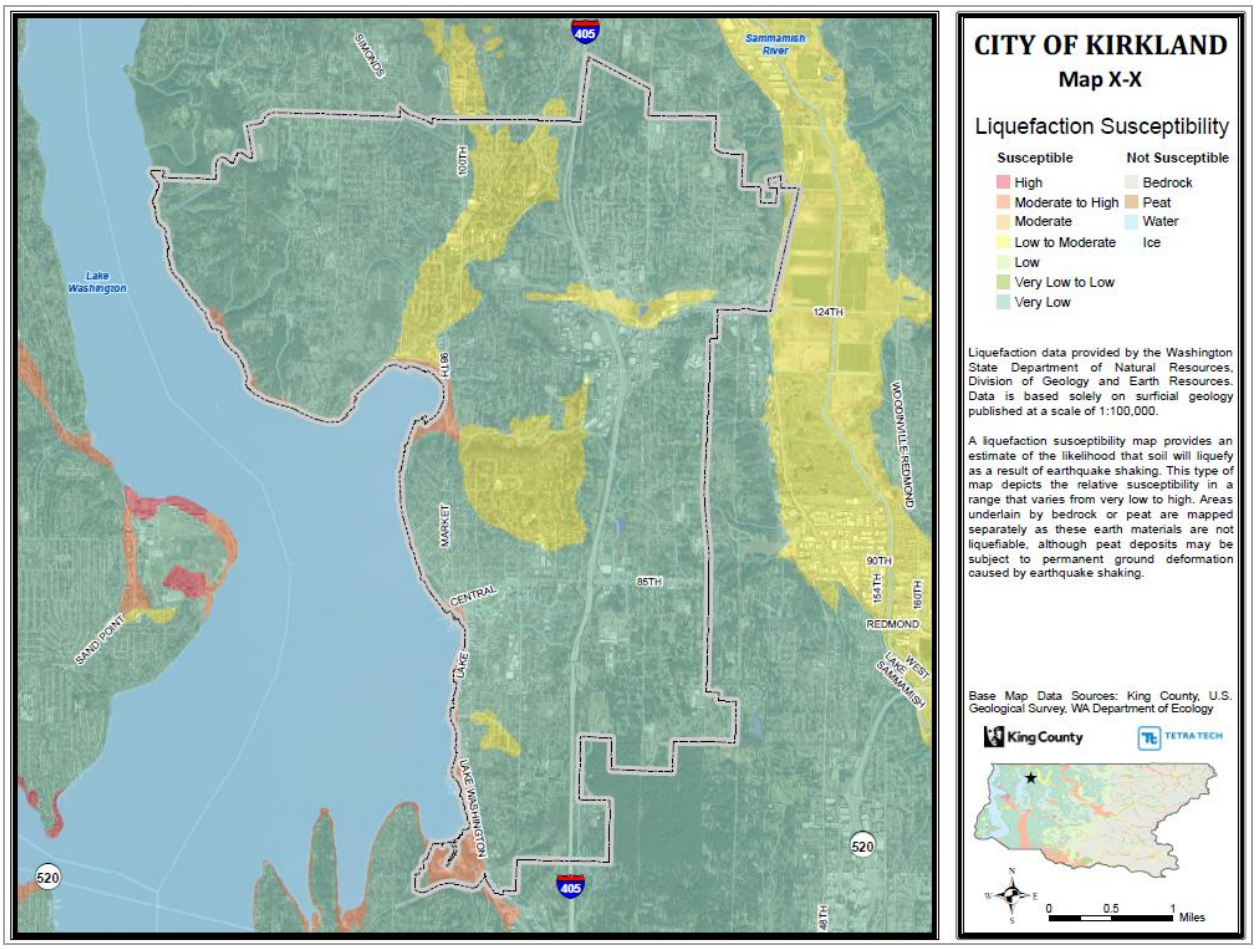
Liquefaction is another concern during an earthquake. Soils more prone to liquefaction contribute to greater damage due to its instability. The following figure shows liquefaction susceptibility for the Kirkland area. Kirkland soils exhibit low to moderate liquefaction susceptibility.

Figure 15: Liquefaction Susceptibility



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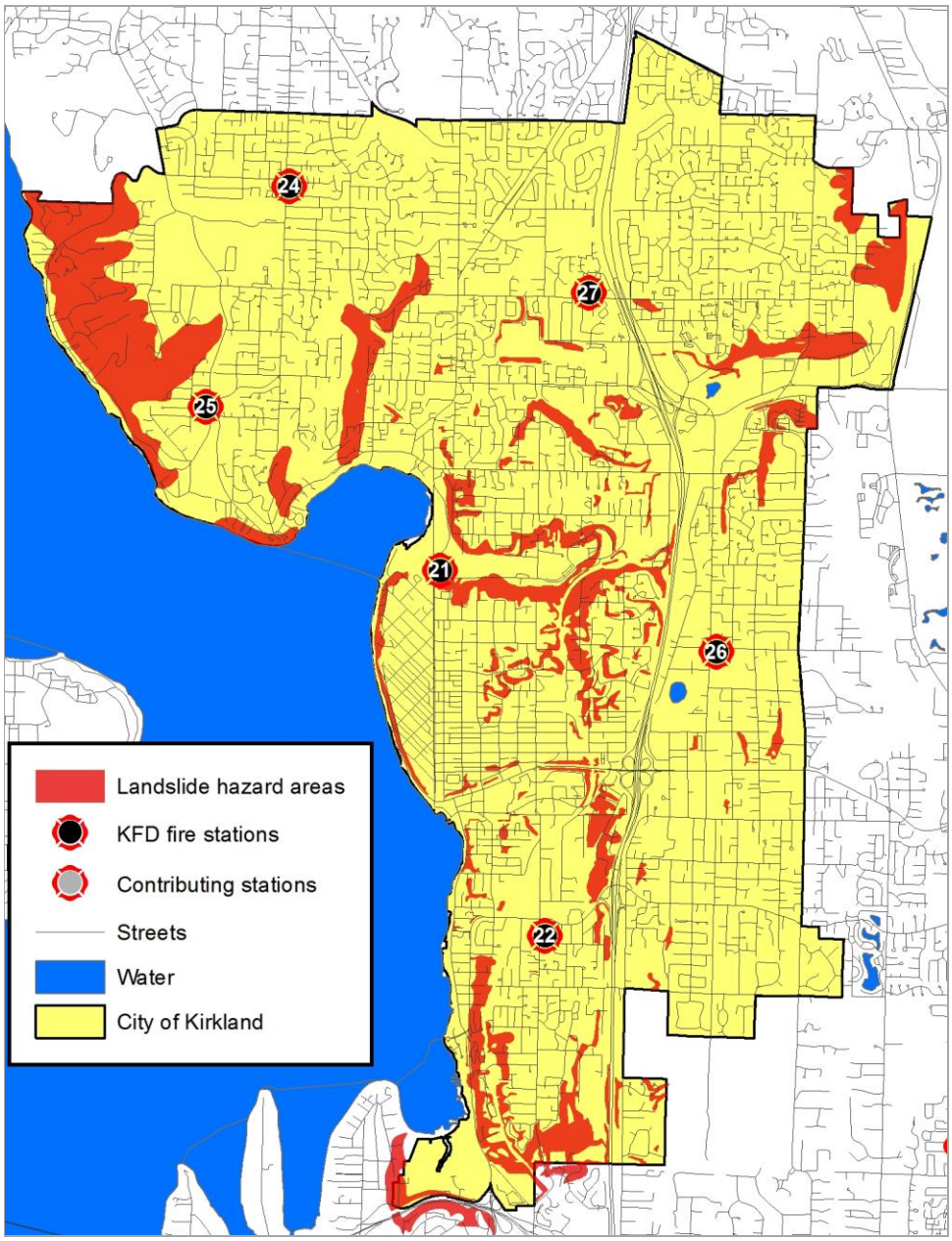
Landslides are another geological hazard present in the City of Kirkland. Heavy rains, earthquakes, and other events can cause landslides. The following figure illustrates areas within the city that have the potential for landslides.

Figure 16: Landslide Hazard Areas



Transportation Risks

Transportation corridors provide necessary access and egress for the city. These take the forms of roads, airports, and railways. The configuration of transportation systems can also affect the response capability of emergency services. Limited access freeways and rail lines can interrupt street connectivity, forcing apparatus to negotiate a circuitous route to reach an emergency scene. Street-level rail lines can impede traffic at crossings when the trains traverse through the city.

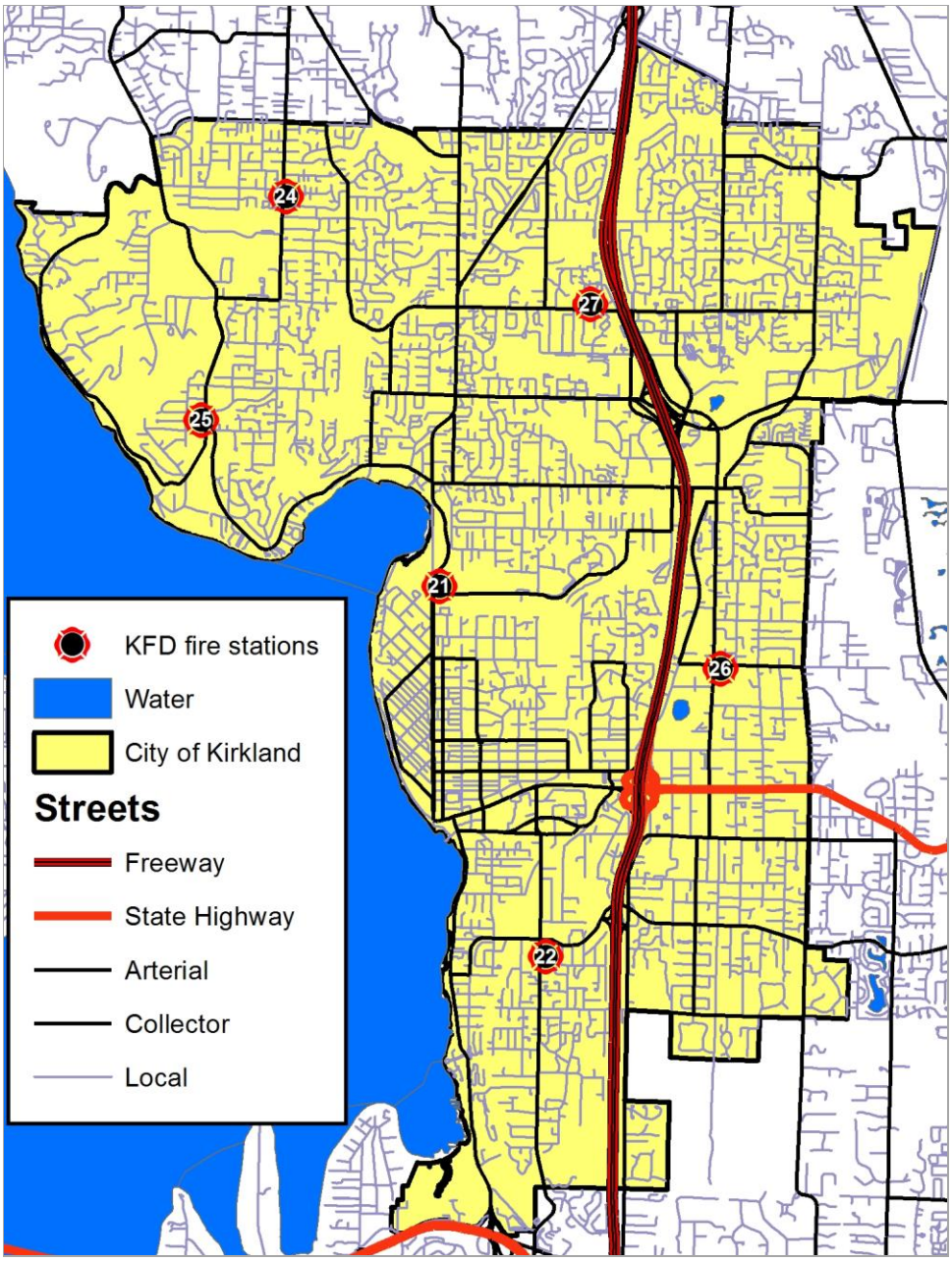
Roads

The City of Kirkland is bisected by Interstate 405 and is accessed via the state and U.S. highway system. The city's street system is generally well gridded, supporting the movement of emergency vehicles.

While much of the area supports emergency response there are challenges. Interstate 405 presents a significant barrier to east-west travel. Areas such as "Goat Hill" are accessed by very narrow and steep roadways. Along the waterfront are numerous homes that have very limited road access. Each of these areas impedes rapid access to an emergency.

Traffic signals within the service area are equipped with signal pre-emption equipment. This provides a response time performance advantage as well as improved safety to motorists.

Figure 17: Street System

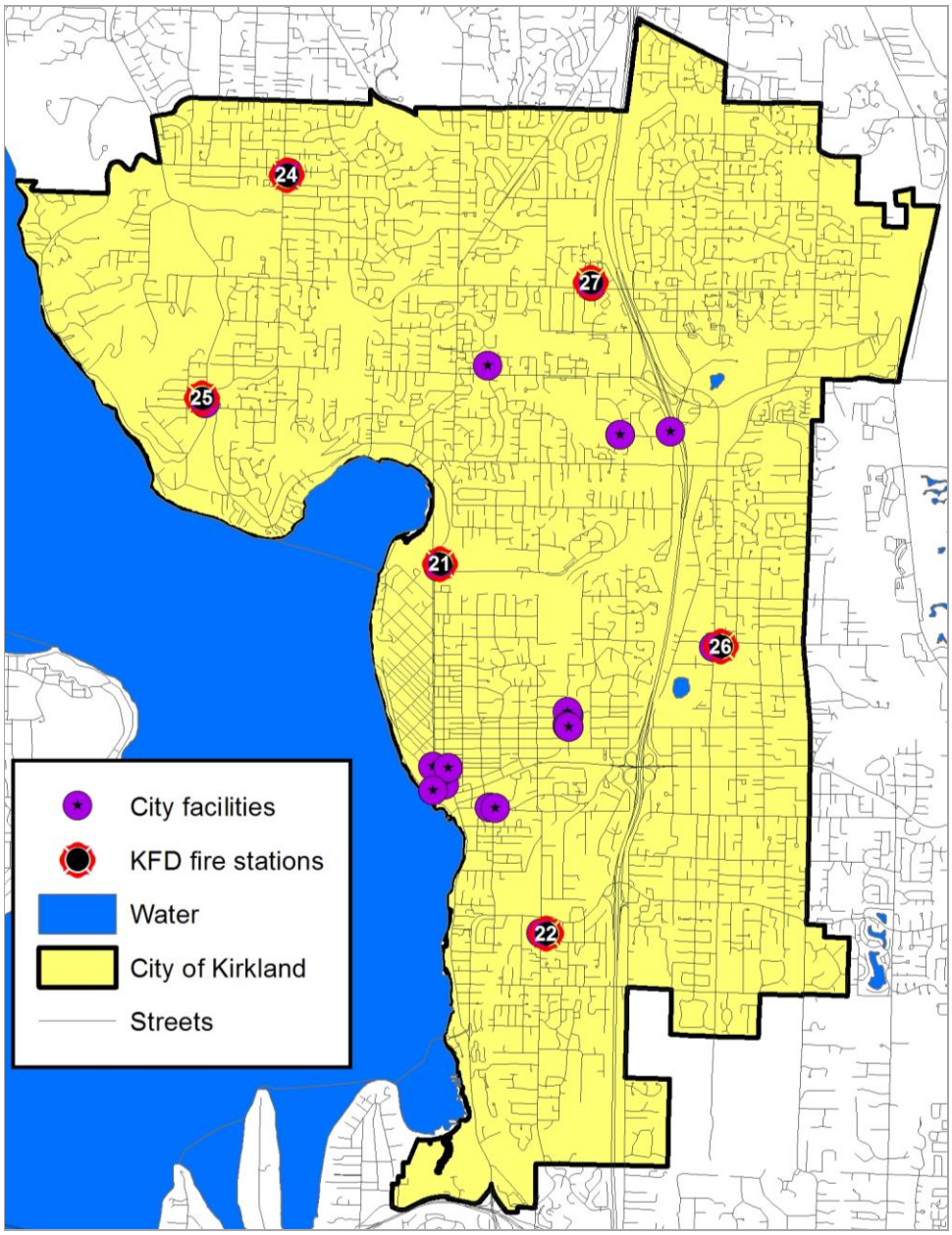


Physical Assets Protected

Government Buildings

There is a variety of government buildings in Kirkland considered important to providing critical services to the community in times of disaster. Buildings such as city hall, police and fire stations, and other city facilities provide important services to the community. The following figure shows the locations of the important city facilities within Kirkland.

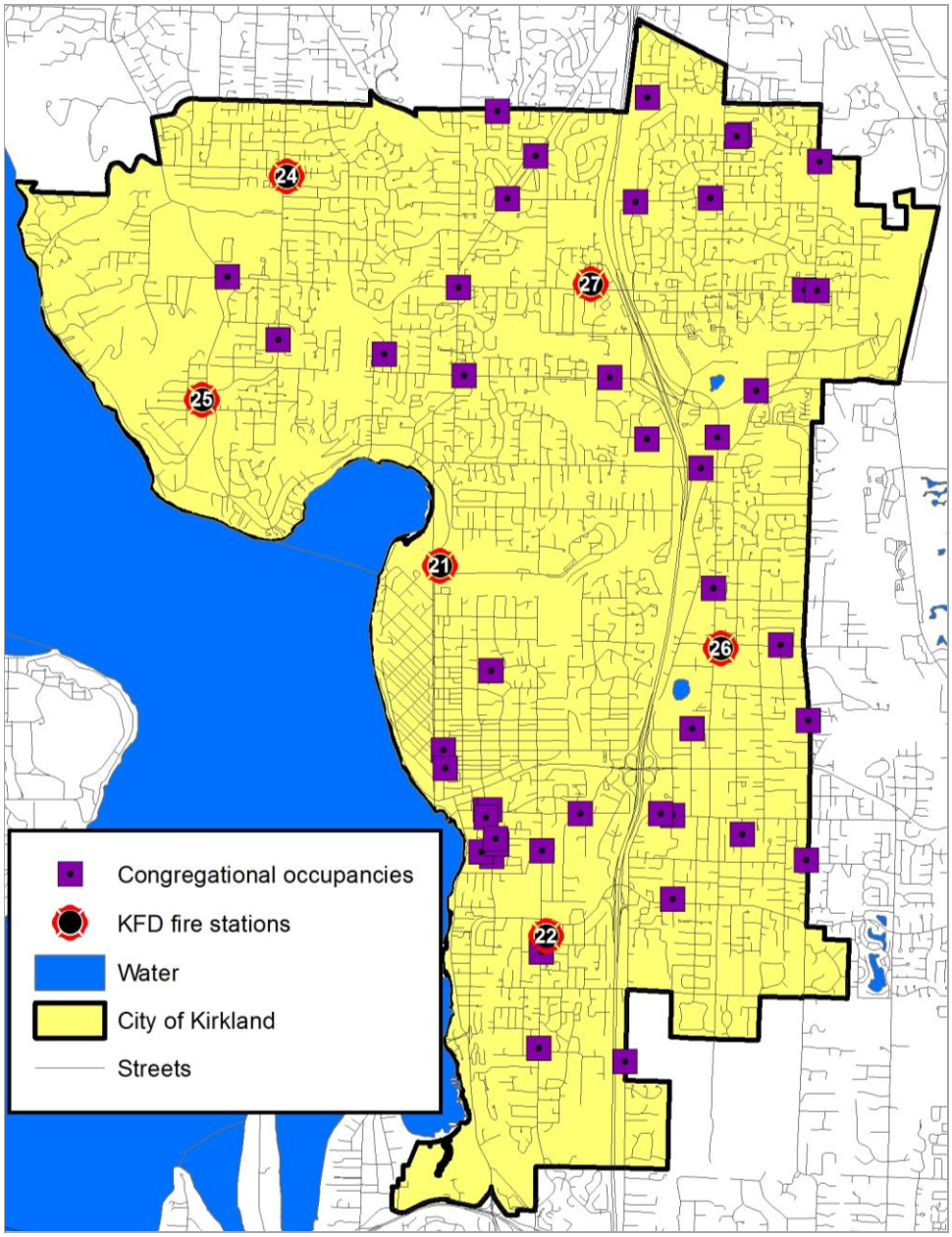
Figure 18: City Facilities



Congregational

Numerous buildings lie within Kirkland in which people gather for entertainment, worship, and such. A variety of nightclubs, theaters, and other entertainment venues exist in the downtown area. These facilities present additional risk, primarily for mass casualty incidents. Fire, criminal mischief, and potentially terrorism, could cause a major medical emergency requiring significant emergency service resources. The following figure shows the locations of congregational facilities.

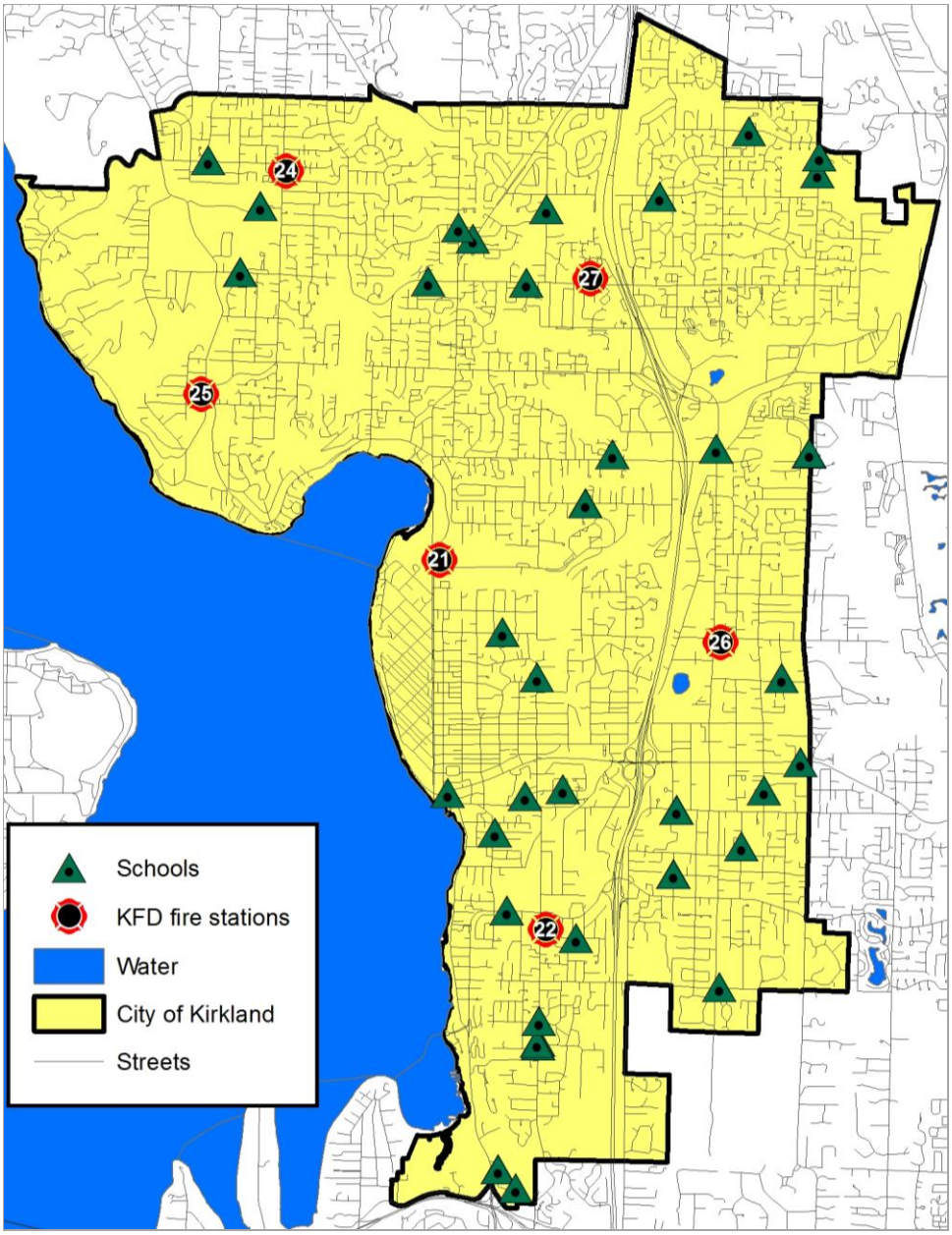
Figure 19: Congregational Facilities



Schools/Day Care

The Lake Washington School District serves a 76 square mile area including the City of Kirkland. It operates 31 elementary schools, 12 middle schools, eight high schools, and other facilities. Total enrollment in 2013 is 26,220. There are also a number of private and higher education schools, and pre-schools within the KFD service area for a total of 56 facilities. The following figure shows the locations of educational facilities.

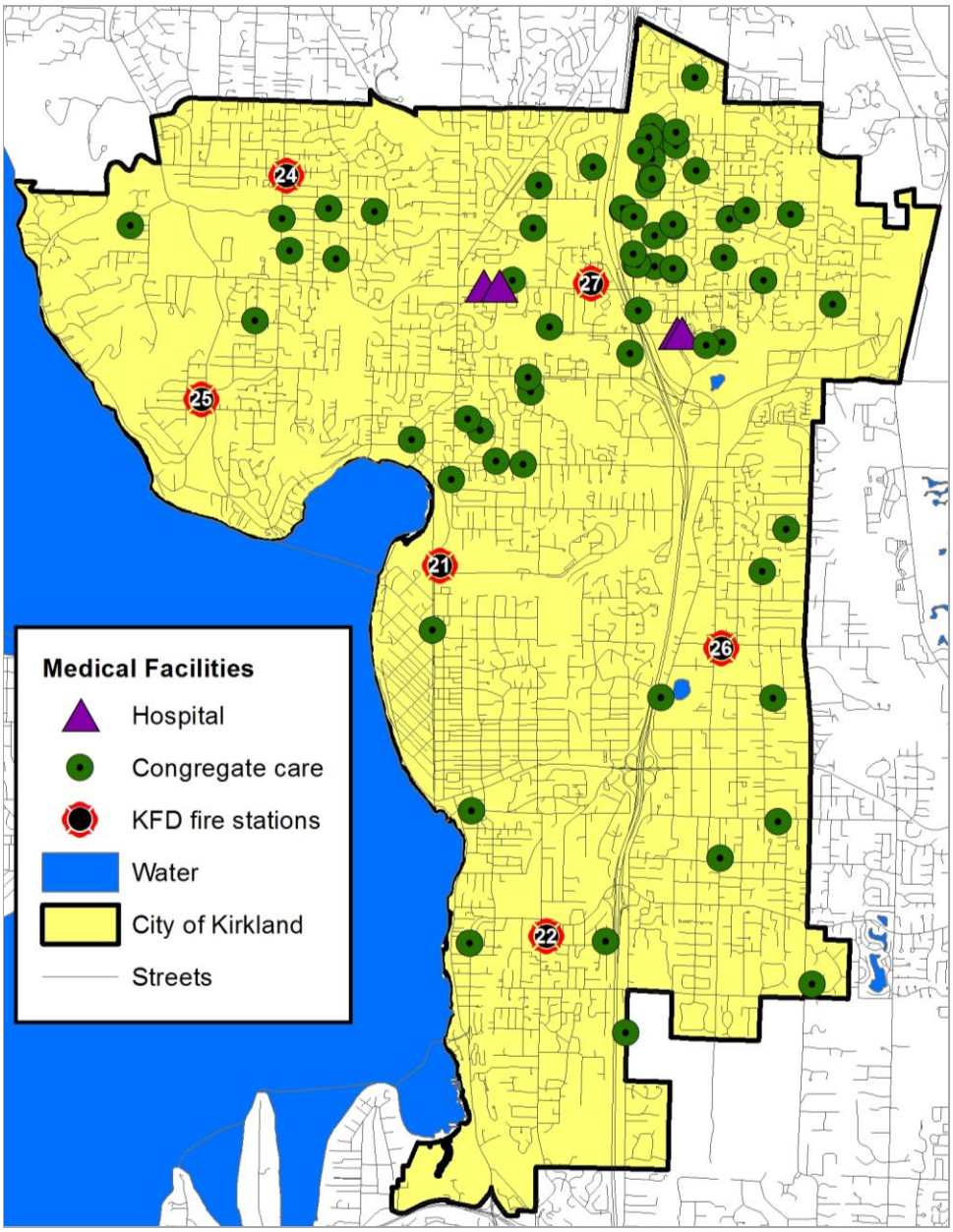
Figure 20: Kirkland Area Schools and Day Care Facilities



Medical Facilities

The city is home to a number of important medical care facilities, including the Evergreen Hospital and Fairfax Hospital. Other facilities include skilled nursing, assisted living, and other in-patient care facilities. These facilities present a unique life safety risk in that they house people who are likely of limited mobility or are non-ambulatory. Evacuation of patients requires additional emergency response resources and well trained facility staff. The following figure shows the location of many of these important community resources.

Figure 21: Medical and Care Facilities



Other Critical Infrastructure

In this section, other types of critical infrastructure to a community are discussed in general terms. Though Kirkland does not have any unusual critical community infrastructure, it is important the fire department plan for emergencies at these facilities.

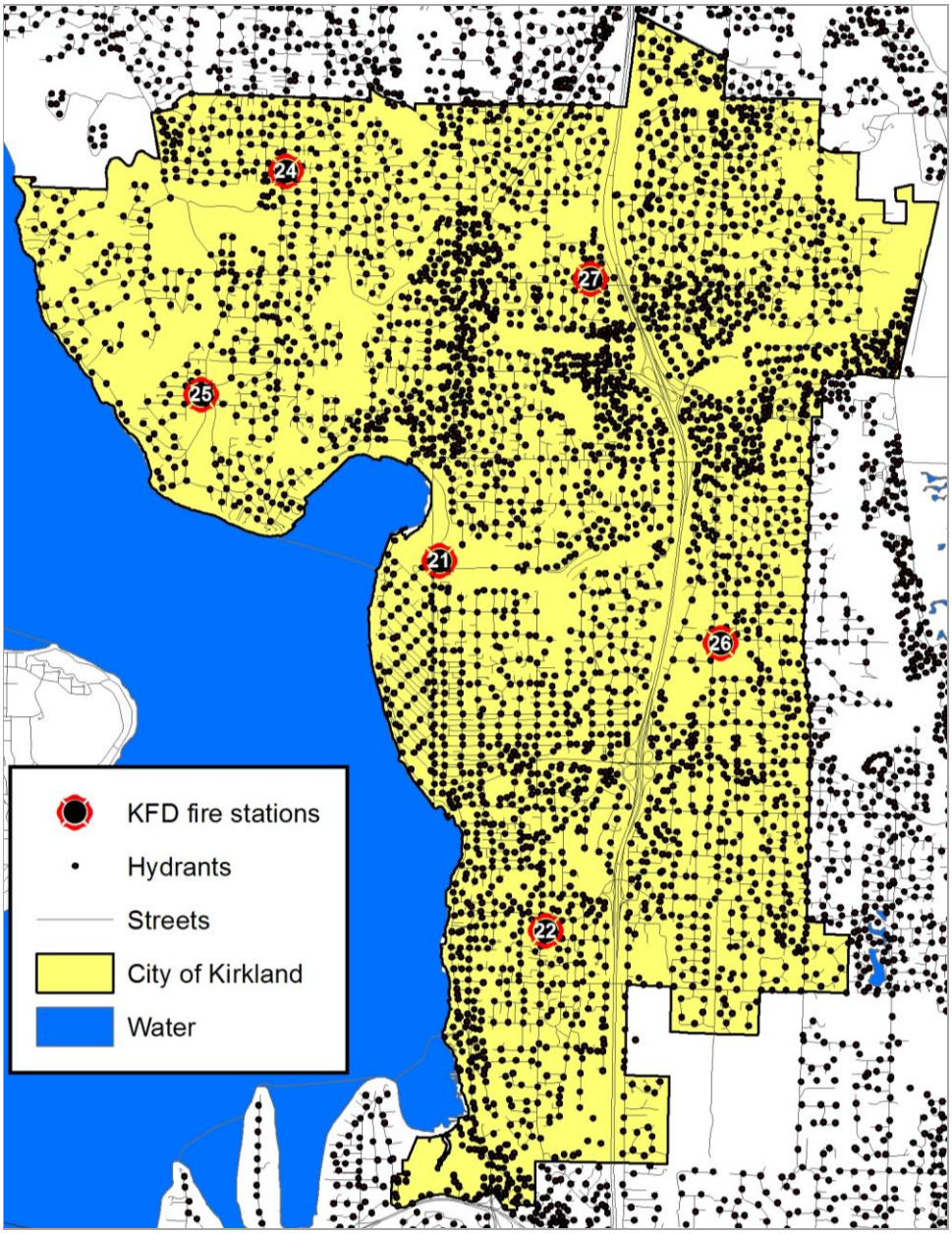
The most obvious concern to the fire department of this infrastructure is the reservoir, water main, and fire hydrant system. Providing sufficient storage, distribution, and access to this valuable firefighting resource through well-distributed fire hydrants is very important.

Firefighting water service from fire hydrants is available to nearly every developed property within the city. Fire flows are generally acceptable for risks protected.

The City of Kirkland in concert with the Cascade Water Alliance is the primary water service provider. Together they operate the water treatment facilities; installs and maintains water lines, reservoirs, and fire hydrants; and plans for future capital improvement. Kirkland is also provided water service by the North Shore Utility District, Woodinville Water District, the City of Bellevue, and the City of Redmond.

The last WS&RB review of the city's water system was in 2013. At that time, WS&RB gave the city's water system a relative classification of "1" indicating that the system provides excellent delivery of firefighting water supply. The following figure shows the location of fire hydrants in relation to developed lands.

Figure 22: Fire Hydrant Distribution in Relation to Developed Lands

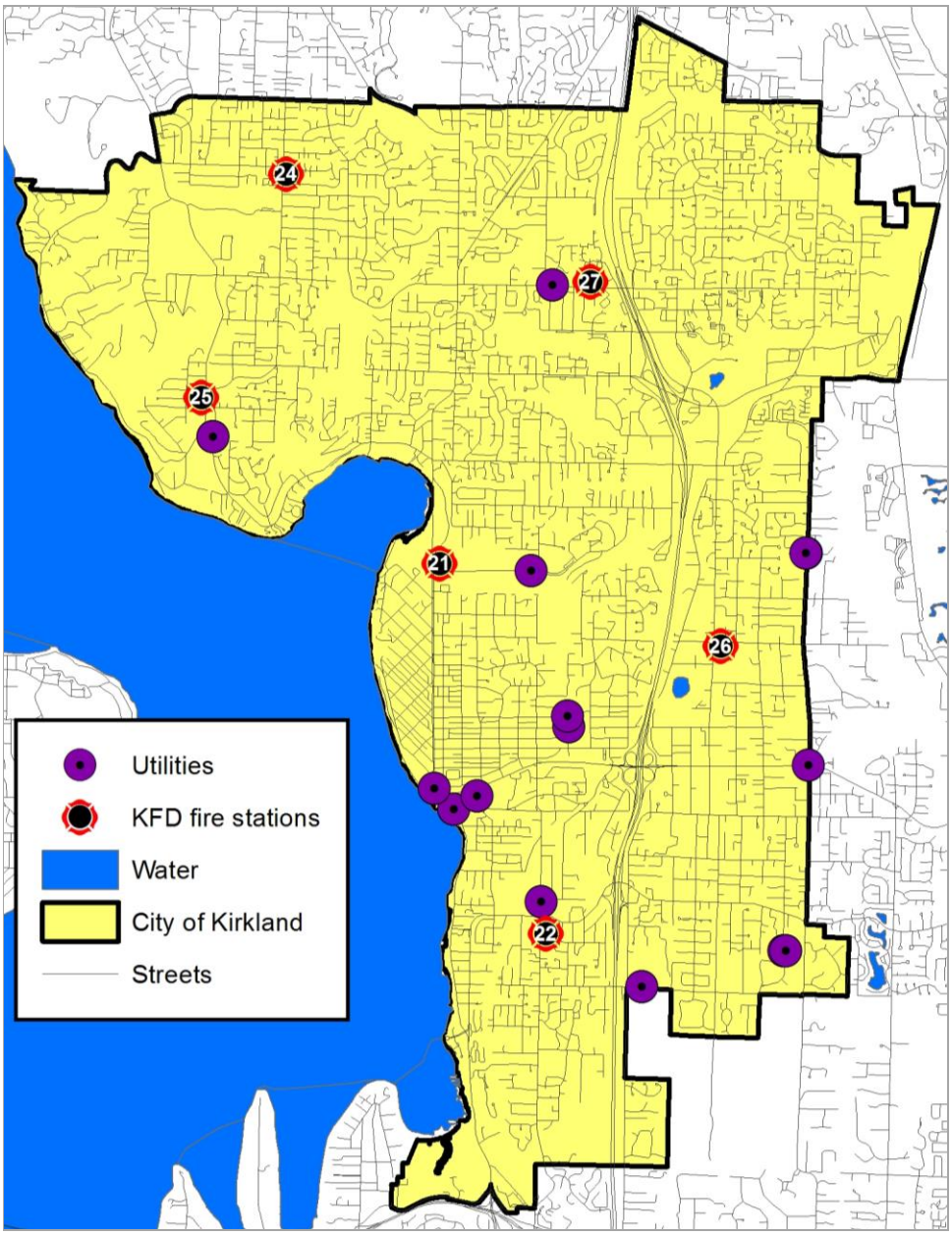


Emergency communication centers and the associated transmitting and receiving equipment are essential facilities for emergency response. The North East King County Regional Public Safety Communications Agency (NORCOM) provides call receipt and dispatch services. This center provides for the receipt of 9-1-1 calls for help, dispatching of fire and other emergency responders, and important support to the incident management function. There are other communication facilities and equipment that are equally important to the community and government operations. These include the telephone company central offices and the transmission lines of local telephone providers. Internet service providers, along with wireless cellular communication providers, provide essential communication capabilities for the community as well as emergency personnel through their facilities and equipment.

Previously discussed community services, from communications to traffic signals to normal operations, require the use of energy. Whether it is electricity generation and transmission systems, fuel distribution and storage tanks, or natural gas pipelines and regulator stations, the community is dependent upon energy sources.

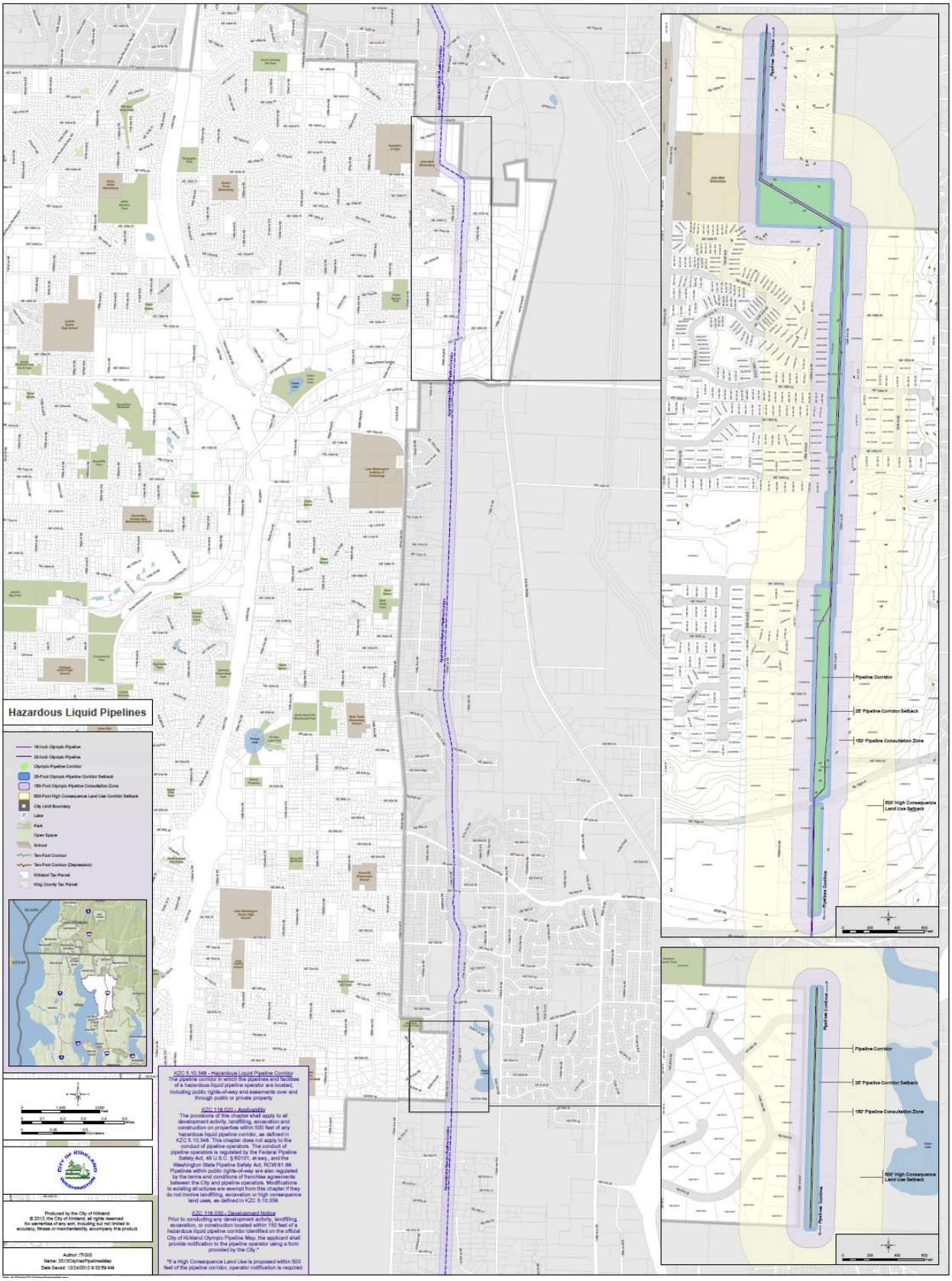
The following figure shows the locations of many of the power, water, and energy facilities in Kirkland.

Figure 23: Power, Water, and Other Utility Facilities



There is also a flammable liquids pipeline that passes along the eastern edge of Kirkland, and in two places through the city's eastern territory. This pipeline, though well protected, if ruptured could cause an emergency of considerable significance. The following figure show this pipelines route as it passes by and through the city.

Figure 24: Olympic Pipeline

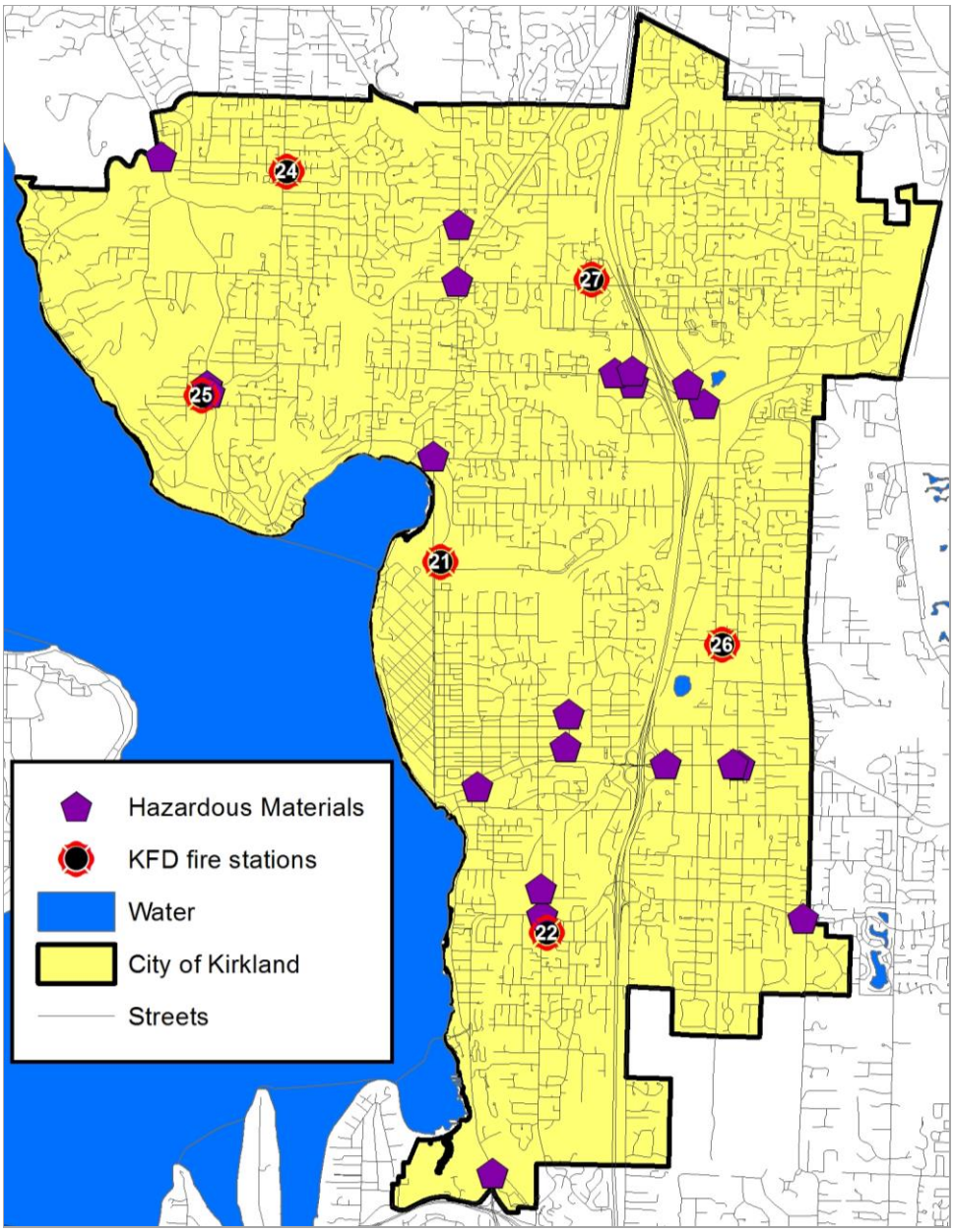


Structural Risks

The protection of property in most cases refers to a building and its contents. This has been the basic mission of the fire department since its inception. Certain buildings, their contents, functions, and size present a greater firefighting challenge and require special equipment, operations, and training.

Buildings containing hazardous materials can create a dangerous environment to the community as well as the firefighters during a spill or fire. Special equipment, protective clothing, and sensors, along with specialized training, are necessary to successfully mitigate a hazardous materials incident. KFD is a partner in a regional hazardous materials response system. KFD provides personnel and equipment to the region as needed. The following figure shows the locations of facilities classified as using more than small quantities of hazardous materials.

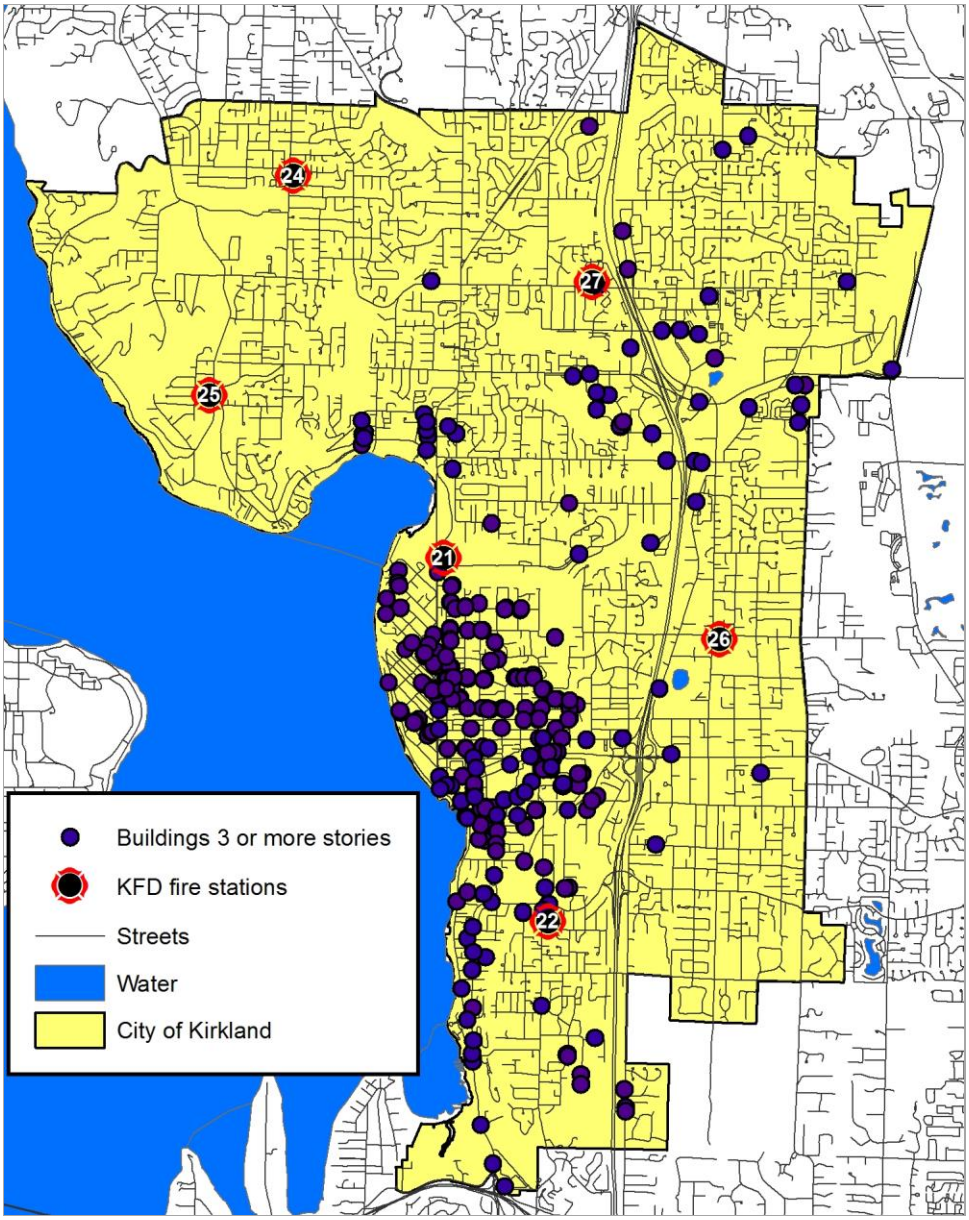
Figure 25: Hazardous Material Use Locations



Multi-Storied Buildings

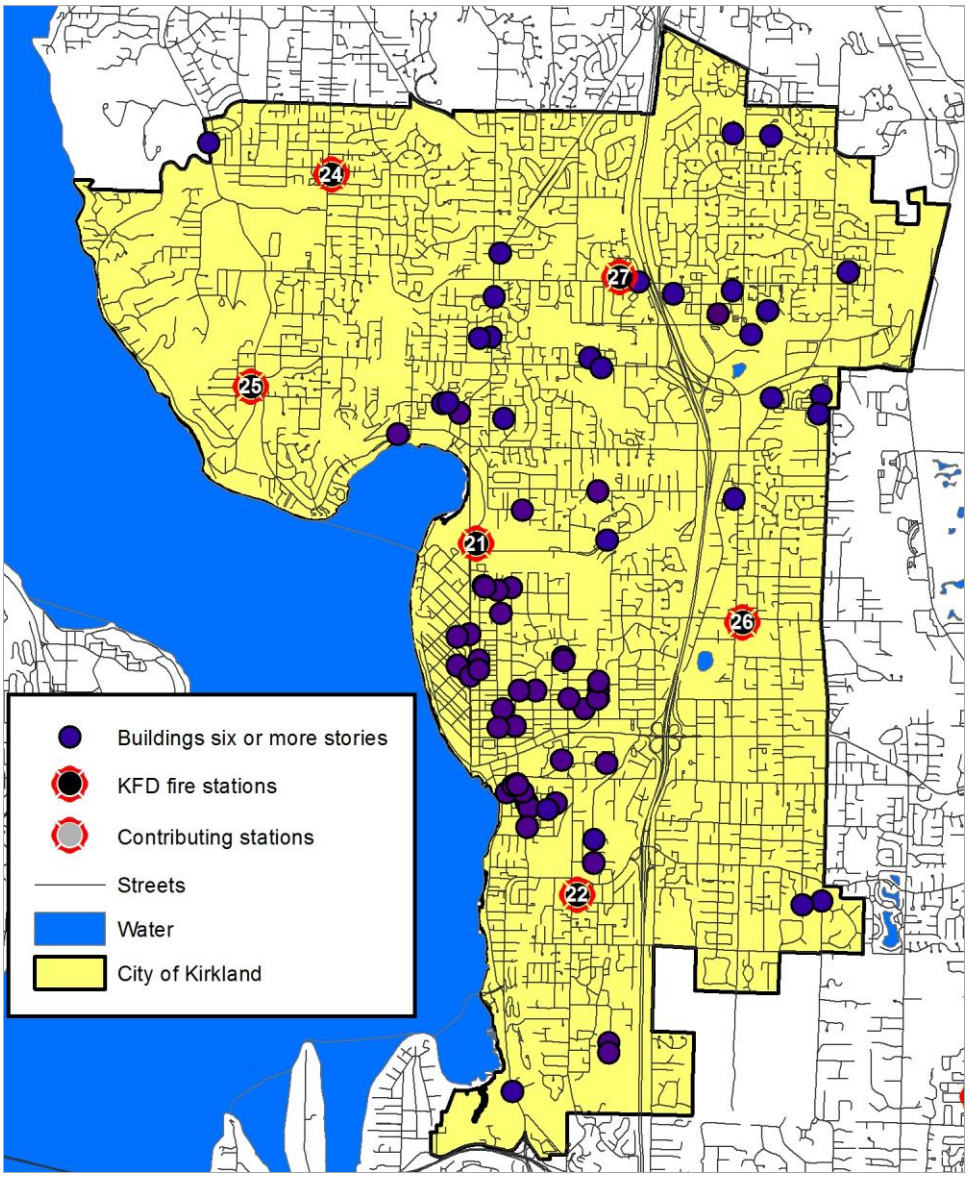
Buildings more than three stories in height pose a special risk in an emergency. Fire on higher floors may require an aerial fire truck to be able to deliver water into a building that does not have standpipe systems. For victims trapped on higher floors, a ladder truck may be their only option for escape. The following figure shows the locations of building more than three stories in height as listed in the King County Assessment data.

Figure 26: Buildings – More Than Three Stories in Height



Buildings six or more floors in height also present challenges to the fire department. Most aerial ladder trucks cannot reach beyond the fifth or sixth floor. Thus rescue and firefighting activities must be conducted from the interior stairwells. This requires additional personnel to transport equipment up to higher floors. The following figure shows the locations of buildings six or more stories high as listed in the King County Assessment data.

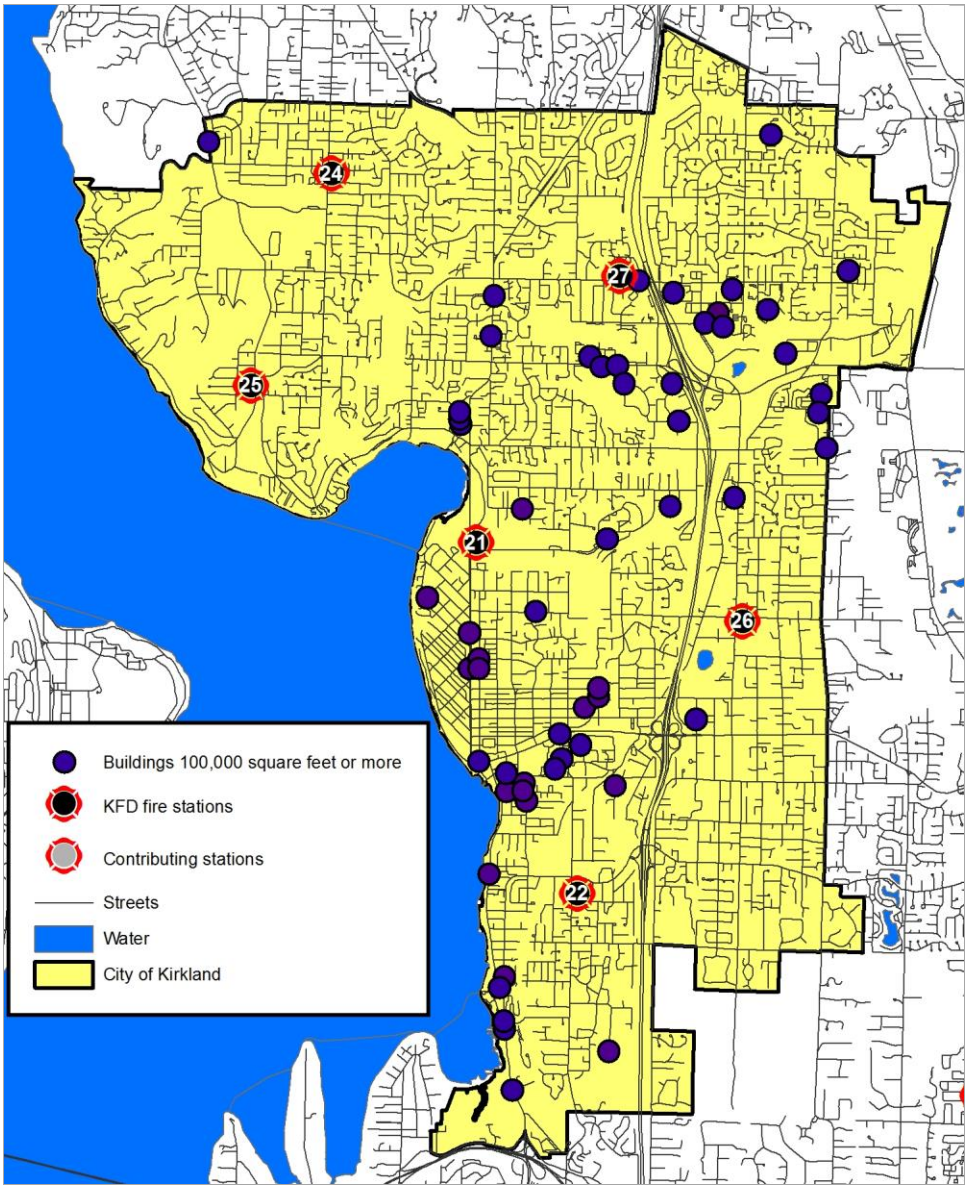
Figure 27: Buildings Six or More Stories in Height



Large Square Footage Buildings

Large buildings, such as warehouses, malls, and large "box" stores typically require greater volumes of water for firefighting and require more firefighters to advance hose lines long distances into the building. The following figure shows the locations for buildings 100,000 square feet and larger as listed in the King County Assessment data.

Figure 28: Buildings – 100,000 Square Feet and Larger

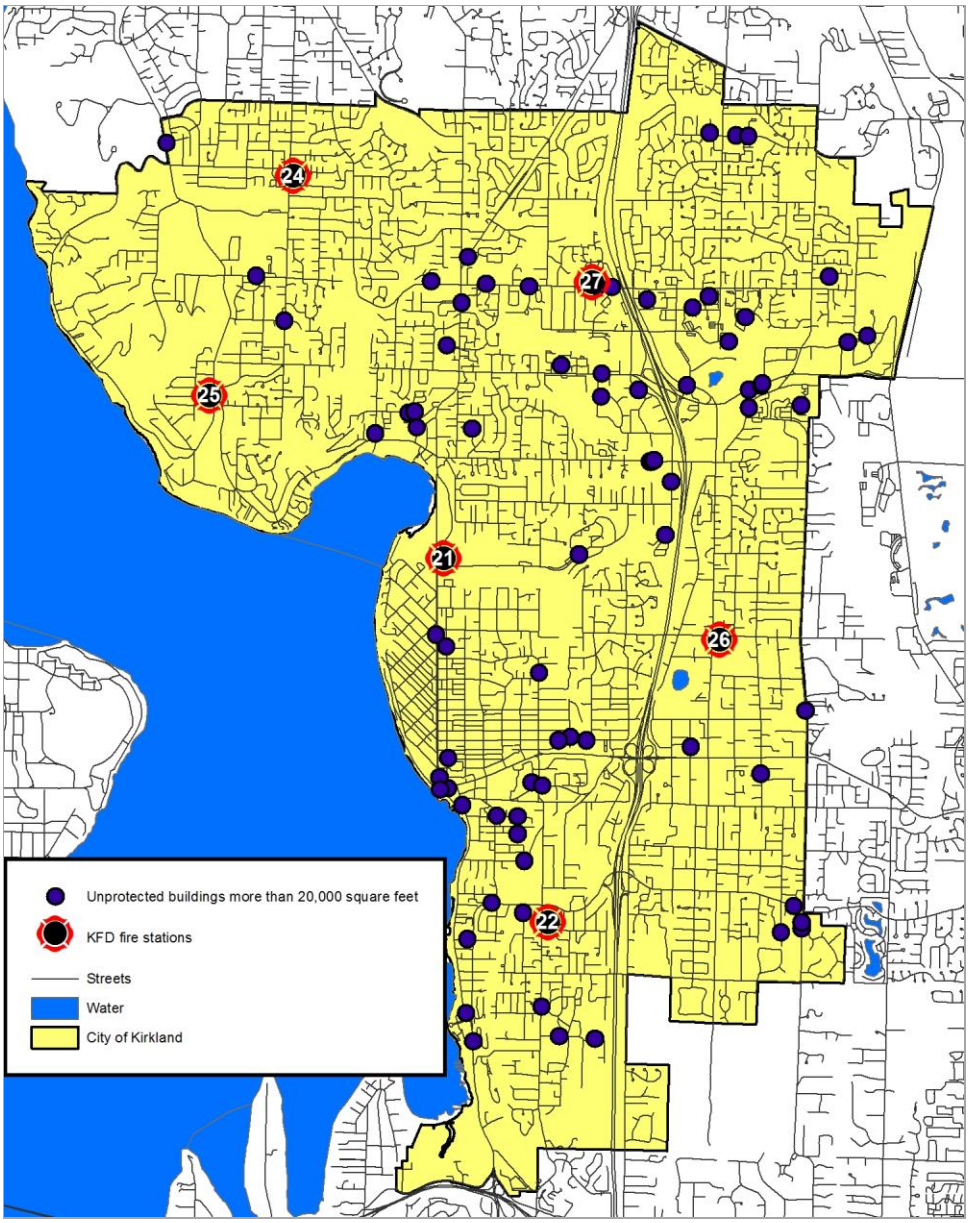


Built-in fire protection (fire sprinklers) provides significant benefit to a building's fire resistance. Modern building codes require fire suppression systems in many buildings. In many communities, developers and builders are given "credit" for built-in protection by allowing narrower streets, longer cul-de-sacs,

larger buildings, and/or smaller water mains for new residential developments. While built-in fire protection should significantly reduce the spread of fire, it may not extinguish the fire. Firefighters still need to complete the extinguishment and perform ventilation, overhaul, and salvage operations.

Kirkland contains some larger buildings that do not have built-in fire suppression systems. The following figure shows buildings 20,000 square feet and larger that are not protected by fire suppression sprinkler systems as listed in the King County Assessment data for commercial properties.

Figure 29: Unprotected Buildings 20,000 Square Feet and Larger



Terrorism

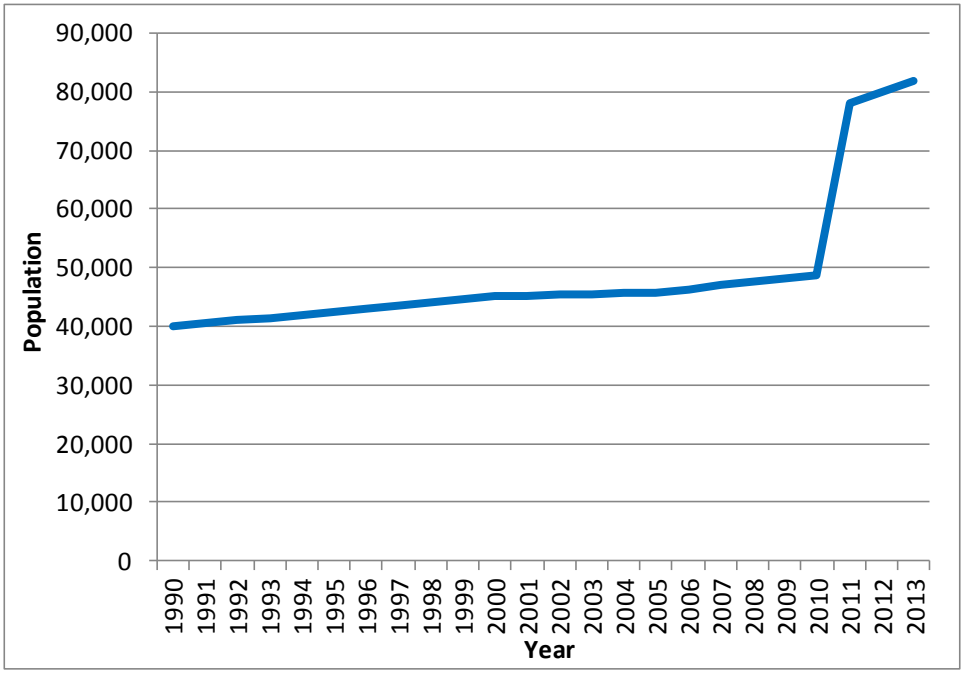
Kirkland is a potential target for terrorism. Most of the previous categorized risks in the community are targets for such activity. In addition, Kirkland is in close proximity to the City of Seattle, which has a greater terrorism risk. KFD may either be impacted by the consequence of a terrorist act in Seattle or be asked to support Seattle in the aftermath of such an event. The fire department needs to be vigilant in its training and preparedness in the event one or more coordinated acts of terror occur in the region.

Development and Population Growth

Current Population Information

Kirkland's population has grown steadily, with an average annual growth rate of 1.1 percent between 1990 and 2010. A significant annexation in 2011 of the Inglewood-Finn Hill and Kingsgate areas increased the city's population by 60 percent. KFD was already serving approximately 80 percent of the new population at the time of annexation. The current city population (2013) is 81,730. It is estimated that employment increases Kirkland's daytime population by about 6,000.[4]

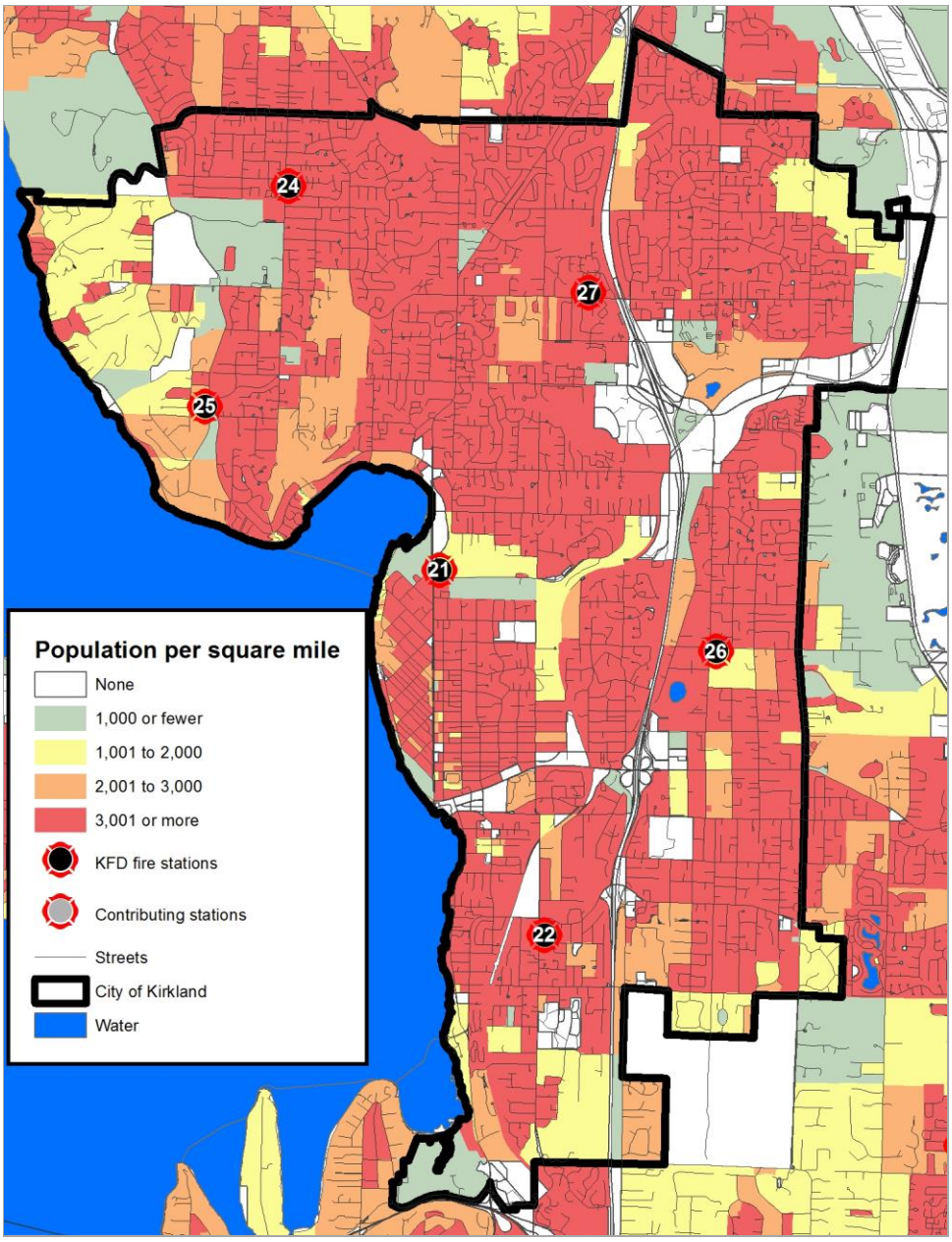
Figure 30: Population History



[4] Source: city-data.com

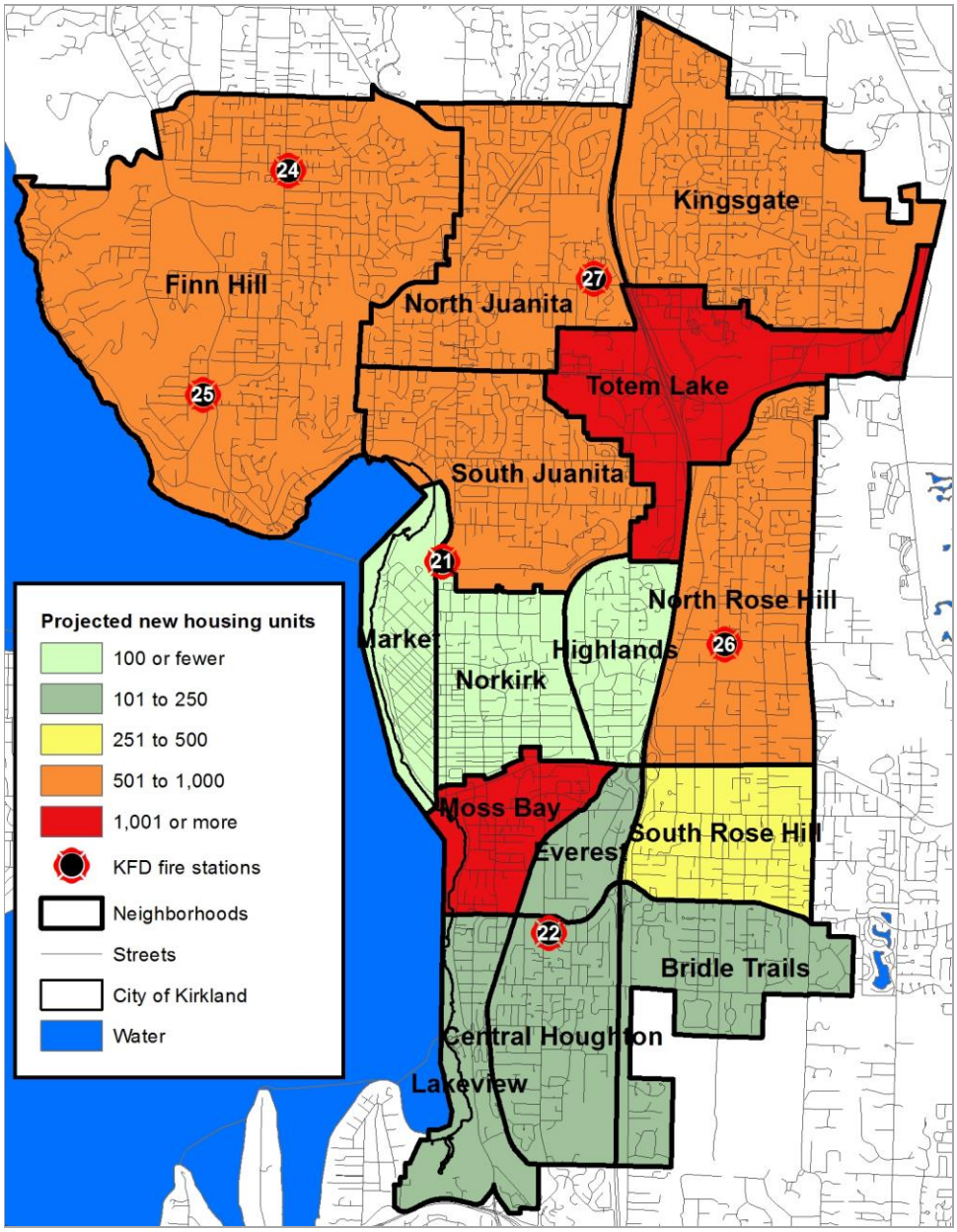
It is useful to assess the distribution of the population within the region, since there is a direct correlation between population density and service demand. The following figure displays the population density in and near the City of Kirkland, based on Census 2010 data, the most current information available.

Figure 31: Population Density – 2010



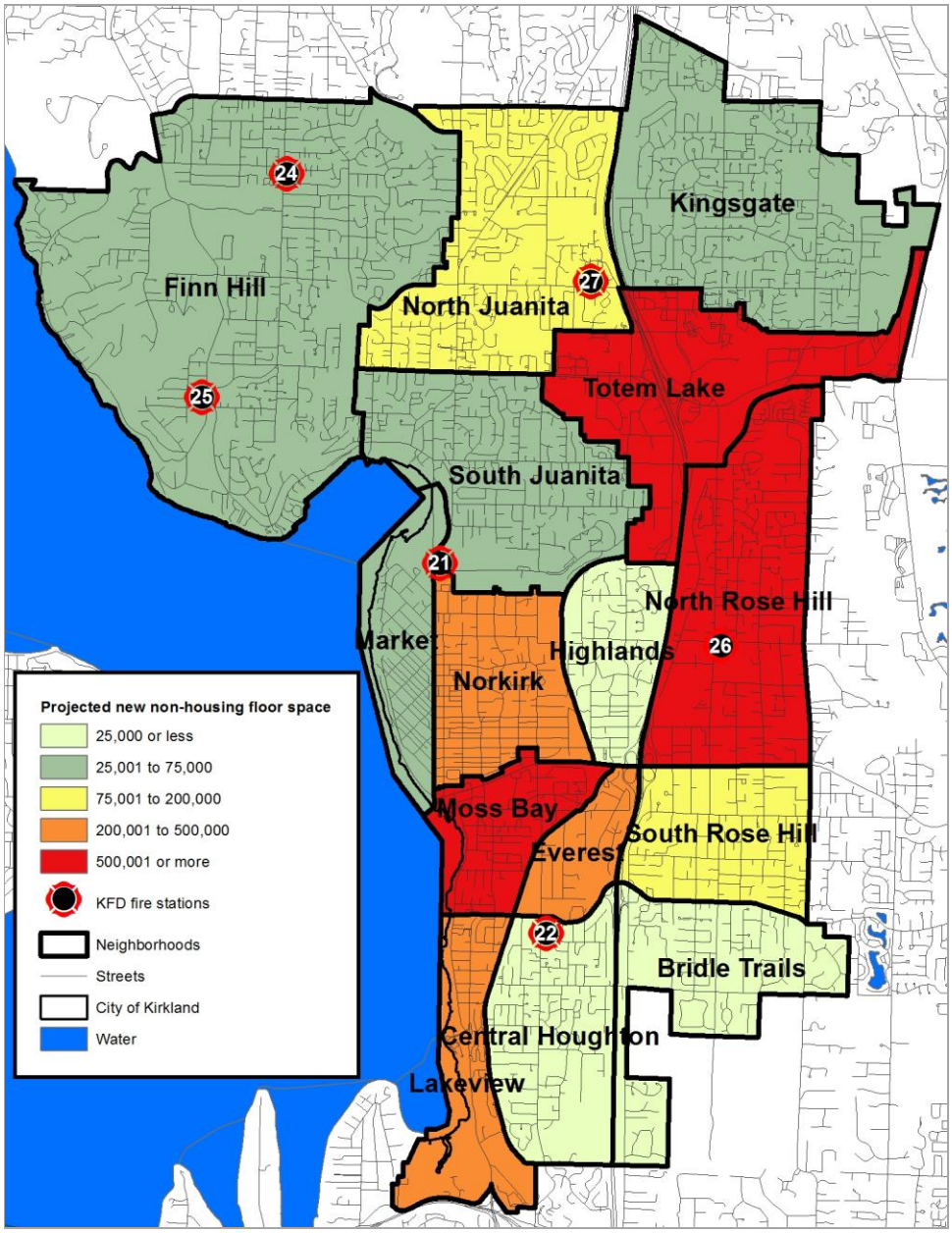
Community growth is expected to be very modest until the recovery of the local and national economy. Residential development could add over 19,000 housing units during the next 20 years. Most areas in the city have existing capacity. The Totem Lake, Moss Bay, Finn Hill, and Kingsgate neighborhoods alone may add as many as 6,000 housing units.

Figure 32: Projected New Housing Units by Neighborhood



Non-residential capacity exists as well. Over the next twenty years as much as 1 million square feet of commercial floor area could be added, mostly in the Totem Lake and Moss Bay neighborhoods. 4.8 million square feet of office floor area is anticipated focused in the Totem Lake, North Rose Hill, and Moss Bay neighborhoods. Little additional industrial and institutional development is anticipated.

Figure 33: Projected New Commercial/Office/Industrial Floor Space by Neighborhood



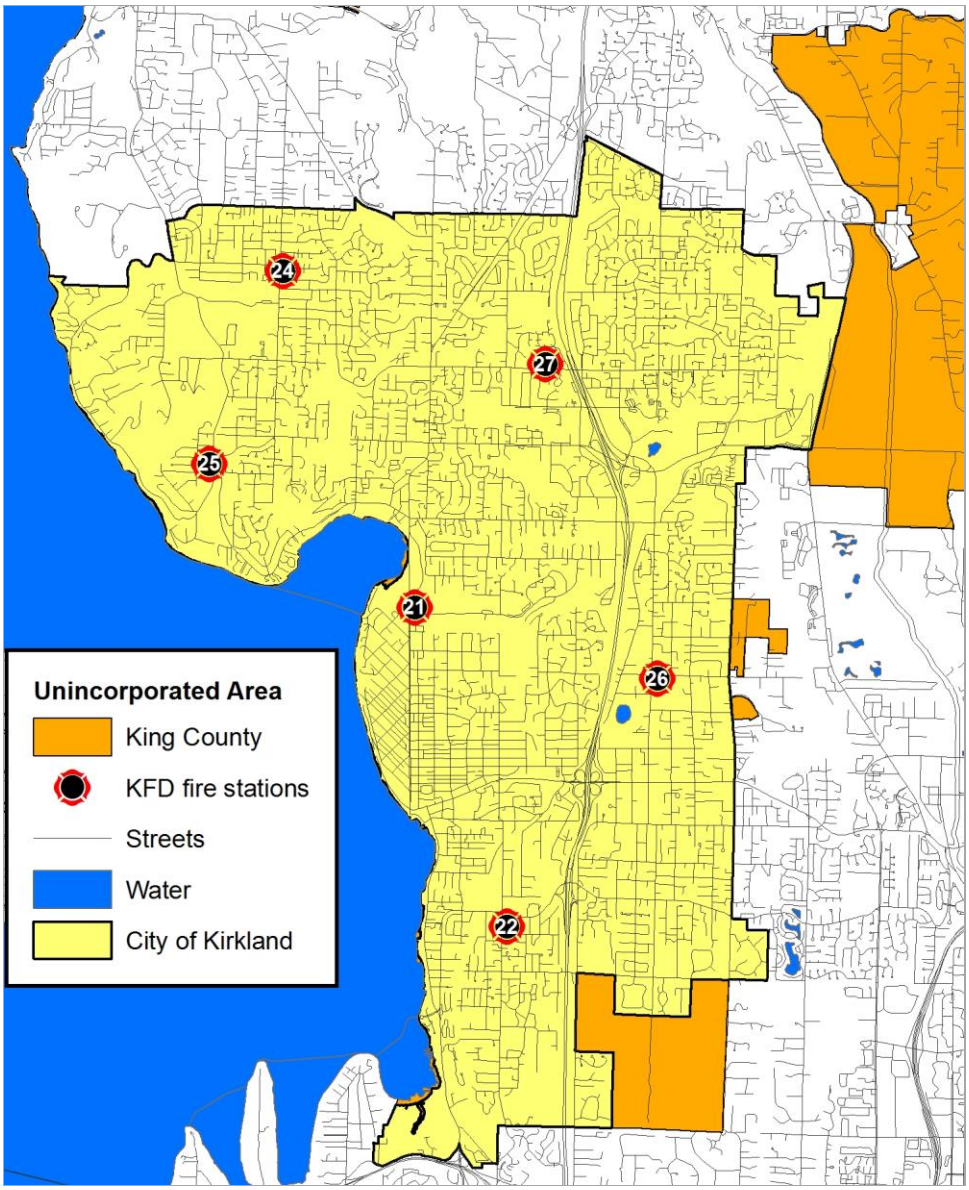
The City of Kirkland expects its population to increase by 15,000 people by the year 2035 for a total resident population of 96,730. Added commercial/office space could increase employment population

by 22,500 people by 2035. This could increase KFD's total service population to just over 125,000 people.

Future Geographic Growth Potential

Annexation of unincorporated territory into the city limits occurs on occasion, usually when a property owner wishes to develop land in a manner that requires urban services. There is land not currently in a city bordering the City of Kirkland. The following figure shows area that lies could be annexed to Kirkland in the future. Of these areas only the area to the city's south is under consideration.

Figure 34: Future Geographic Growth Areas



Risk Classification

Areas of higher fire risk require greater numbers of personnel and apparatus to effectively mitigate emergencies. Areas with a higher incident activity require additional response units to ensure reliable response. Staffing and deployment decisions for different regions of the city should be made in consideration of the level of risk.

Most communities contain areas with different population densities and property risk allowing the community's policy makers to specify different response performance objectives by geographic area. The categories are identified as:[5]

- **Metropolitan**—Geography with populations of over 200,000 people in total and/or a population density of over 3,000 people per square mile. These areas are distinguished by mid-rise and high-rise buildings, often interspersed with smaller structures.
- **Urban**—Geography with a population of over 30,000 people and/or a population density of over 2,000 people per square mile.
- **Suburban**—Geography with a population of 10,000 to 29,999 and/or a population density of between 1,000 and 2,000 people per square mile.
- **Rural**—Geography with a total population of less than 10,000 people or with a population density of less than 1,000 people per square mile.
- **Wilderness/Frontier/Undeveloped**—Geography that is both rural and not readily accessible by a publicly or privately maintained road.

The City of Kirkland, based on population density, is primarily urban.

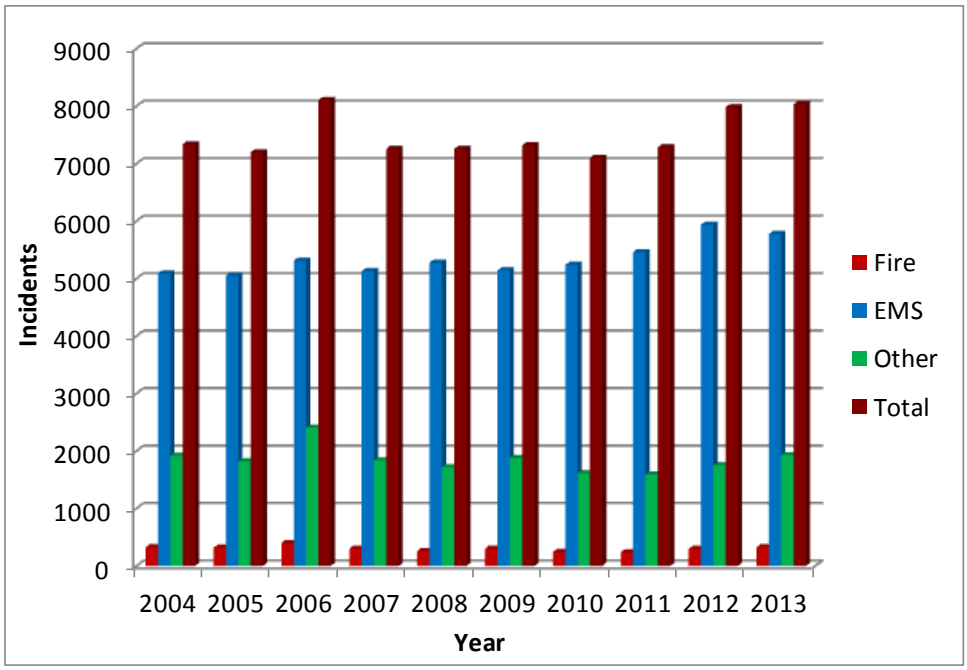
[5] CFAI *Standards of Cover, 5th edition*, pages 20-21.

Historic System Response Workload

Before a full response performance analysis is conducted, it is important to examine the level of workload (service demand) that a fire department experiences. Higher service demands can strain the resources of a department and may have a negative effect on response time performance.

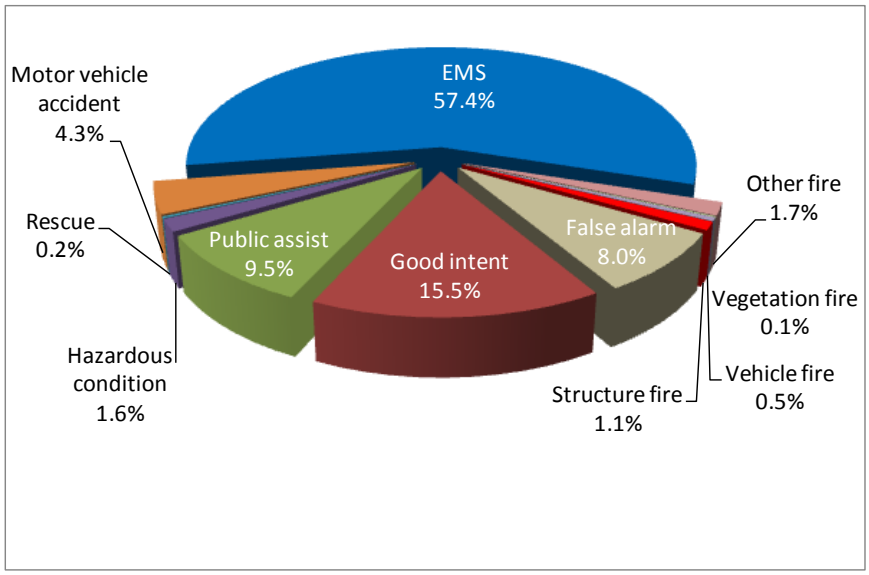
The following figure shows response workload for ten previous calendar years. Response workload increased by almost nine percent between January 1, 2004, and December 31, 2013, an average of 0.8 percent per year.

Figure 35: Workload History, 2004-2013



The next figure shows responses by type of incident found for the time period July 1, 2012 through June 30, 2013 (study period). Emergency medical responses are the most common at 57.4 percent of total responses.

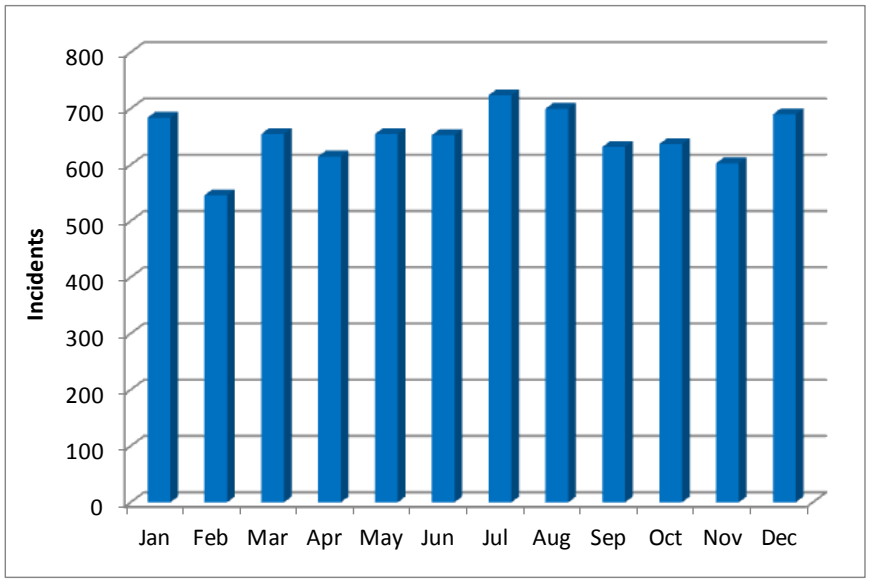
Figure 36: Responses by Type of Incident – Study Period



Temporal Analysis

A review of incidents by time of occurrence reveals much about response demand. The following figures show how activity and demand changes for KFD based on various measures of time. The following figure shows response activity for the study period by month.

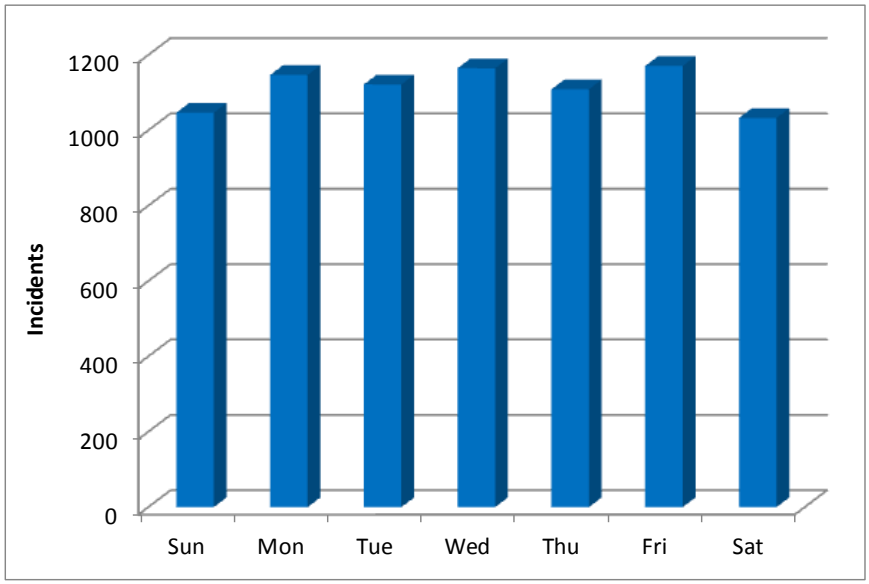
Figure 37: Monthly Workload – Study Period



During the study period, there was 32 percent more incident activity in the busiest month, July, than the slowest month, February.

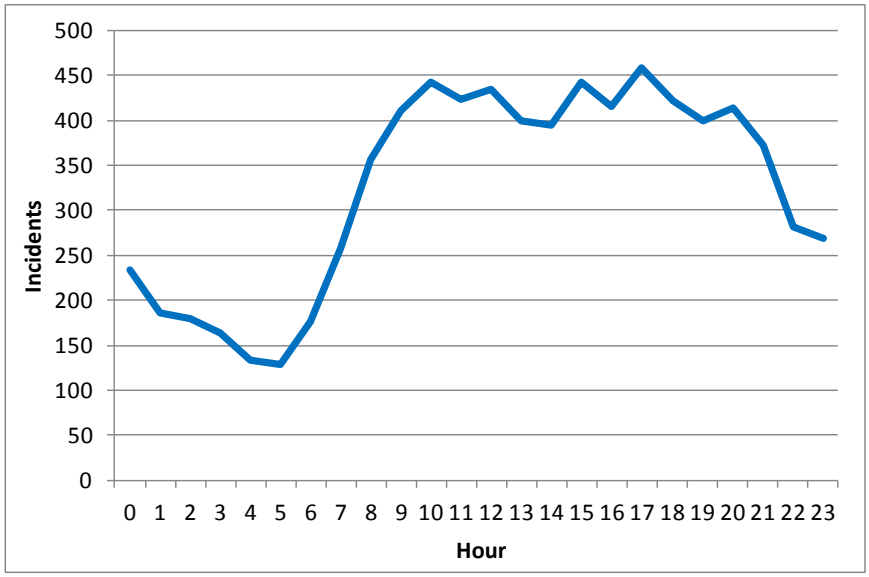
Next, response workload is compared by day of week. In this case there is 13 percent more incident activity on the busiest day, Friday, than the slowest day, Saturday.

Figure 38: Daily Workload – Study Period



The time analysis that always shows significant variation is response activity by hour of day. Response workload directly correlates with the activity of people, with workload increasing during daytime hours and decreasing during nighttime hours as shown in the following figure. Incident activity is at its highest between 9:00 AM and 9:00 PM.

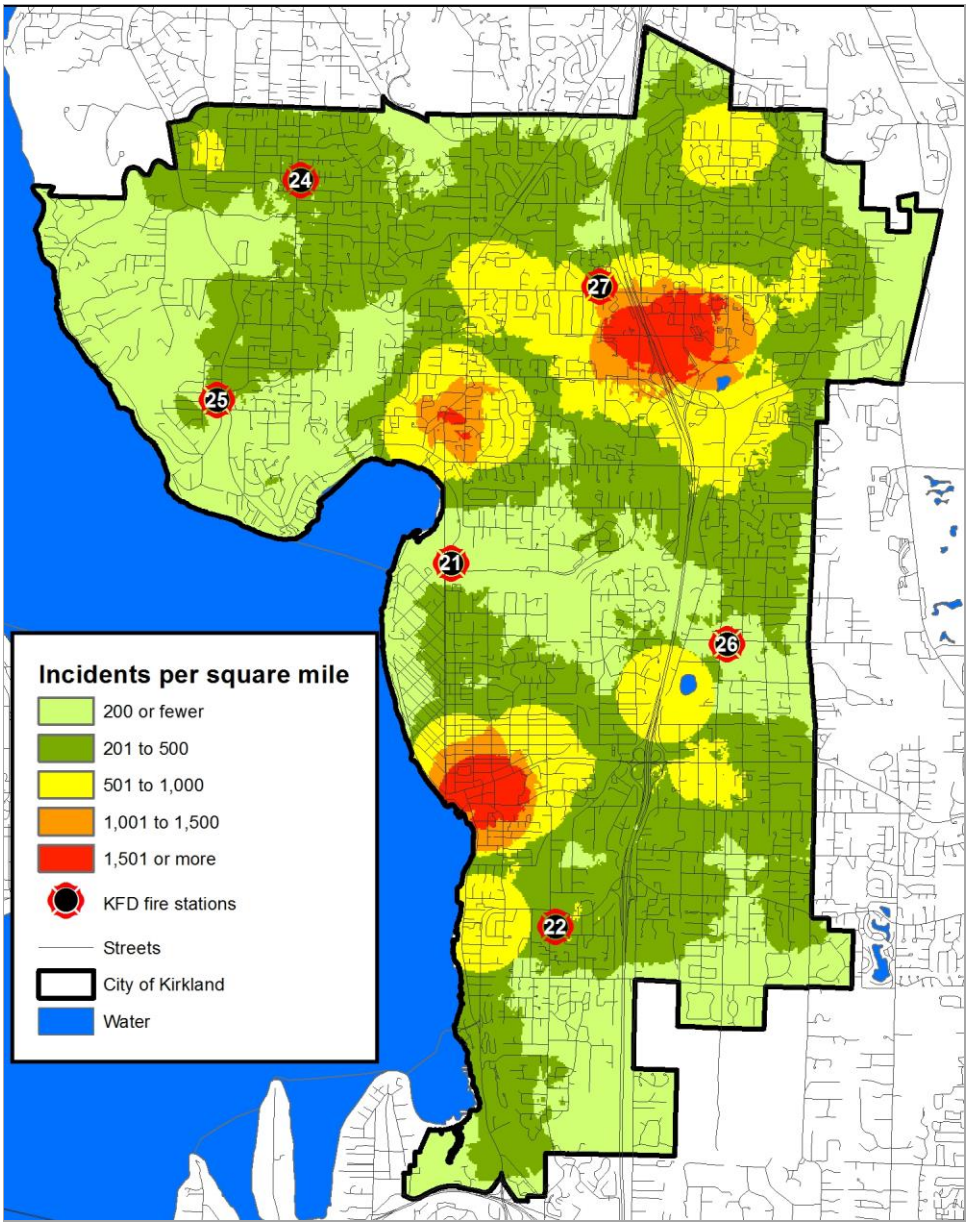
Figure 39: Hourly Workload – Study Period



Spatial Analysis

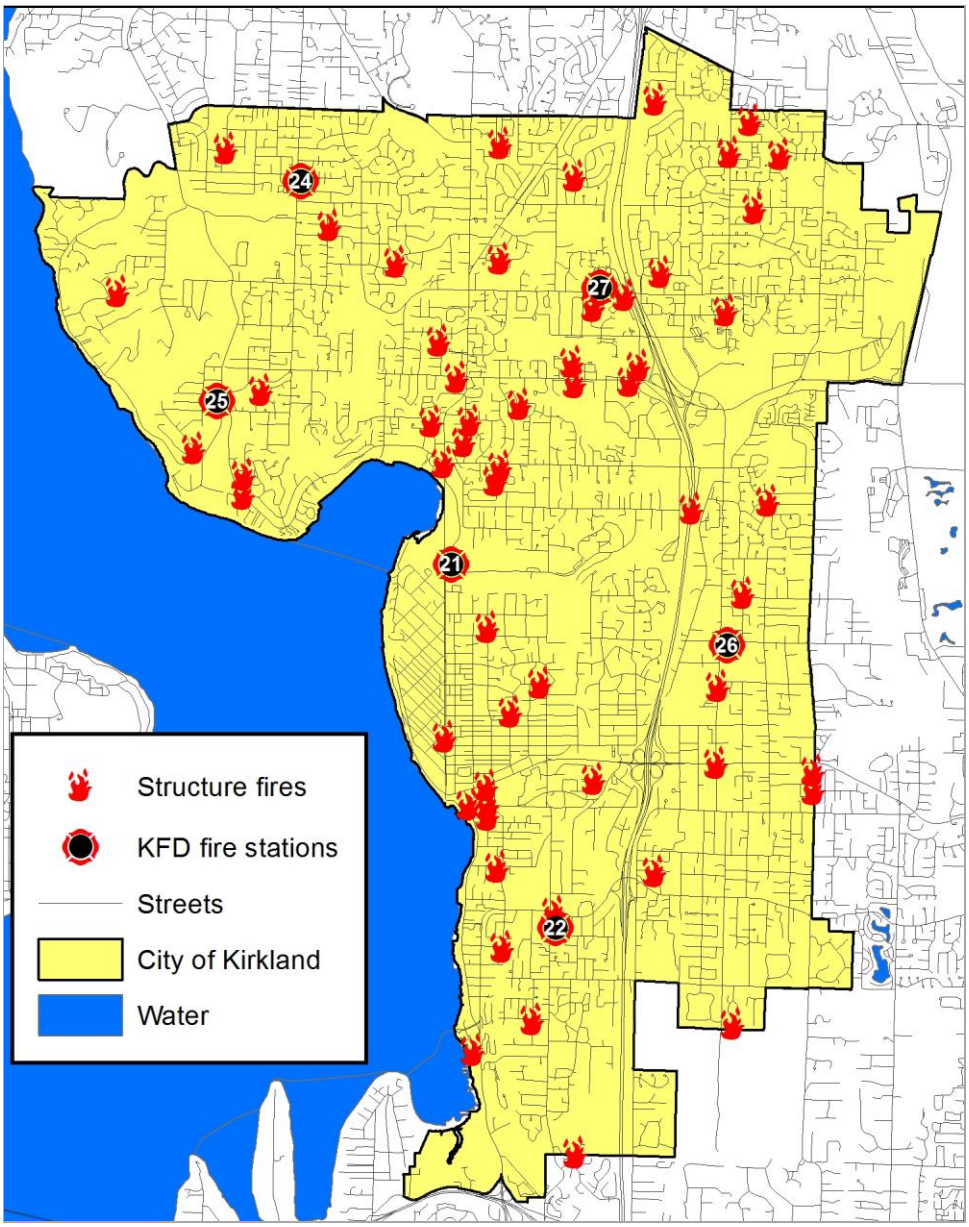
In addition to the temporal analysis of the current service demand, it is useful to examine geographic distribution of service demand. The following figure series indicates the distribution of emergency incidents in Kirkland during the study period. The first figure displays the density of incidents per square mile within various parts of the city. The area of greatest service demand is southeast of Station 27 and north of Station 22.

Figure 40: Service Demand Density – Study Period



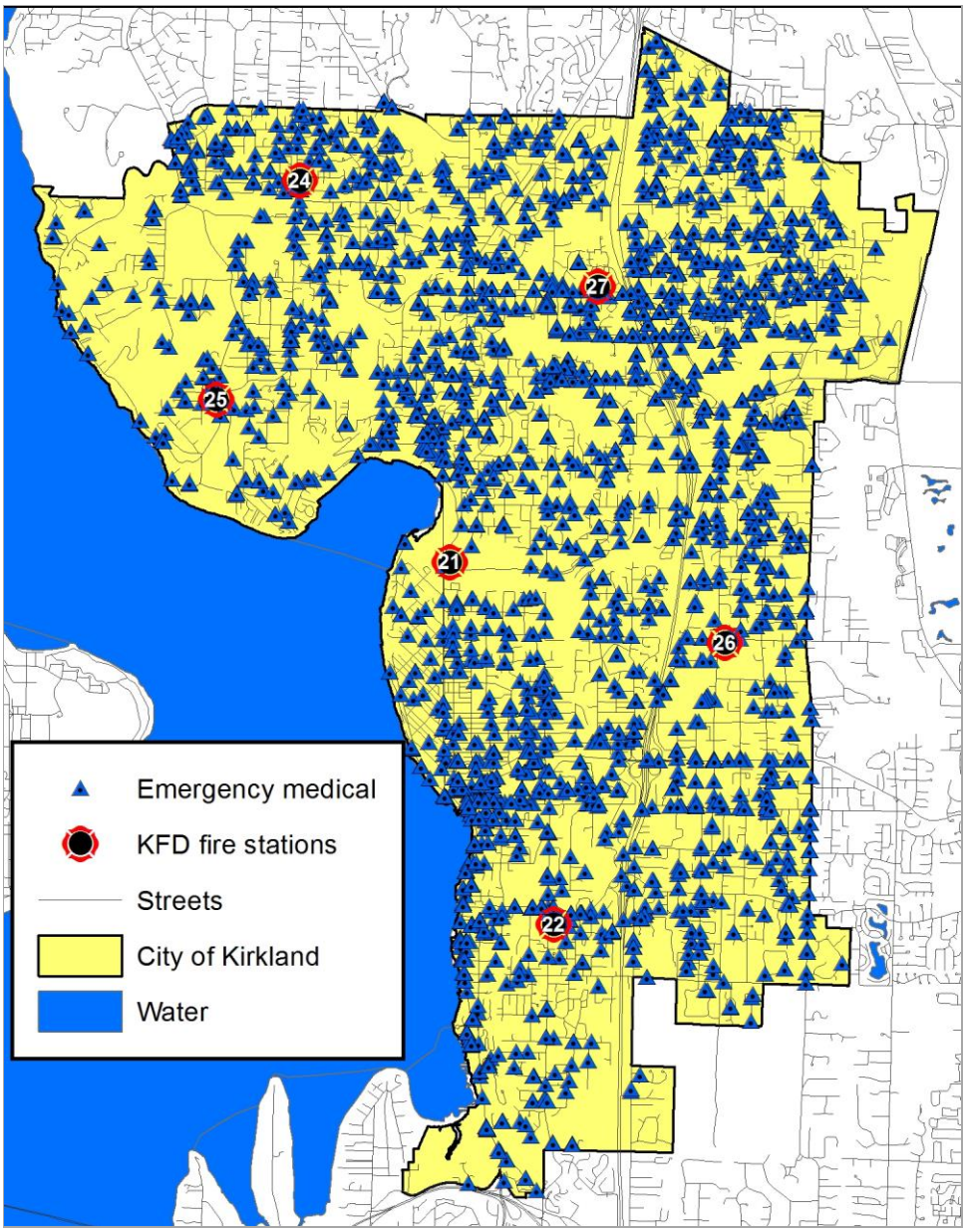
The preceding figure reflects all calls served by KFD. Service demand can vary by area based on incident type. The following figure displays the location of structure fires during this time period.

Figure 41: Structure Fires – Study Period



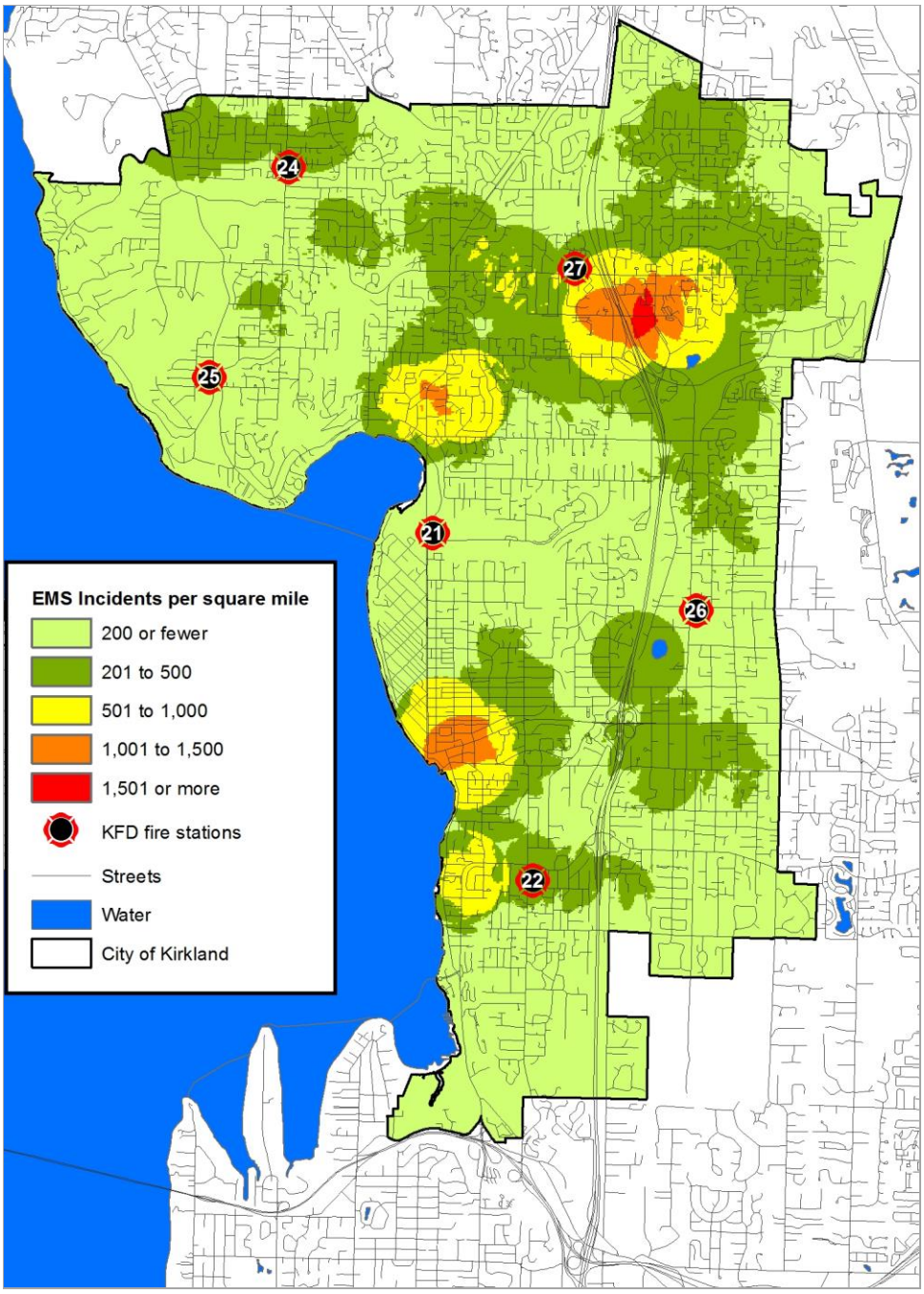
Similarly, emergency medical incidents also occur in greater concentration in areas of higher population density. The following figure displays emergency medical incidents during the study period.

Figure 42: Emergency Medical Incidents – Study Period



Emergency medical incident density closely resembles total incident density. The following figure displays emergency medical incidents per square mile.

Figure 43: Emergency Medical Incidents per Square Mile



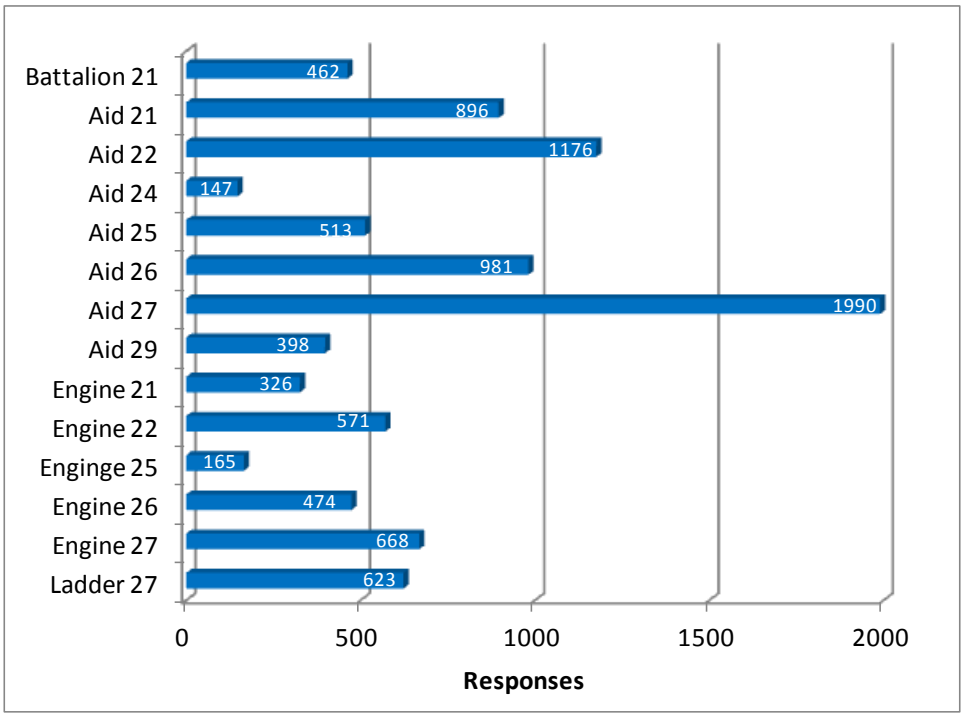
Response Unit Workload Analysis

A review of workload by response unit can reveal much about why response performance may be as it is. Although fire stations and response units may be distributed in a manner to provide quick response, that level of performance can only be obtained when the response unit is available within a reasonable distance of the incident. If a response unit is already on an incident and a concurrent request for service is received, a more distant response unit will need to be dispatched. This will increase response times.

Response Unit Workload

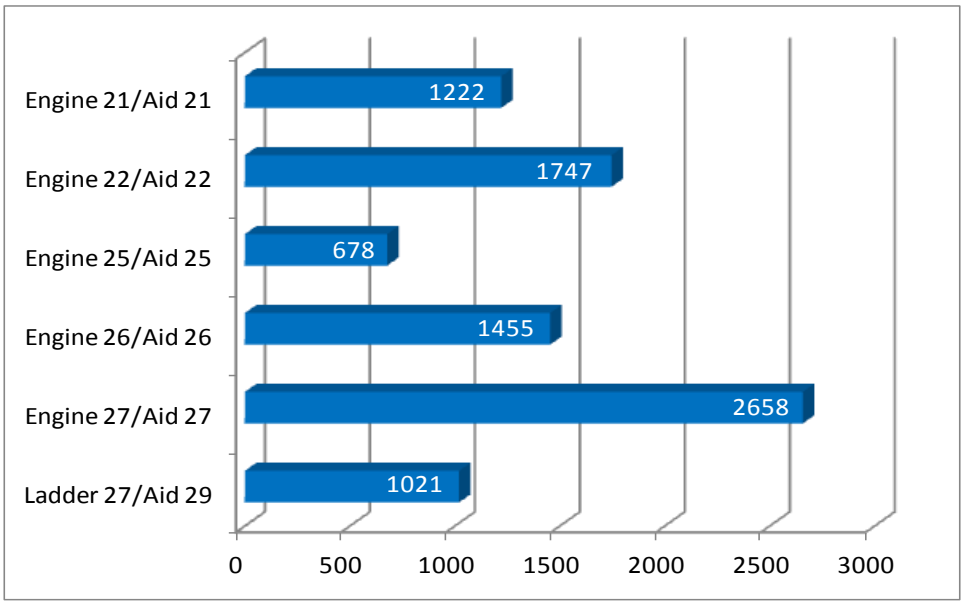
The workload on individual response units during the study period is shown in the following figure. Total response unit workload is greater than the total number of incidents. Many incidents, such as structure fires, require more than one response unit.

Figure 44: Response Unit Workload – Study Period



12 of these units are operated by the same response crews. The same crew that operates an engine or ladder truck also operates aid units. The combined workload on each of these engine/aid and ladder/aid combined response crews are shown in the following figure.

Figure 45: Response Crew Workload



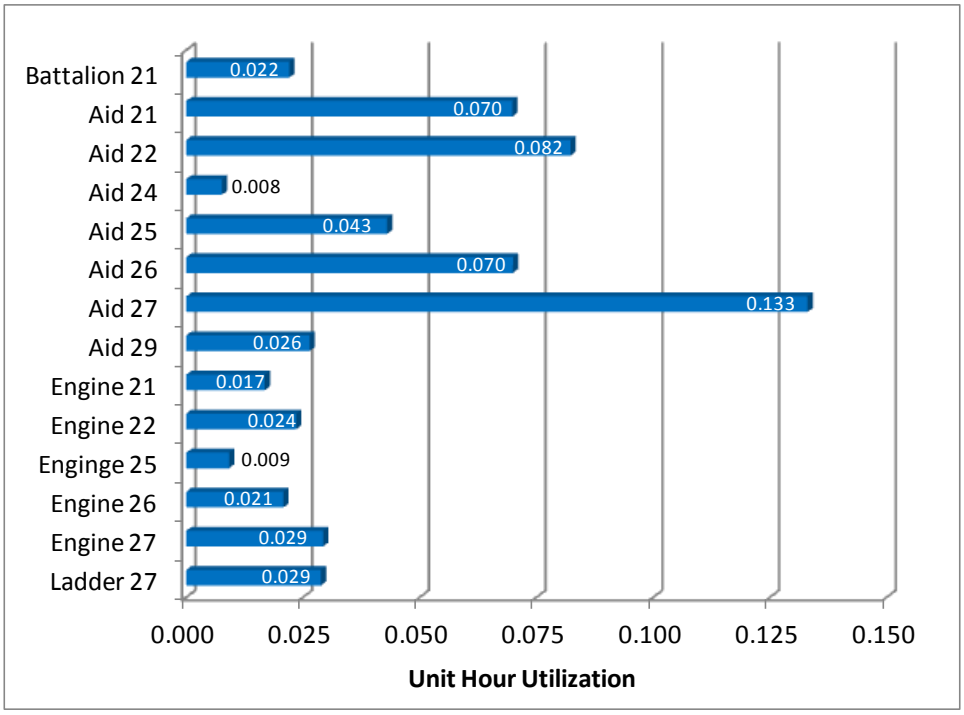
The amount of time a given unit is committed to an incident is also an important workload factor. The following figure illustrates the average time each unit was committed to an incident, from initial dispatch until it cleared the scene.

Figure 46: Average Time Committed to an Incident by Unit

Unit	Responses	Average Minutes per Response
Battalion 21	462	25.1
Aid 21	896	41.0
Aid 22	1176	36.8
Aid 24	147	27.3
Aid 25	513	44.1
Aid 26	981	37.5
Aid 27	1990	35.1
Aid 29	398	34.9
Engine 21	326	27.1
Engine 22	571	21.7
Engine 25	165	29.2
Engine 26	474	23.1
Engine 27	668	23.1
Ladder 27	623	24.3

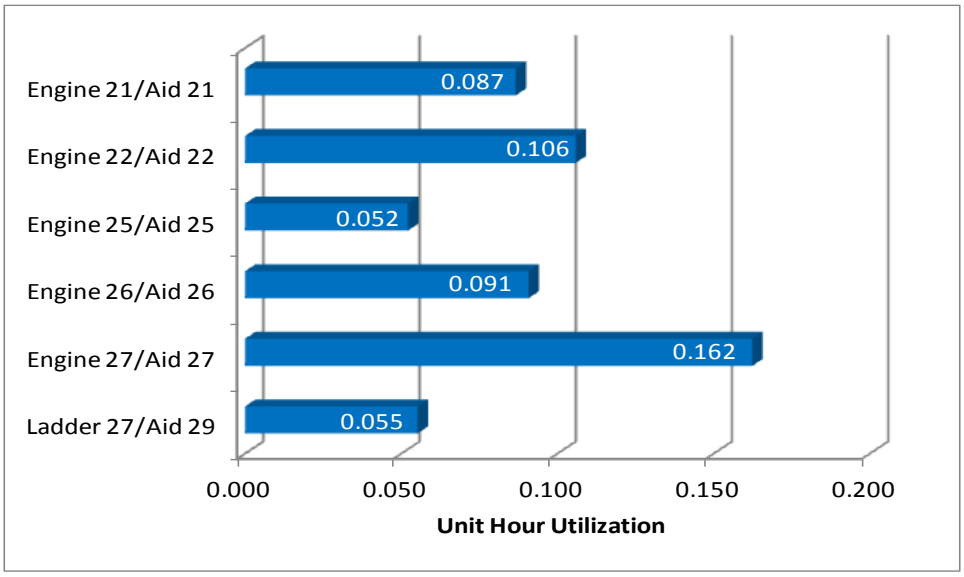
Unit hour utilization is an important workload indicator. It describes the amount of time a unit is not available for response since it is already committed to an incident. The larger the number, the greater a unit's utilization and the less available it is for assignment to an incident.

Figure 47: Unit Hour Utilization, 2012



The next figure shows unit hour utilization by response crew.

Figure 48: Response Crew Unit Hour Utilization



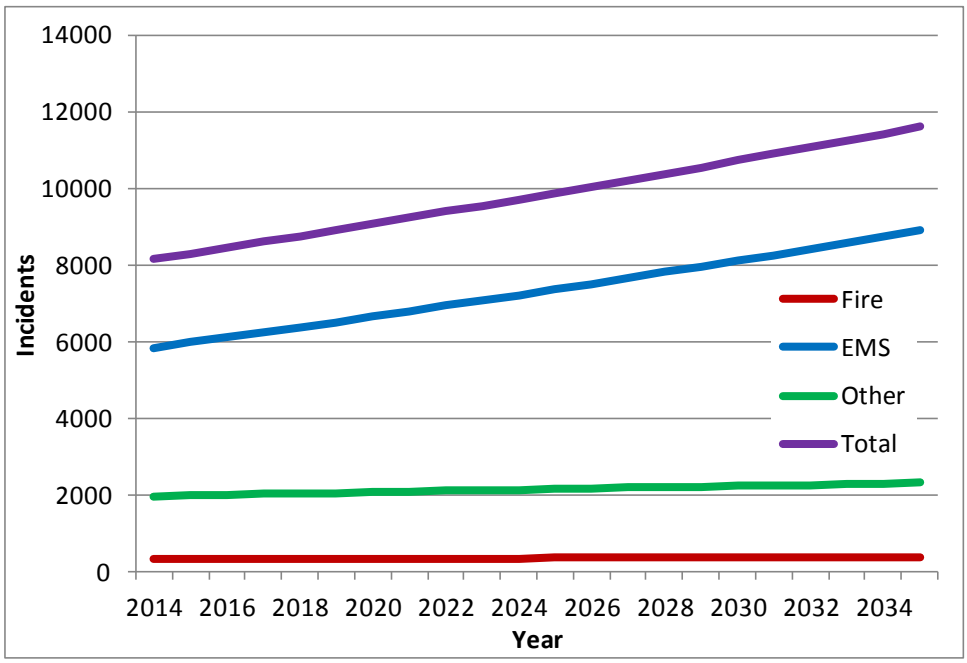
Unit hour utilization is an important statistic to monitor for those fire agencies using percentile-based performance standards, as does KFD. In Kirkland's case, where performance is measured at the 90th percentile, unit hour utilization greater than 0.10 means that the response unit will not be able to provide on-time response to its 90 percent target even if response is its only activity. Aid 27 by itself exceeds unit hour utilization of 0.10. Two response crews exceed 0.10 unit hour utilization and one is approaching that point.

Incident Workload Projection

The most significant predictor of future incident workload is population; 100 percent of requests for emergency medical service are people-driven. The National Fire Protection Association reports that approximately 70 percent of all fires are the result of people either doing something they should not have (i.e., misuse of ignition source) or not doing something they should have (i.e., failure to maintain equipment). Thus it is reasonable to use future population growth to predict future fire department response workload.

The current fire department services utilization rate is 97.8 incidents per 1,000 population. Future fire department services utilization is predicted to grow modestly over time at a rate of about one percent per year. Most workload growth will be emergency medical incidents. This plus expected population growth will increase KFD's workload as shown in the following figure. Response workload by the year 2035 could reach 11,600 responses per year.

Figure 49: Response Forecast



Component E – Critical Tasking and Alarm Assignments

The KFD service area has a densely populated urban environment and, as such, contains an elevated number, density, and distribution of risk. Further, its suburban and rural areas present unique challenges such as wildland fires. The fire department should have the resources needed to effectively mitigate the incidents that have the highest potential to negatively impact the community. As the actual or potential risk increases, the need for higher numbers of personnel and apparatus also increases. With each type of incident and corresponding risk, specific critical tasks need to be accomplished and certain numbers and types of apparatus should be dispatched. This section considers the community's identified risks and illustrates the number of personnel that are necessary to accomplish the critical tasks at an emergency.

Tasks that must be performed at a fire can be broken down into two key components: life safety and fire flow. Life safety tasks are based on the number of building occupants and their location, status, and ability to take self-preservation action. Life safety-related tasks involve the search, rescue, and evacuation of victims. The fire flow component involves delivering sufficient water to extinguish the fire and create an environment within the building that allows entry by firefighters.

The number and types of tasks needing simultaneous action will dictate the minimum number of firefighters required to combat different types of fires. In the absence of adequate personnel to perform concurrent action, the command officer must prioritize the tasks and complete some in chronological order, rather than concurrently. These tasks include:

- Command
- Scene safety
- Search and rescue
- Fire attack
- Water supply
- Pump operation
- Ventilation
- Backup/rapid intervention

Critical task analysis also applies to non-fire type emergencies including medical, technical rescue, and hazardous materials emergencies. Numerous simultaneous tasks must be completed to effectively control an emergency. The department's ability to muster needed numbers of trained personnel quickly enough to make a difference is critical to successful incident outcomes.

The following figure illustrates the emergency incident staffing recommendations of the Commission on Fire Accreditation, International. The following definitions apply to the figure:

- **Low Risk** – Minor incidents involving small fires (fire flow less than 250 gallons per minute), single patient non-life threatening medical incidents, minor rescues, small fuel spills, and small wildland fires without unusual weather or fire behavior.
- **Moderate Risk** – Moderate risk incidents involving fires in single-family dwellings and equivalently sized commercial office properties (fire flow between 250 gallons per minute to 1,000 gallons per minute), life threatening medical emergencies, hazardous materials emergencies requiring specialized skills and equipment, rescues involving specialized skills and equipment, and larger wildland fires.
- **High Risk** – High risk incidents involving fires in larger commercial properties with sustained attack (fire flows more than 1,000 gallons per minute), multiple patient medical incidents, major releases of hazardous materials, high risk rescues, and wildland fires with extreme weather or fire behavior.

Figure 50: Staffing Recommendations Based on Risk

Incident Type	High Risk	Moderate Risk	Low Risk
Structure Fire	29	14	6
Emergency Medical Service	12	4	2
Rescue	15	8	3
Hazardous Materials	39	20	3
Wildland Fire	41 (Red Flag level)	20	7

KFD has developed the following Critical Task analyses for various incident types. Further it has defined, based on current unit staffing levels, the number and type of apparatus needed to deliver sufficient numbers of personnel to meet the critical tasking identified. ESCI's review of the Critical Task analysis concludes that all are in keeping with industry standards and provide the minimum number of personnel needed for effective incident operations.

Critical Tasking

Critical tasks are those activities that must be conducted in a timely manner by firefighters at emergency incidents in order to control the situation. KFD is responsible for assuring that responding companies are capable of performing all of the described tasks in a prompt, efficient, and safe manner. The following are the minimum number of personnel needed by incident type.

Structure Fire – Moderate Risk

Task	Number of Personnel
Command/Safety	2
Attack Line	2
Pump Operator	1
Back-up Line	2
Search and Rescue	2
Line Support	2
RIT	2
Other (exposures, etc.)	2
Total	**15**

Structure Fire – High Risk

Task	Number of Personnel
Command	2
Safety Officer	1
Attack Line	2
Exposure Line	2
Pump Operator	1
Back-up Line	2
Search and Rescue	2
Ventilation	2
RIT	2
Other (hydrant)	4
Total	**20**

Non-Structure Fire High Risk

Task	Number of Personnel
Command	1
Safety	1
Pump Operations	1
Attack Line	2
Back-up Line	2
Hydrant-Water Supply	1
Exposure Lines	2
Structure Protection	3
Total	**13**

Aircraft Emergency

Task	Number of Personnel
Command	1
Safety	1
Aircraft Fire Suppression	2
Pump Operations	1
Back-up Line	2
Rescue	2
Emergency Medical Care	2
Water Supply	1
Total	**12**

Non-Structure Fire Low Risk

Task	Number of Personnel
Command/Safety	1
Pump Operations	1
Attack Line	1
Total	**3**

Odor of Smoke

Task	Number of Personnel
Command/Safety	1
Pump Operations	1
Interior Investigation	2
Ventilation	3
Total	**7**

Smoke in Structure

Task	Number of Personnel
Command/Safety	1
Interior Investigation	4
Ventilation	2
Total	**7**

Outdoor Smoke Investigation

Task	Number of Personnel
Command/Safety	1
Pumper Operator	1
Investigation	1
Total	**3**

Hazardous Materials- Level I

Task	Number of Personnel
Command/Safety	1
Research/Support	2
Total	**3**

Hazardous Materials- Level III

Task	Number of Personnel
Command	1
Safety	1
Decontamination	3
Research Support	2
Team leader, safety, entry team, and backup team	6
Total	13

Emergency Medical Aid

Task	Number of Personnel
Patient Care	1
Documentation	1
Total	2

Major Medical Response (10+ Patients)

Task	Number of Personnel
Incident Command	1
Safety	1
Triage	2
Treatment Manager	1
Patient Care	12
Transportation Manager	1
Documentation	1
Total	19

Motor Vehicle Accident (Non Trapped)

Task	Number of Personnel
Incident Command/Safety	1
Patient Care/Extrication	4
Total	5

Motor Vehicle Accident (Trapped)

Task	Number of Personnel
Command/Safety	1
Patient Care	2
Extrication	3
Pump Operator/Suppression Line	2
Extrication/Vehicle Stabilization	3
Total	11

Technical Rescue – Water

Task	Number of Personnel
Command/Safety	1
Rescue Team	2
Backup Team	2
Patient Care	2
Rope Tender	2
Total	**9**

Technical Rescue – Rope

Task	Number of Personnel
Command/Safety	1
Rescue Team	3
Backup/support team	2
Patient Care	2
Ground Support	4
Edge Person	1
Total	**13**

Technical Rescue – Confined Space

Task	Number of Personnel
Command/Safety	1
Rescue Team	3
Backup/support team	2
Patient Care	2
Attendant	1
Ground Support	4
Total	**13**

Technical Rescue – Trench

Task	Number of Personnel
Command/Safety	1
Rescue Team	2
Backup/support team	2
Patient Care	3
Shoring	5
Total	**14**

Alarm Assignments

In order to ensure sufficient personnel and apparatus are dispatched to an emergency event, the following is the minimum number of apparatus and personnel that should be sent on the first alarm. "Total Staffing Needed" is the number identified in the Critical Tasking analysis above.

Structure Fire – Moderate Risk

Unit Type	Number of Units	Total Personnel
Ladder	1	3
Engine	3	9
Aid Unit	1	2
Battalion Chief	1	1
Total Staffing Provided		**15**
Total Staffing Needed		**15**

Structure Fire – High Risk

Unit Type	Number of Units	Total Personnel
Ladder	2	6
Engine	4	12
Aid Unit	1	2
Battalion Chief	2	2
Total Staffing Provided		**22**
Total Staffing Needed		**20**

Non-Structure Fire High Risk

Unit Type	Number of Units	Total Personnel
Ladder	1	3
Engine	3	9
Battalion Chief	1	1
Total Staffing Provided		**13**
Total Staffing Needed		**13**

Aircraft Emergency

Unit Type	Number of Units	Total Personnel
Engine	2	6
Ladder	1	3
Aid Unit	1	2
Battalion Chief	1	1
Total Staffing Provided		**12**
Total Staffing Needed		**12**

Non-Structure Fire Low Risk

Unit Type	Number of Units	Total Personnel
Engine or Ladder	1	3
Total Staffing Provided		**3**
Total Staffing Needed		**3**

Odor of Smoke

Unit Type	Number of Units	Total Personnel
Engine or Ladder	2	6
Battalion Chief	1	1
Total Staffing Provided		**7**
Total Staffing Needed		**7**

Smoke in Structure

Unit Type	Number of Units	Total Personnel
Engine or Ladder	2	6
Battalion Chief	1	1
Total Staffing Provided		**7**
Total Staffing Needed		**7**

Outdoor Smoke Investigation

Unit Type	Number of Units	Total Personnel
Engine or Ladder	1	3
Total Staffing Provided		**3**
Total Staffing Needed		**3**

Hazardous Materials – Level I

Unit Type	Number of Units	Total Personnel
Engine	1	3
Total Staffing Provided		**3**
Total Staffing Needed		**3**

Hazardous Materials – Level III

Unit Type	Number of Units	Total Personnel
Engine	2	6
Ladder	1	3
Aid Unit	1	2
Battalion Chief	2	2
Total Staffing Provided		**13**
Total Staffing Needed		**13**

Emergency Medical Service

Unit Type	Number of Units	Total Personnel
Aid Unit	1	2
Total Staffing Provided		**2**
Total Staffing Needed		**2**

Major Medical (10+ Patients)

Unit Type	Number of Units	Total Personnel
Engine	3	9
Ladder	1	3
Aid Unit	2	4
Medic	1	2
MSO	1	1
Battalion Chief	1	1
Total Staffing Provided		19
Total Staffing Needed		19

Motor Vehicle Accident (Non-Trapped)

Unit Type	Number of Units	Total Personnel
Ladder	1	3
Aid Unit	1	2
Total Staffing Provided		5
Total Staffing Needed		5

Motor Vehicle Accident (Trapped)

Unit Type	Number of Units	Total Personnel
Engine	1	3
Ladder	1	3
Aid Unit	1	2
Medic Unit	1	2
Battalion Chief	1	1
Total Staffing Provided		11
Total Staffing Needed		11

Technical Rescue – Water

Unit Type	Number of Units	Total Personnel
Engine	1	3
Aid Units	2	4
Battalion Chief	1	1
Medic	1	2
Total Staffing Provided		10
Total Staffing Needed		9

Technical Rescue – Rope

Unit Type	Number of Units	Total Personnel
Engine	2	6
Ladder	1	3
Medic	1	2
Aid Unit	1	2
Battalion Chief	1	1
Total Staffing Provided		14
Total Staffing Needed		13

Technical Rescue – Confined space

Unit Type	Number of Units	Total Personnel
Engine	2	6
Ladder	1	3
Medic	1	2
Aid Unit	1	2
Battalion Chief	1	1
Total Staffing Provided		**14**
Total Staffing Needed		**13**

Technical Rescue – Trench

Unit Type	Number of Units	Total Personnel
Engine	2	6
Ladder	1	3
Medic	1	2
Aid Unit	1	2
Battalion Chief	1	1
Total Staffing Provided		**14**
Total Staffing Needed		**13**

Component F – Review of Historical System Performance

Incident data for the time period July 1, 2012 through June 30, 2013 (study period) was evaluated in detail to determine KFD's current performance. Data was obtained from department incident reports and the dispatch center's computer-aided dispatch system. Only incidents that were dispatched as a "priority" incident within the City of Kirkland are included in the analysis (6,037 total incidents). Priority incidents involve emergencies to which the fire department responded "Code 3" (using warning lights and sirens). Incidents initially dispatched as non-emergency responses and responses outside the city were excluded.

Each phase of the incident response sequence was evaluated to determine current performance. This allows an analysis of each individual phase to determine where opportunities might exist for improvement.

Current performance is compared to KFD's response performance objectives and the response performance goals recommended in Component I. In all cases KFD is meeting its response performance objectives. It is not meeting the recommended response performance goals. Performance improvement initiatives are offered later in this report that will help KFD achieve the recommended response performance goals.

Performance is reported in a number of different ways. Performance by type of incident is based on the final incident type. Performance is also reported by time of day, and the frequency at which performance was accomplished at various time intervals.

The total incident response time continuum consists of several steps, beginning with initiation of the incident and concluding with the appropriate mitigation of the incident. The time required for each of the components varies. The policies and practices of the fire department directly influence some of the steps. What follows is a detailed description and review of each phase of the response time continuum.

In accordance with KFD's performance objectives and in keeping with National Fire Protection Association Standard 1710 all response time elements are reported at the 90th percentile. Percentile (fractal) reporting is a methodology by which response times are sorted from least to greatest, and a "line" is drawn at a certain percentage of the calls to determine the percentile. The point at which the

"line" crosses the 90th percentile is the percentile time performance. Thus, 90 percent of times were at or less than the result. Only 10 percent were longer.

Percentile differs greatly from average. Averaging calculates response times by adding all response times together and then dividing the total number of minutes by the total number of responses (mean average). Measuring and reporting average response times is not recommended. Using averages does not give a clear picture of response performance because it does not clearly identify the number and extent of events with times beyond the stated performance objective.

Detection

The detection of a fire or other emergency may occur immediately if someone happens to be present or if an automatic system is functioning. Otherwise, detection may be delayed, sometimes for a considerable period. The time period for this phase begins with the inception of the emergency and ends when the emergency is detected. It is largely outside the control of the fire department and not a part of the event sequence that is reliably measurable.

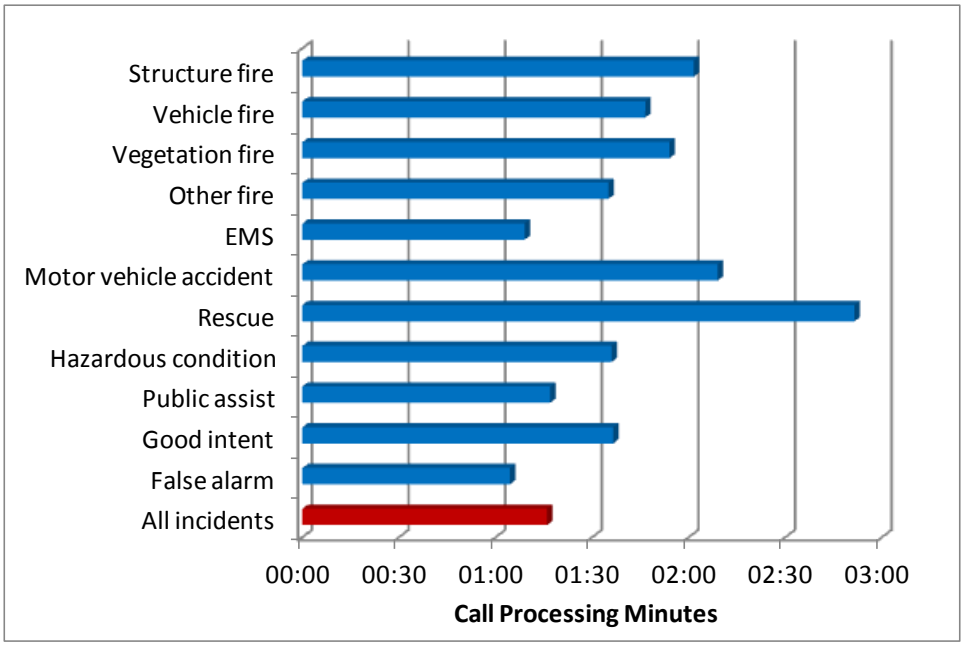
Call Processing

Today most emergency incidents are reported by telephone to the 9-1-1 center. Call takers must quickly elicit accurate information about the nature and location of the incident from people who are likely to be excited. A citizen well-trained in how to report emergencies can reduce the time required for this phase. The dispatcher must identify the correct units based on incident type and location, dispatch them to the emergency, and continue to update information about the emergency while the units respond. This phase typically begins when the 9-1-1 call is answered at the dispatch center and ends when response personnel are notified of the emergency. This phase is labeled "call processing time."

KFD's current performance objective for call processing time is within 75 seconds, 90 percent of the time. Its call processing time goal is within 60 seconds, 90 percent of the time.

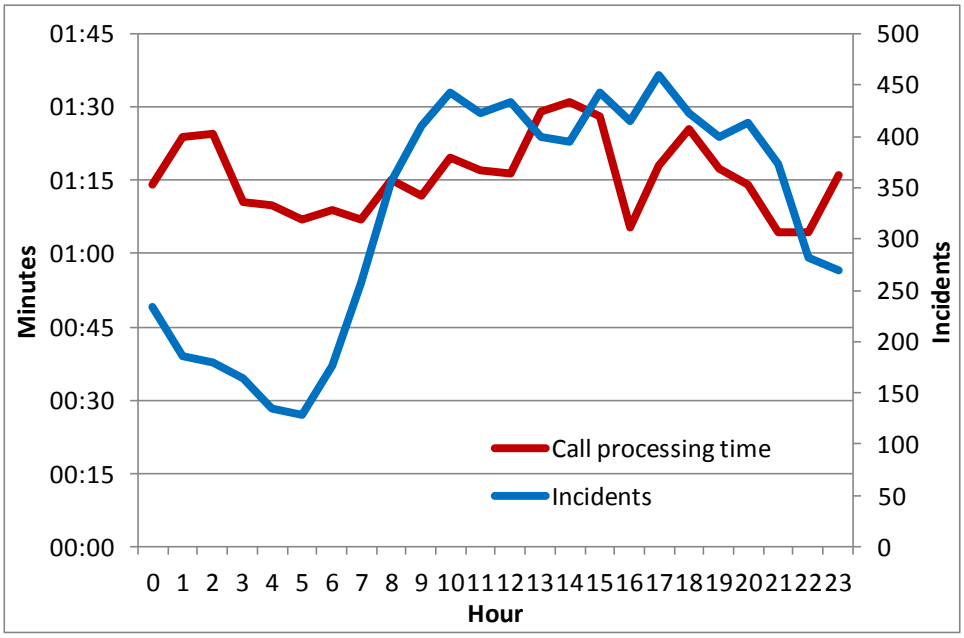
The following figure lists the call processing time for all priority incidents during the study period within the city as well as specific incident types. Overall, the time from first notification to the dispatch center until notification of response personnel is within 75 seconds, 90 percent of the time. The goal of 60 seconds was achieved 83 percent of the time.

Figure 51: Call Processing Performance, Study Period



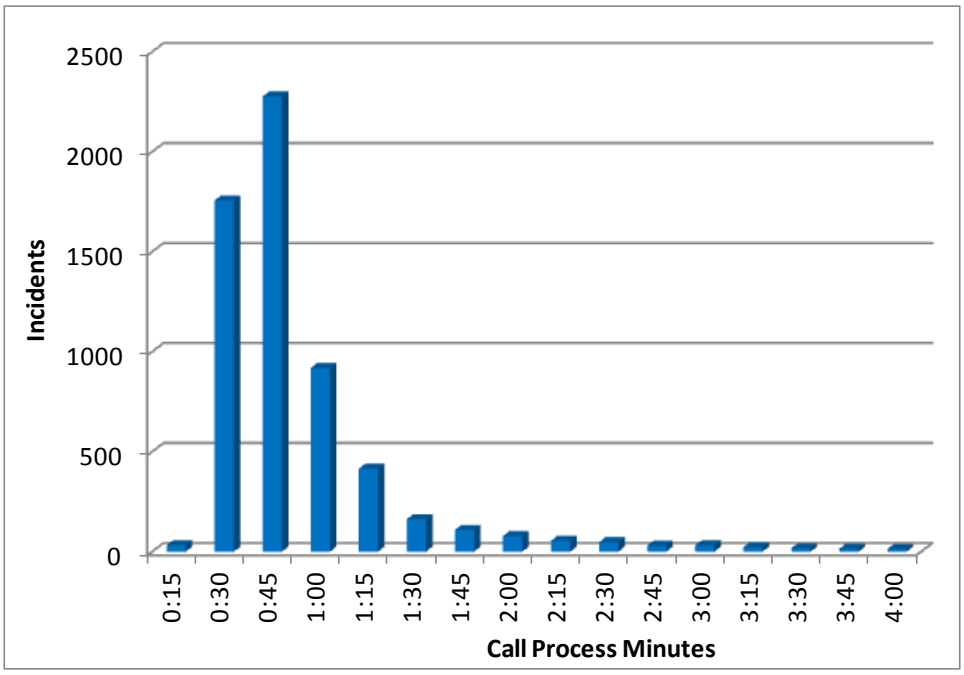
Activity levels at the dispatch center can affect the time it takes to receive, process, and dispatch a request for service. The following figure shows call processing time by hour of day. Performance varies somewhat throughout the day, but is not strongly correlated to fire department incident activity.

Figure 52: Call Processing Time by Hour of Day, Study Period



The next figure shows the frequency of incidents during the study period at various minutes of call processing time. 82 percent of incidents have call processing times of between 15 seconds and 60 seconds.

Figure 53: Call Processing Time Frequency, Study Period



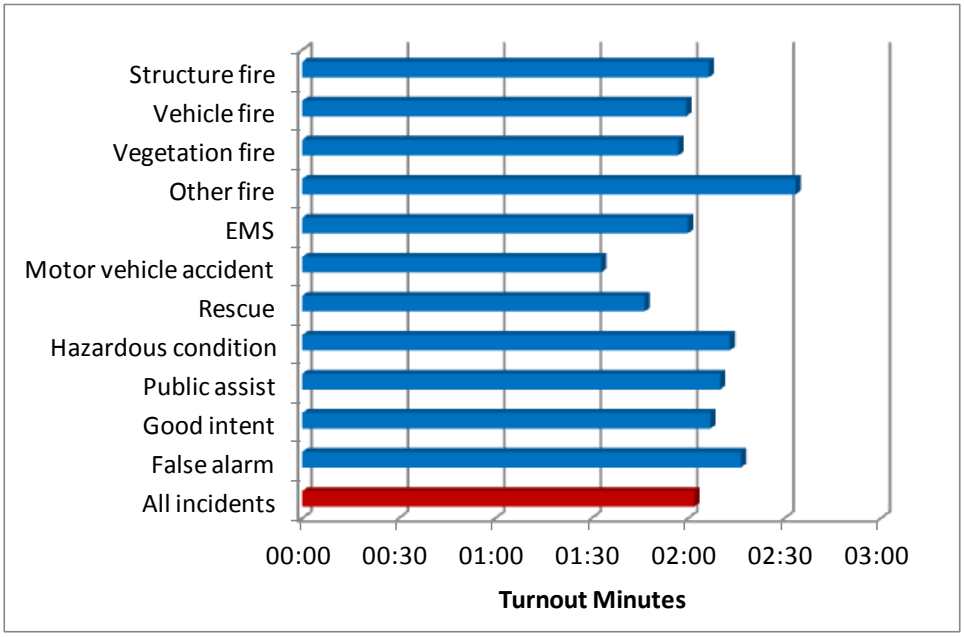
Turnout Time

Turnout time is the first of the response phases controllable by the fire department. This phase begins at notification of an emergency in progress by the dispatch center and ends when personnel and apparatus begin movement toward the incident location. Personnel must don appropriate equipment, assemble on the response vehicle, and begin travel to the incident. Good training and proper fire station design can minimize the time required for this step.

KFD's current performance objective for turnout time is within two minutes seven seconds, 90 percent of the time for incidents requiring full personal protective equipment and within two minutes 0 seconds for all other incidents. Its recommended turnout time goal is within 80 seconds, 90 percent of the time for incidents requiring full personal protective equipment and within 60 seconds, 90 percent of the time for all other incidents.

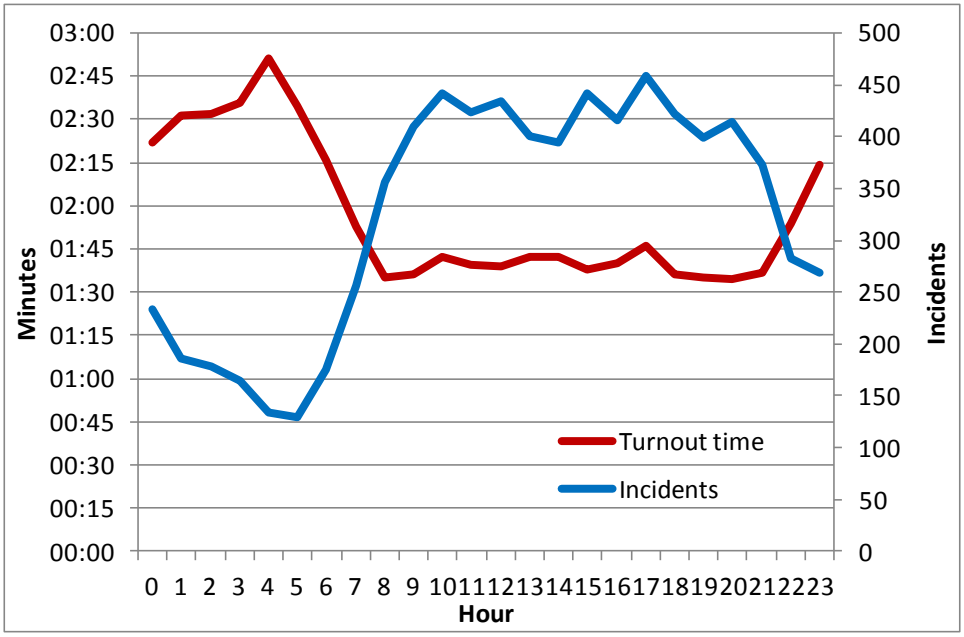
The following figure lists recorded turnout time for all incidents as well as specific incident types. Overall, turnout time for all incidents is within two minutes two seconds, 90 percent of the time. For incidents requiring full personnel protective equipment it was within two minutes seven seconds, 90 percent of the time. For all other incidents it was within two minutes 0 seconds, 90 percent of the time. KFD met its goal for incidents requiring full personal protective equipment 49 percent of the time. It met its goal for all other incidents 38 percent of the time.

Figure 54: Turnout Time Performance, Study Period



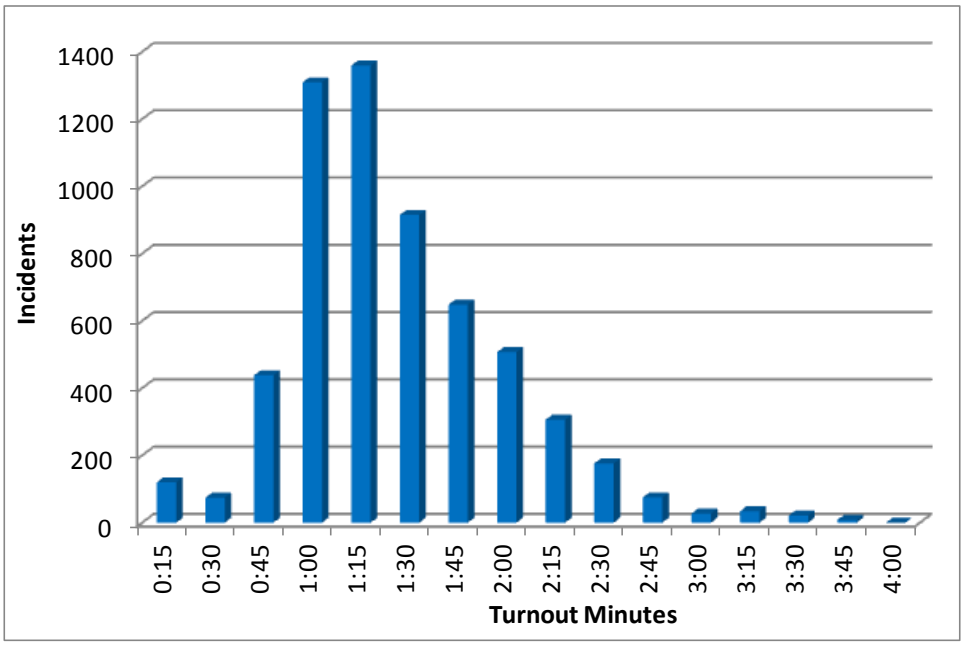
Turnout time can vary by hour of day. In this case turnout time varies by 1 minute and 16 seconds between the early morning hours and daytime hours.

Figure 55: Turnout Time by Hour of Day, Study Period



The next figure shows the frequency of incidents during the study period at various minutes of turnout time. 77 percent of incidents have turnout times of between 30 and 90 seconds.

Figure 56: Turnout Time Frequency, Study Period

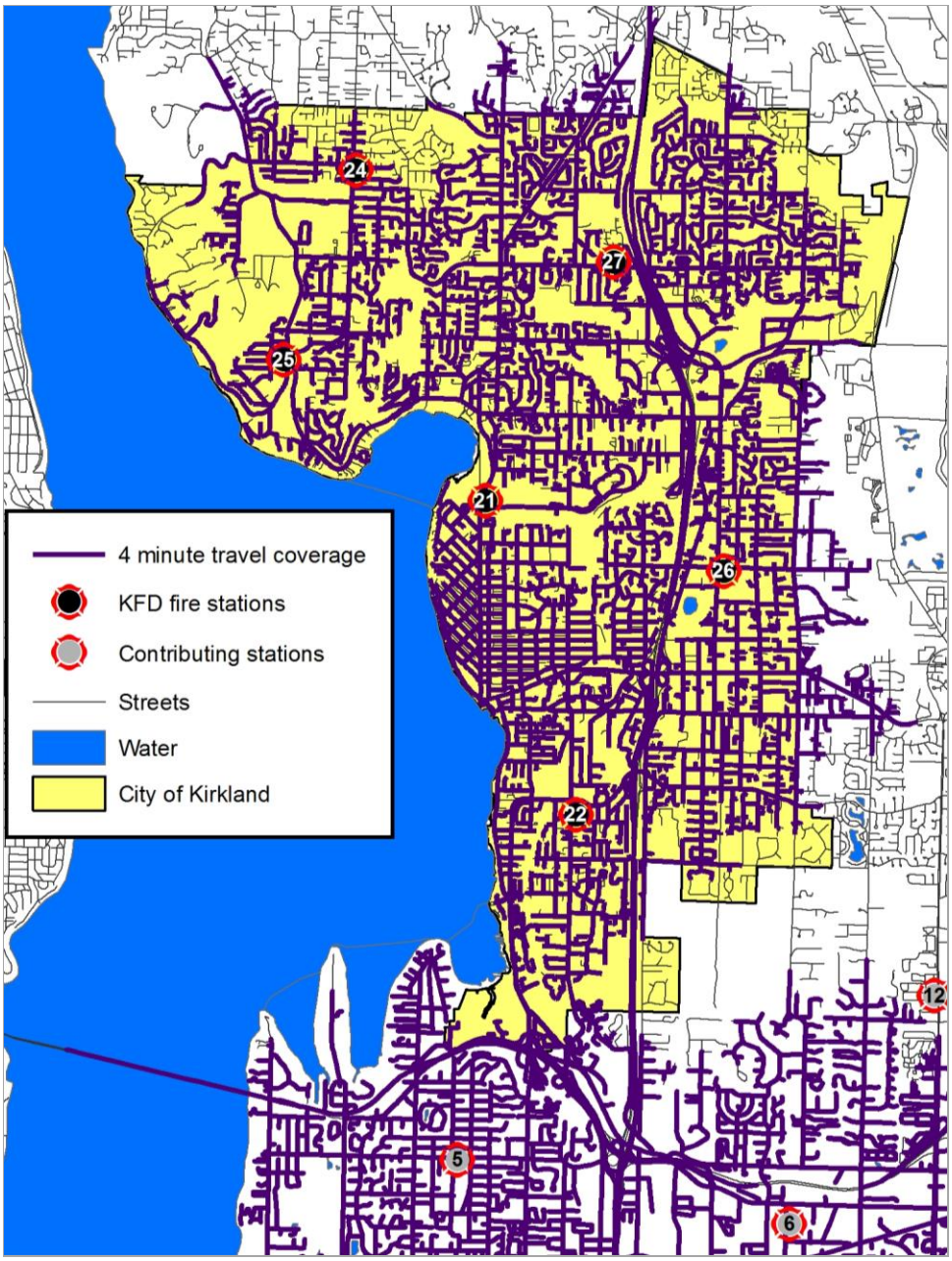


Distribution and Initial Arriving Unit Travel Time

Travel time is typically the longest of the response phases. The distance between the fire station and the location of the emergency influences total response time the most. The quality and connectivity of streets, traffic, driver training, geography, and environmental conditions are also factors. This phase begins with initial apparatus movement towards the incident location and ends when response personnel and apparatus arrive at the emergency's location. Within KFD's response performance goal, four minutes is allowed for travel time to incidents within the City of Kirkland.

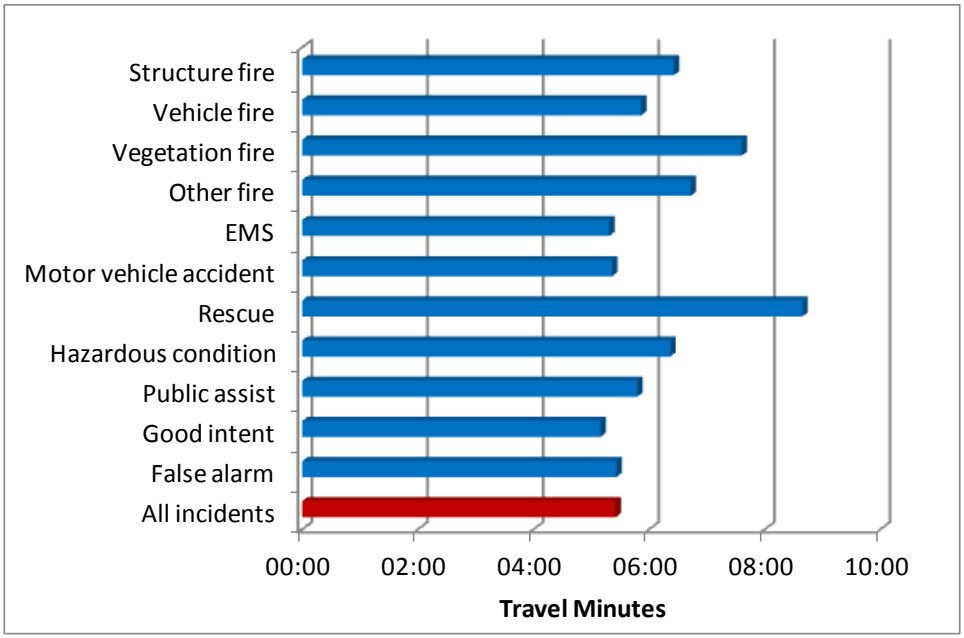
The following figure illustrates the area that can be reached from all active Kirkland fire stations and adjacent agency stations in four minutes of travel time, the time allowed by the KFD response time performance goal. Station 24 is not included since it is not staffed full time. It is based on actual travel speeds along roadways, adjusted for turning maneuvers. Adequate coverage is provided except small areas on the city's north and south periphery. Only Bellevue stations 5 and 6 provide coverage inside Kirkland within four travel minutes.

Figure 57: Initial Unit Travel Time Capability – KFD and Adjacent Stations



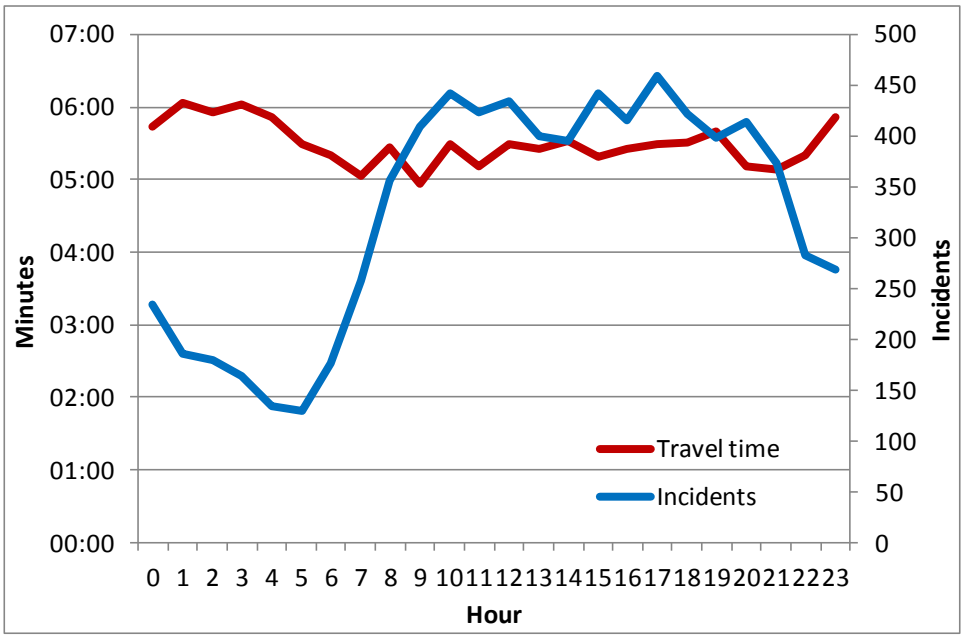
The following figure lists travel time for all priority city incidents as well as specific incident types. Overall, travel time for all incidents within the City of Kirkland is within five minutes 19 seconds, 90 percent of the time. KFD achieved four minute travel times on 75 percent of priority incidents.

Figure 58: Travel Time Performance – First Arriving Unit, Study Period



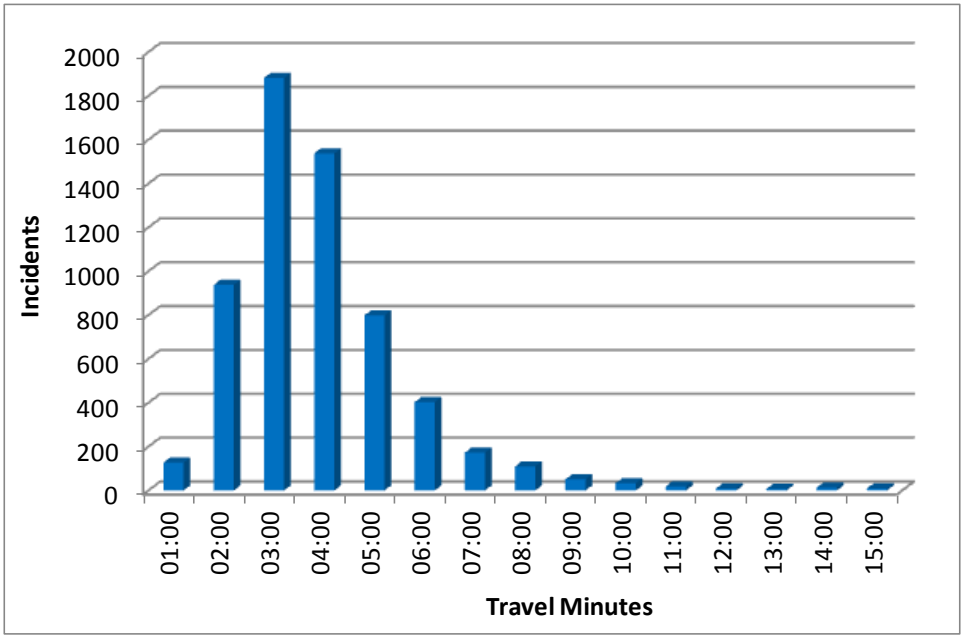
Travel time can, in some situations, vary considerably by time of day. Heavy traffic at morning and evening rush hour can slow fire department response. Travel time varies by one minute six seconds during the course of the day.

Figure 59: Overall Travel Time by Hour of Day – First Arriving Unit, Study Period



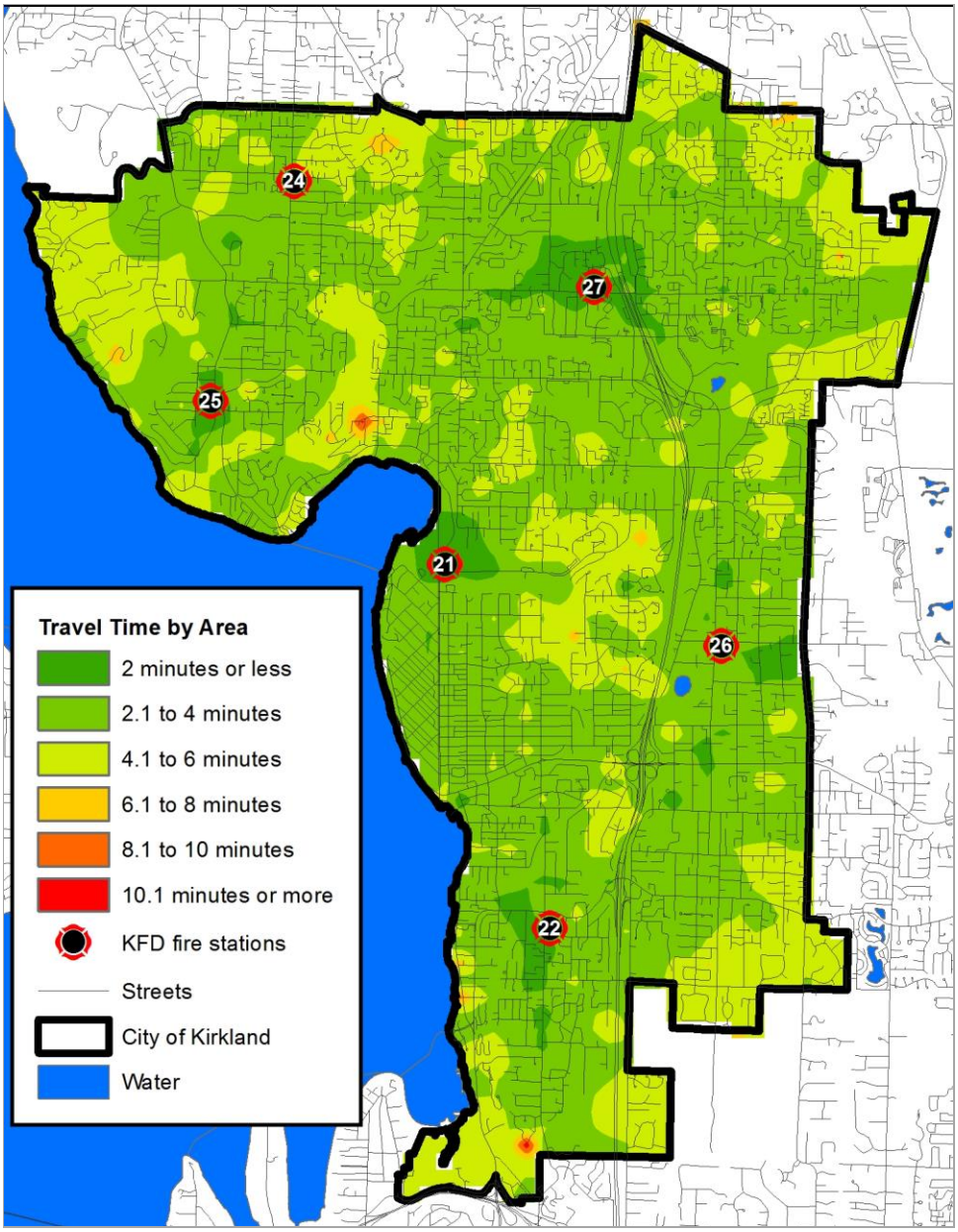
The next figure shows the frequency of incidents during the study period at various minutes of travel. 71 percent of incidents have travel times of between two and five minutes.

Figure 60: Travel Time Frequency, Study Period



Travel time performance by region is highly variable. This is influenced by a number of factors including individual station area workload, the number of times a station must cover another station's area, the size of the station area and the street system serving it. More highly connected, grid patterned, street systems contribute to faster response times than do areas with meandering streets with numerous dead-ends. The following figure graphically displays travel time performance for priority incidents by area.

Figure 61: Travel Time Performance by Area



The next analysis compared coverage of incidents that occurred during the study period. The following figure shows the results of this analysis. The vast majority of actual responses occurred within four travel minutes of fire stations.

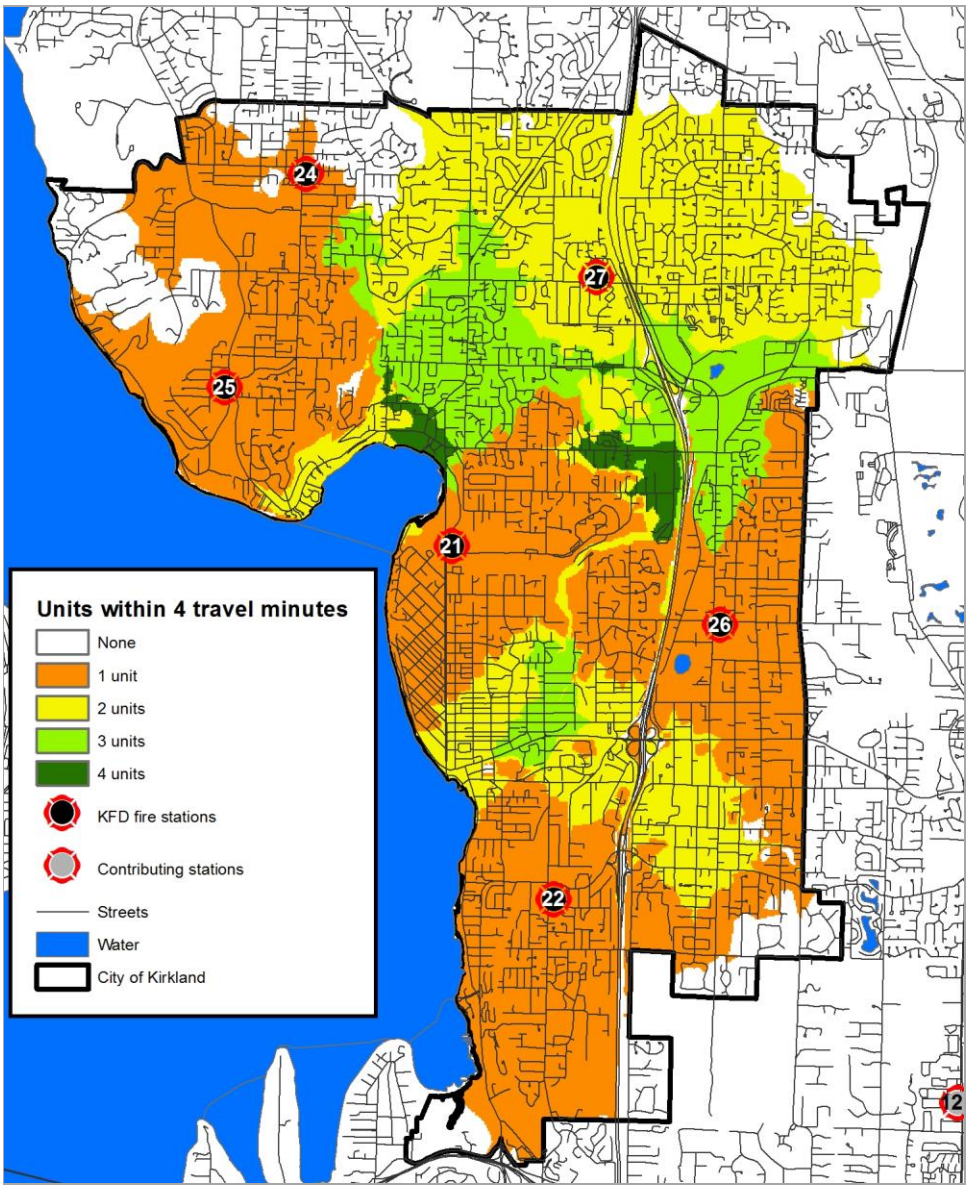
Figure 62: Incidents Within Four-Travel Minute Coverage

	Total	Percent of Total
Total incidents in city	6,895	100.0%
Total city incidents inside station 4-minute travel coverage	6,664	96.6%

As important as it is to ensure that all portions of the service area are within the target travel time of a fire station, it is equally important to provide some degree of redundancy, or overlap, in areas of high incident activity. Figure 40 in this report illustrates the portions of the service area with higher incident activity. The likelihood of concurrent incidents is greater in several neighborhoods due to the number of incidents that occur in that area. Some degree of overlap in these areas is helpful to better serve concurrent incidents and minimize travel time.

The following figure illustrates the service area and shows where the four-minute travel areas of two or more active Kirkland fire stations overlap. Adjacent agency stations contribute very little to overlapping coverage.

Figure 63: Overlapping Four-Minute Travel Area – KFD Stations



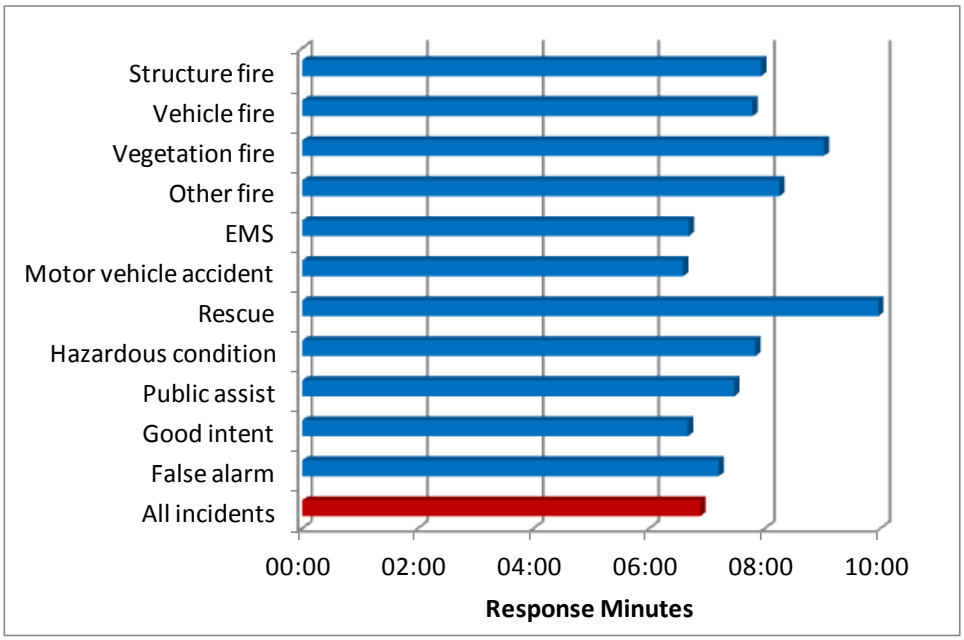
First Arriving Unit Response Time

Response time is defined as that period between notification of response personnel by the dispatch center that an emergency is in progress until arrival of the first fire department response unit at the emergency.

KFD's current target for response time is within seven minutes 40 seconds, 90 percent of the time for fire incidents and within six minutes 36 seconds for emergency medical incidents. Its response time target is within five minutes 20 seconds, 90 percent of the time for fire incidents and within five minutes 0 seconds, 90 percent of the time for emergency medical incidents.

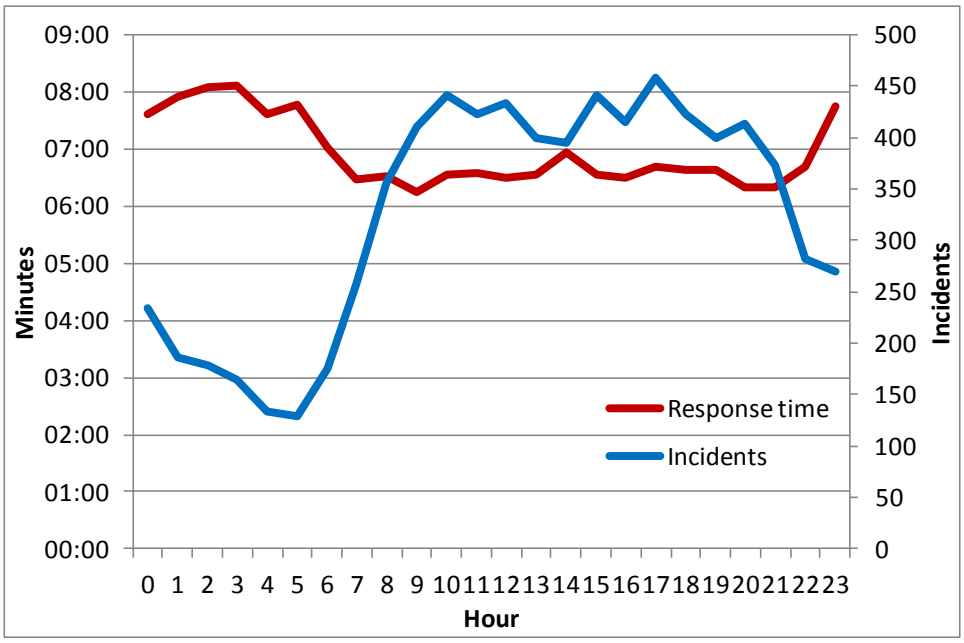
The following figure illustrates response time for all priority incidents as well as specific incident types. Overall, response time for all priority incidents is within six minutes 44 seconds, 90 percent of the time. Response time for fire incidents was within seven minutes 40 seconds, 90 percent of the time and within six minutes 36 seconds, 90 percent of the time for emergency medical incidents. KFD met its target for fire incidents 62 percent of the time. It met its target for emergency medical incidents 69 percent of the time.

Figure 64: Response Time Performance – First Arriving Unit, Study Period



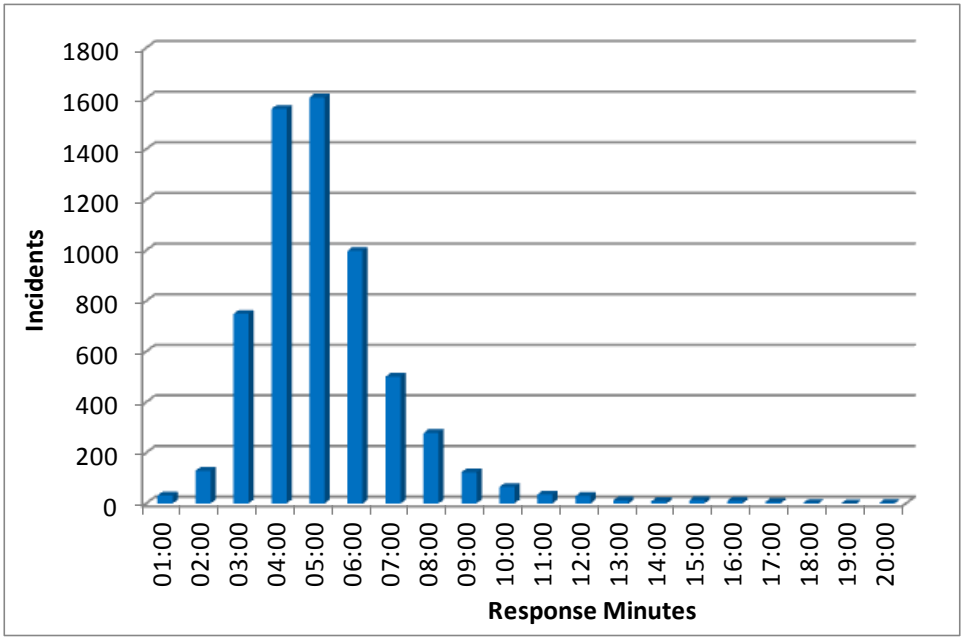
The next figure shows response time by hour of day for all incidents. Response time is slowest during the night-time hours and fastest during the day. Generally, KFD's best response times occur during the period of the day when response activity is at its highest.

Figure 65: Hourly Response Time Performance, Study Period



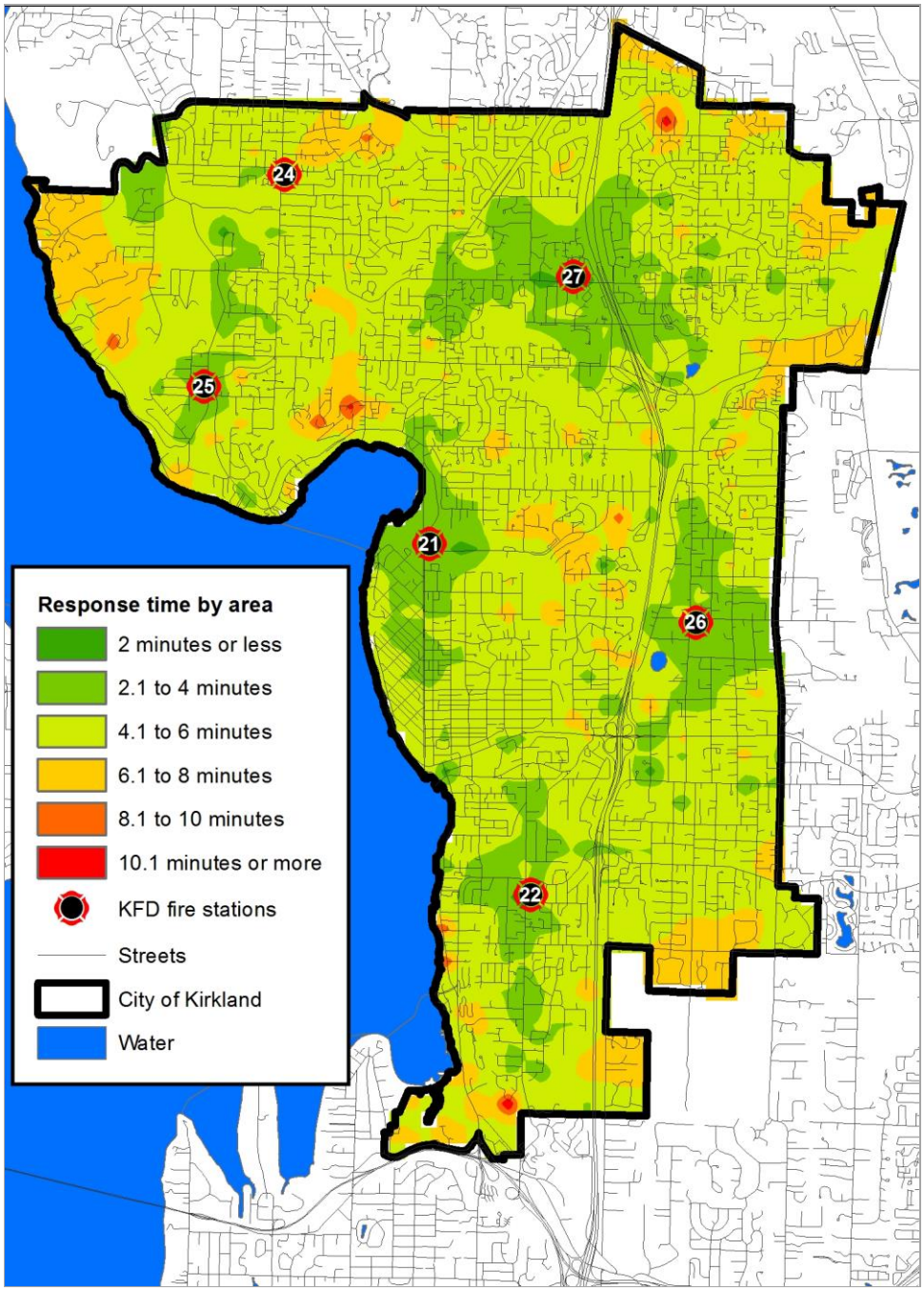
The next figure shows the frequency of incidents during 2012 at various minutes of response time. 79 percent of incidents have response times of between two and six minutes.

Figure 66: Response Time Frequency, 2012



The following figure illustrates response time performance by area.

Figure 67: Response Time by Area

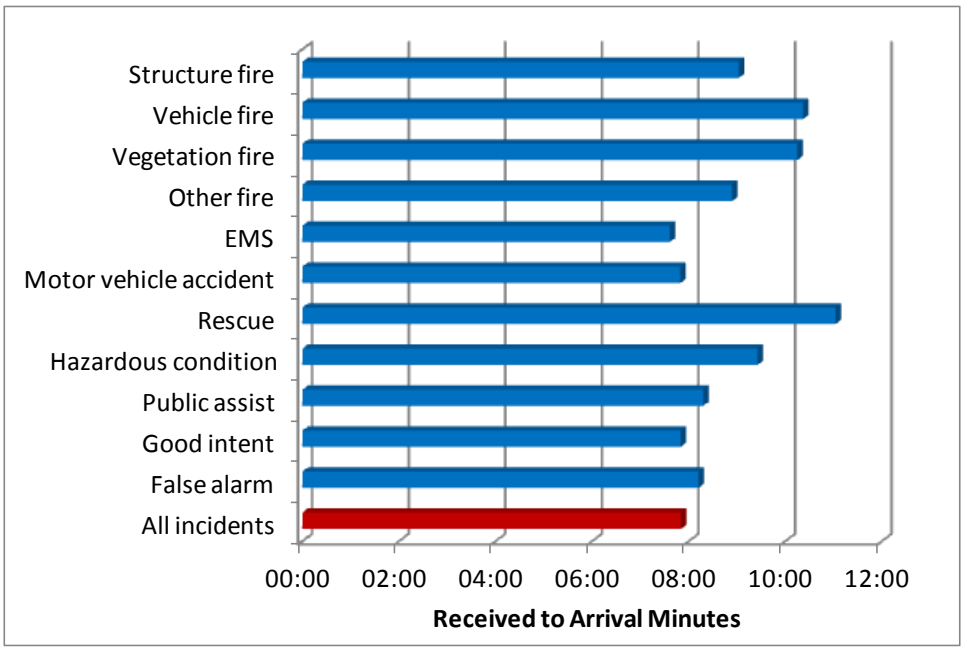


First Arriving Unit Received to Arrival Time (Total Response Time)

From the customers' standpoint, time begins when the emergency occurs. Their first contact with emergency services is when they call for help, usually by dialing 9-1-1. The combination of call processing time and response time is called received to arrival time, or total response time. The received to arrival time goals recommended for KFD are within six minutes 20 seconds, 90 percent of the time for fire incidents and within six minutes 0 seconds, 90 percent of the time for emergency medical incidents.

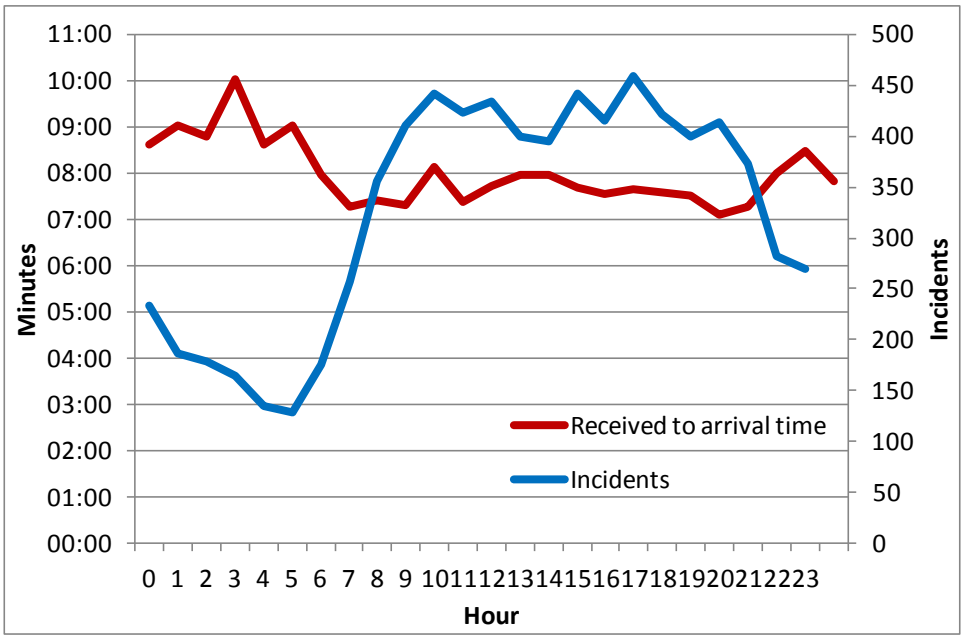
The next figure shows response performance at the 90th percentile from the time the phone rings at the dispatch center until the first unit arrives at the incident location. Overall, received to arrival time for all priority incidents is within 7 minutes 44 seconds, 90 percent of the time. Total response time for fire incidents was within eight minutes 55 seconds, 90 percent of the time and within seven minutes 34 seconds, 90 percent of the time for emergency medical incidents. KFD met its recommended goal for fire incidents 62 percent of the time and for emergency medical incidents 74 percent of the time.

Figure 68: Received to Arrival Time – First Arriving Unit, Study Period



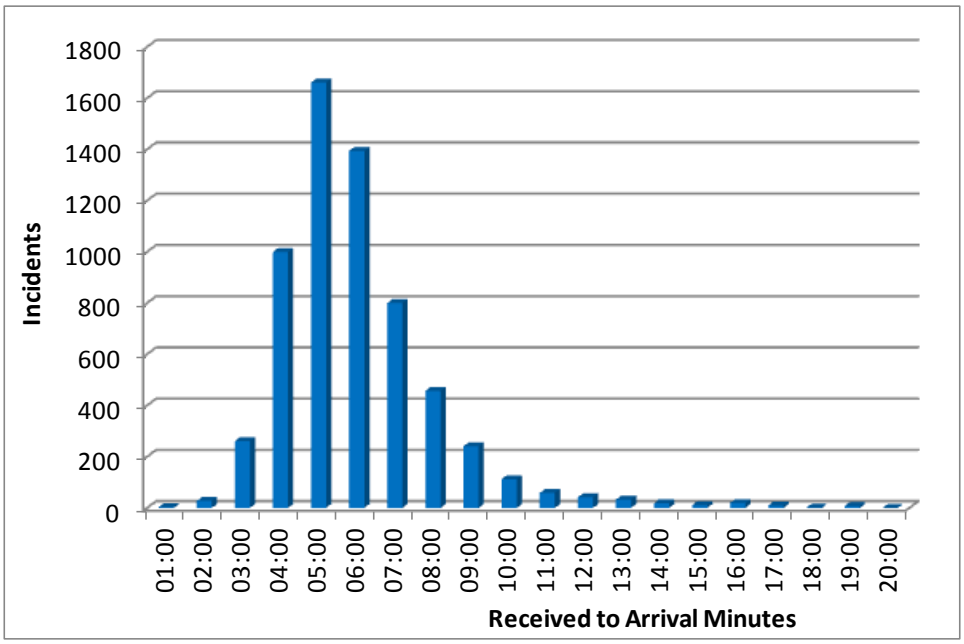
The next figure shows received to arrival performance by time of day also compared to incident activity by time of day. Total response time, from the customer's standpoint, is quickest during the day and slowest during the late night and early morning hours.

Figure 69: Hourly Received to Arrival Performance, Study Period



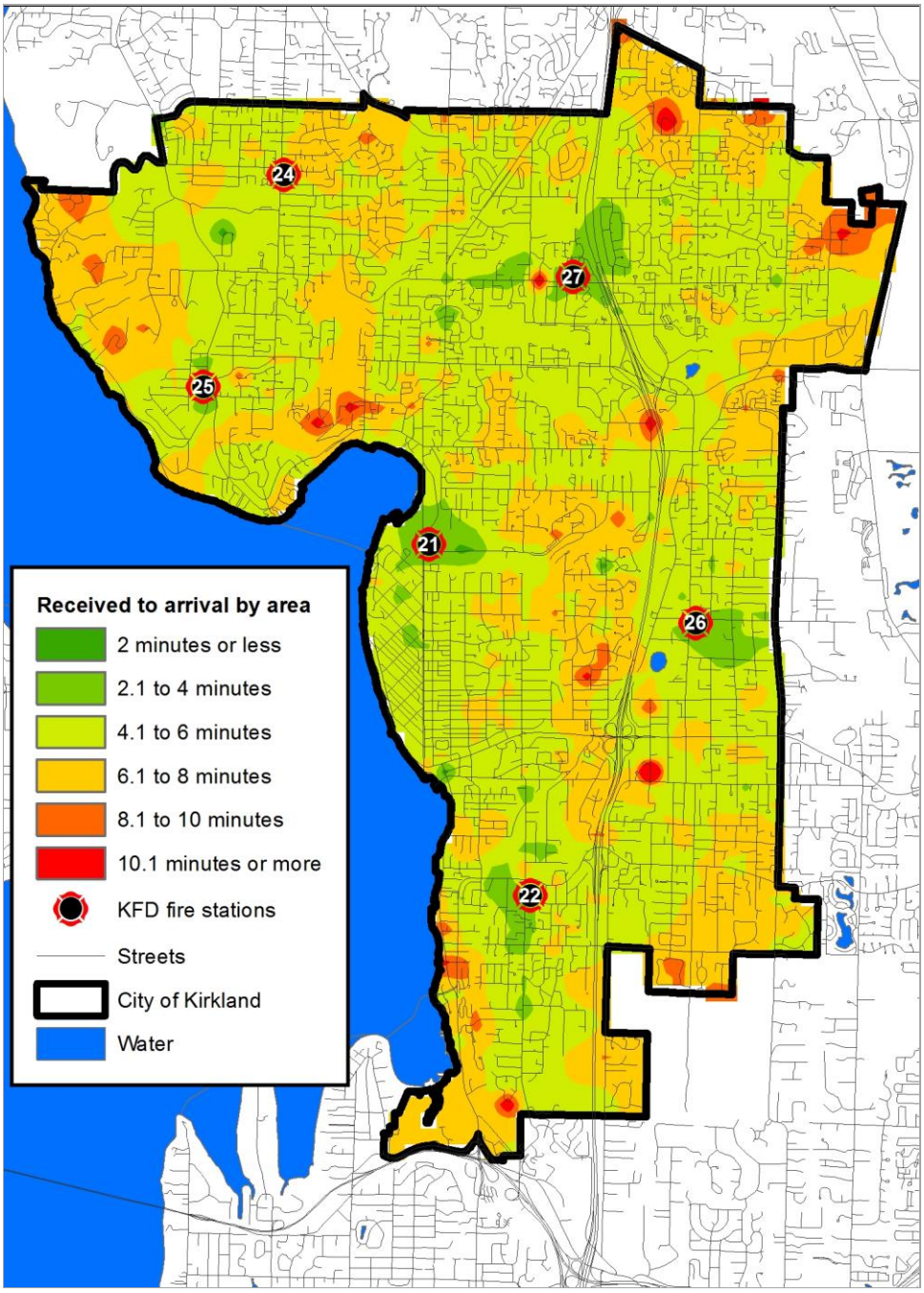
The next figure shows the frequency of incidents during the study period at various minutes of received to arrival time. 79 percent of incidents have received to arrival times of between three and seven minutes.

Figure 70: Received to Arrival Time Frequency, Study Period



The next figure illustrates received to arrival time by area.

Figure 71: Received to Arrival Time by Area



Concentration and Current Effective Response Force Capability Analysis

Effective Response Force (ERF) is the number of personnel and apparatus required to be present on the scene of an emergency incident to perform the critical tasks in such a manner to effectively mitigate the incident without unnecessary loss of life and/or property. The ERF is specific to each individual type of incident, and is based on the critical tasks that must be performed. Both moderate and high risk structure fires are used as the primary risk category for this analysis as these present the most frequent type of incidents requiring multiple response units and greater numbers of firefighters assigned to the incident.

KFD currently dispatches four fire engines, two ladder trucks, two battalion chiefs, and an aid car to all reported building fires regardless of level of risk. It does so knowing that it is easier to return apparatus not needed than to add additional response units during the course of the emergency. So long as incident commanders are diligent in returning unneeded response units to service quickly this strategy can be effective.

KFD has identified the following recommended response performance goals for the delivery of the full effective response force to moderate and high risk incidents:

- *For moderate risk incidents, KFD shall assemble an Effective Response Force (ERF) consisting of personnel sufficient to effectively mitigate the incident based on risk within ten minutes 20 seconds* ***from receipt of the call at the dispatch center****, 90 percent of the time.*
- *For high risk incidents, KFD shall assemble an Effective Response Force (ERF) consisting of personnel sufficient to effectively mitigate the incident based on risk within ten minutes 20 seconds* ***from receipt of the call at the dispatch center****, 90 percent of the time.*

Data was not available to differentiate a given structure fire incident as either moderate risk or high risk. The evaluation of current performance reviewed the time required to deliver the minimum effective response force for moderate risk and for high risk.

Actual performance for structure fires that occurred within the City of Kirkland during the study period is:

- **Moderate Risk –** Within 13 minutes 0 seconds, 90 percent of the time.
- **High Risk –** Within 16 minutes three seconds, 90 percent of the time.

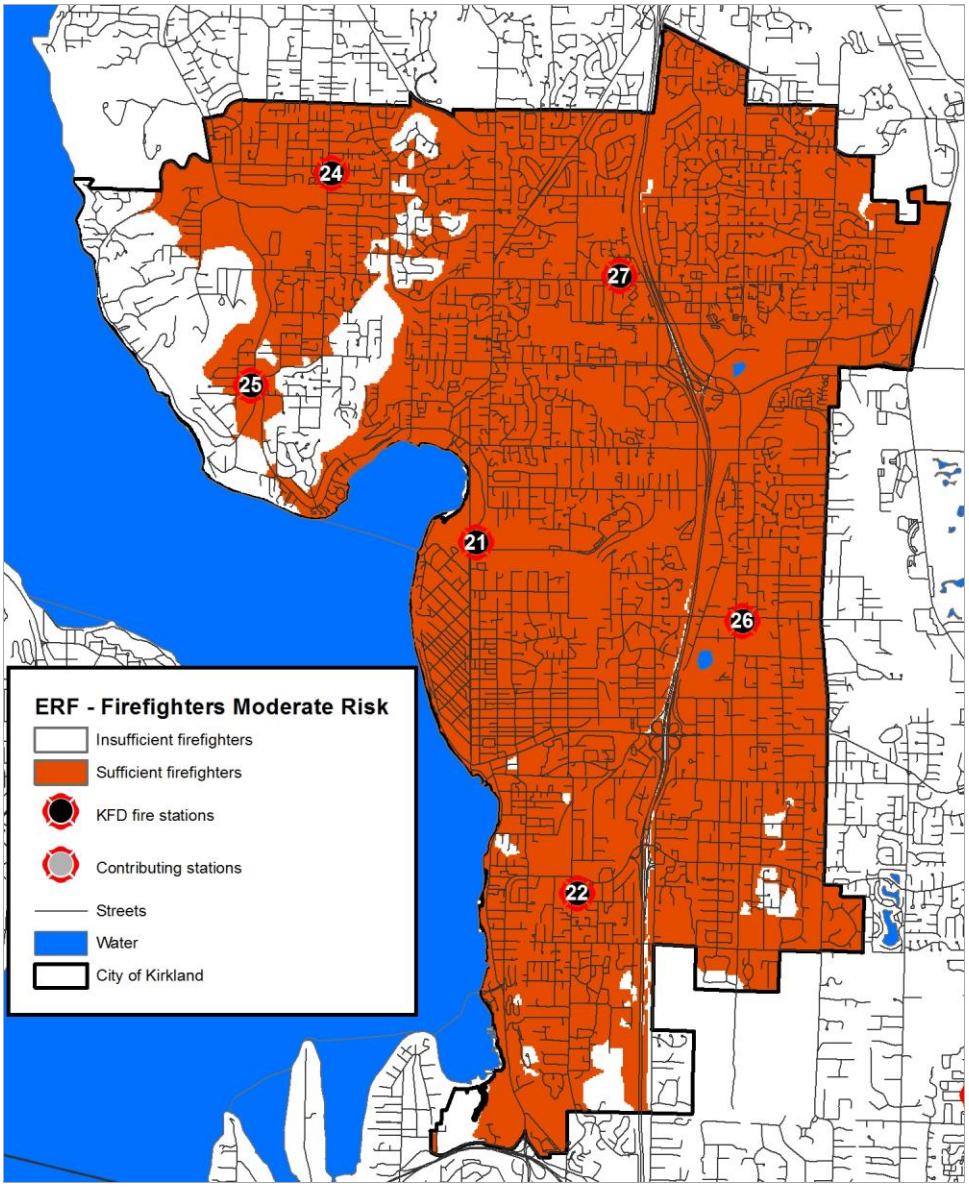
For the purpose of this analysis, 60 seconds is allowed for call processing time and 80 seconds is allowed for turnout time. Thus to achieve delivery of an effective response force within ten minutes 20 seconds for both moderate and high risk structure fires, eight minutes of travel time is available.

Finally, for the purpose of this analysis, a full effective response force to a high risk structure fire is two battalion chiefs, two ladder trucks, an aid unit, and four fire engines with total staffing of 20 firefighters. For a moderate risk structure fire it is one battalion chief, one ladder truck, one aid unit, and three fire engines with total staffing of 15 firefighters.

KFD's current ability to deliver the minimum resources needed for moderate and high risk structure fires was evaluated. The following figures depict the current capability of KFD to assemble various concentrations of apparatus and firefighters within each area. The modeled analysis shown assumes that all response units are available and includes the resources of adjacent agencies as appropriate.

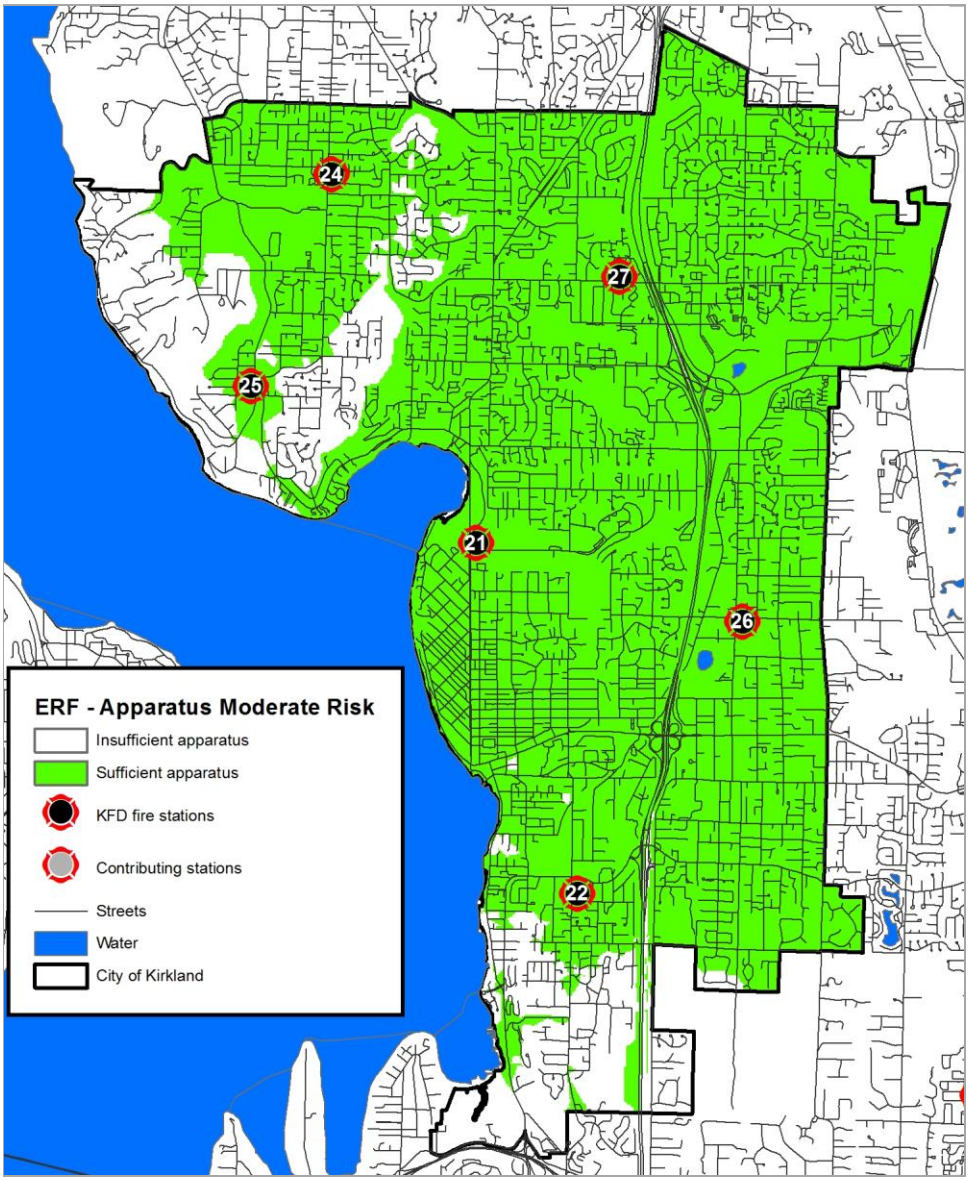
The first figure shows the area that can be reached by 15 firefighters within eight minutes travel. Moderate risk firefighter effective response force is not available to some areas around Stations 25.

Figure 72: Effective Response Force – Firefighters – Moderate Risk



The next figure shows the area that can be served by one battalion chief, one ladder truck, and three fire engines within the eight minute travel time target. This illustrates that the city is well served by current resources for a moderate risk structure fire. Only an area around Station 25 has insufficient resources.

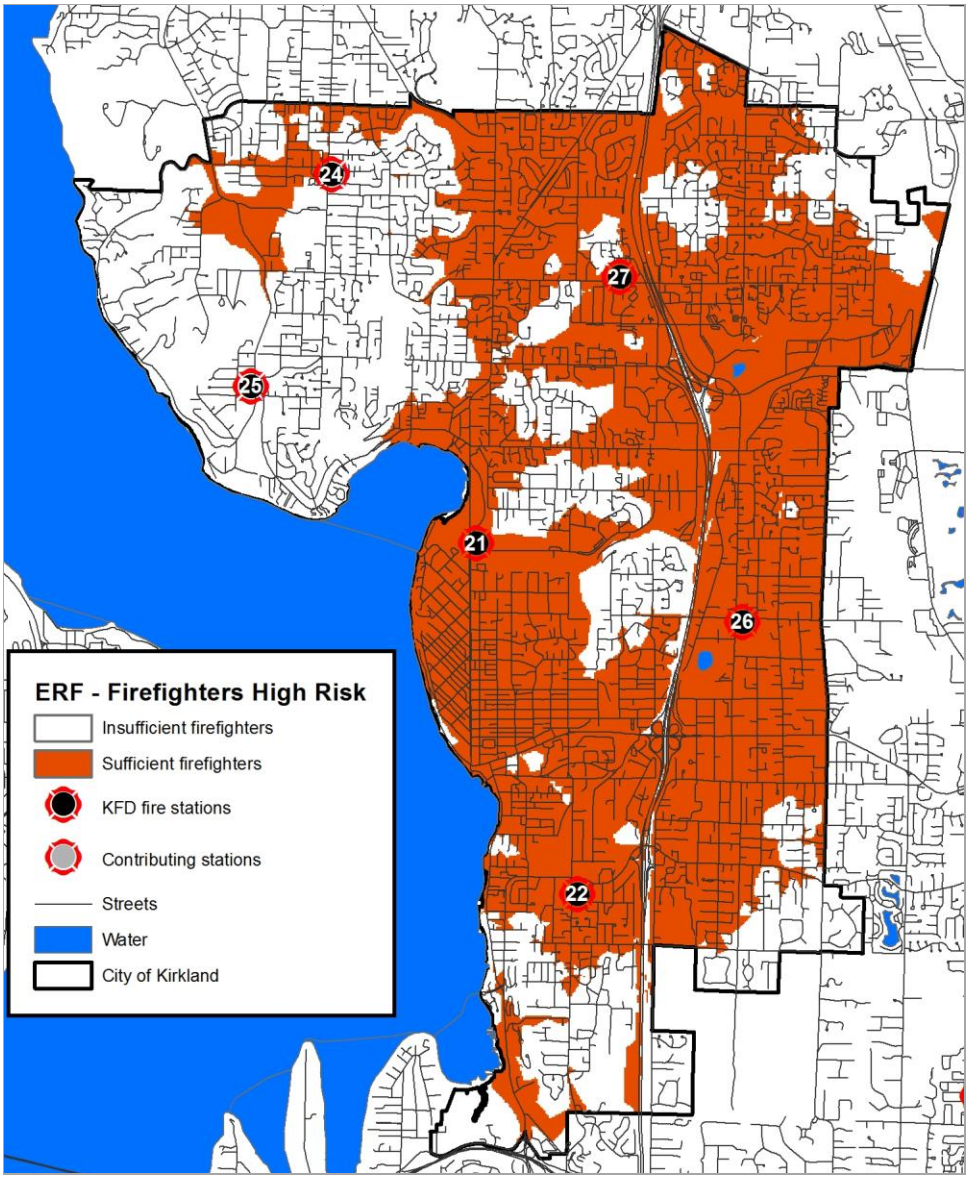
Figure 73: Effective Response Force – Apparatus – Moderate Risk



KFD's current ability to deliver the minimum resources needed for a high risk structure fire was also evaluated. The following figures depict the current capability of KFD to assemble various concentrations of apparatus and firefighters within each area. Again, the modeled analysis shown assumes that all response units are available and includes the resources of adjacent agencies as appropriate.

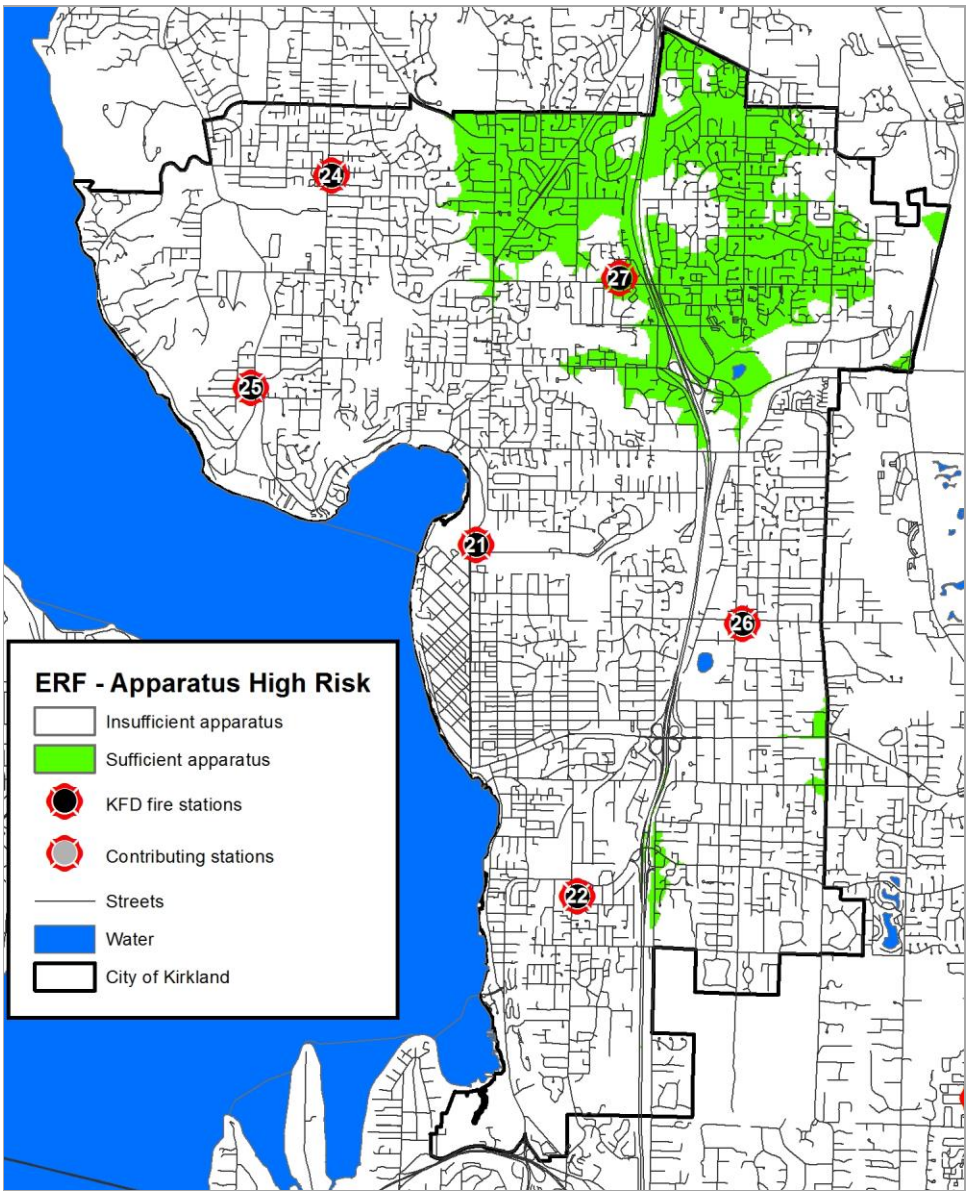
The first figure shows the area that can be reached by 20 firefighters within eight minutes travel. High risk firefighter effective response force is available to less of the city than moderate risk.

Figure 74: Effective Response Force – Firefighters – High Risk



The next figure shows the area that can be served by two battalion chiefs, two ladder trucks, and four fire engines within the eight minute travel time target. This illustrates that very little of the city is served by current resources for a high risk structure fire.

Figure 75: Effective Response Force – Apparatus – High Risk



Second Unit Arrival Time

Four KFD fire engines and the ladder truck are staffed with three personnel; one fire engine is temporarily staffed with four personnel. Safety regulations require that at least four firefighters be on scene before firefighters can enter a burning building. The only exception is if it is known that a person is

inside the building and needs rescue or the fire is still in the incipient stage. Consequently, the arrival of a second response unit is normally required before interior firefighting activities can be initiated.

The same group of structure fires was reviewed to determine the time the second response unit arrived on the scene. According to the data, the second unit arrived on scene of a building fire in the City of Kirkland within two minutes 59 seconds, 90 percent of the time after the arrival of the first unit.

Emergency Medical Services

KFD provides emergency medical first-response and ambulance service at the basic life support level. Advanced life support care and ambulance service is provided by the King County Medic One system.

A call for emergency medical assistance is received first at the regional dispatch center. Incident information is obtained from the caller, and both the fire department and Medic One units are dispatched.

KFD arrives first or at the same time as the Medic unit at emergency medical incidents 94.4 percent of the time. The following figure lists the percentage of time each unit type arrived first.

Figure 76: Arrival Order Percentage

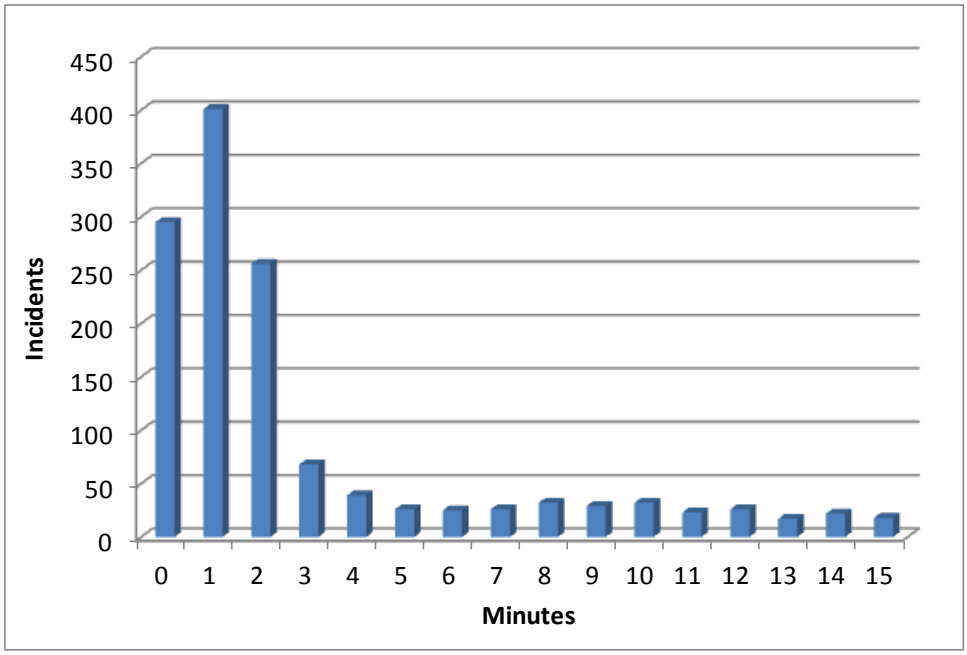
Arrival Order	Incidents	Percentage
Fire unit arrived first	1,216	89.1%
Medic unit arrive first	63	4.6%
Fire and Medic arrived at same time	72	5.3%
Fire unit cancelled	13	1.0%
TOTAL INCIDENTS	1,364	100%

KFD arrives first most often and within four minutes 10 seconds 90 percent of the time earlier than the Medic unit *when both units are dispatched at about the same time*. For those incidents to which the Medic unit arrived first it arrived within three minutes 15 seconds 90 percent of the time before the fire department.

The dispatch of the Medic unit was delayed by an average of four minutes 20 seconds during the study period (11 minutes 23 seconds, 90 percent of the time). The dispatch of the Medic unit was delayed by more than one minute on 50 percent of all incidents. Sometimes this is because a Medic unit was not requested until after the arrival of a KFD response unit. However, in most cases it is because a Medic

unit is not dispatched until completion of the call taking process. The following figure illustrates the frequency of incidents in which the dispatch of the Medic unit was delayed compared to the KFD unit.

Figure 77: Frequency of Delay in Medic One Unit Dispatch



This delay in dispatching the Medic unit contributes to a significant delay in the arrival of advanced life support care. When arrival of a KFD unit is compared to arrival of a Medic unit from the initial time the call was received at the dispatch center, the KFD unit arrived within seven minutes 16 seconds before the Medic unit, 90 percent of the time.

Call Concurrency and Reliability

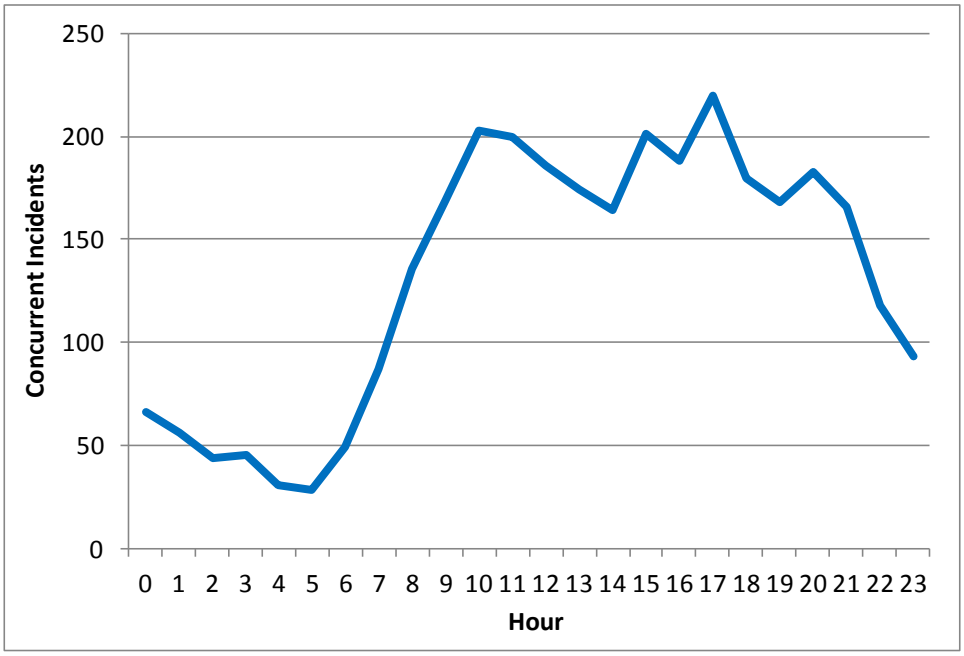
When evaluating the effectiveness of any resource deployment plan, it is necessary to evaluate the workload of the individual companies to determine to what extent their availability for dispatch is affecting the response time performance. In simplest terms, a response unit cannot make it to an incident across the street from its own station in four minutes if it is unavailable to be dispatched to that incident because it is committed to another call.

Concurrency

One way to look at resource workload is to examine the number of times multiple incidents happen within the same time frame. Incidents during 2012 were examined to determine the frequency of concurrent calls within the KFD service area. This is important because concurrent calls can stretch

available resources and extend response times. During the study period, 40.4 percent of incidents occurred concurrently with another incident.

Figure 78: Incident Concurrency by Hour



Reliability

The ability of a fire station's first-due unit(s) to respond to an incident within its assigned response area is known as unit *reliability*. The reliability analysis is normally done by measuring the number of times response units assigned to a given fire station were available to respond to a request for service within that fire station's primary service area.

KFD does not dispatch response units based on a particular geographic service area. Instead, the computer aided dispatch system assigns the closest unit to an incident based on calculated travel time. This is a far superior way to select response units for an incident.

To determine reliability under this system, data should be collected to determine the number of times any response unit was available for an incident within the target travel time, in KFD's case four minutes. Data is not available to make that calculation.

Component H – Factors Influencing Incident Outcomes

Dynamics of Fire in Buildings

Most fires within buildings develop in a predictable fashion, unless influenced by highly flammable material. Ignition, or the beginning of a fire, starts the sequence of events. It may take several minutes or even hours from the time of ignition until a flame is visible. This smoldering stage is very dangerous, especially during times when people are sleeping, since large amounts of highly toxic smoke may be generated during this phase.

Once flames do appear, the sequence continues rapidly. Combustible material adjacent to the flame heats and ignites which in turn heats and ignites other adjacent materials if sufficient oxygen is present. As the objects burn, heated gases accumulate at the ceiling of the room. Some of the gases are flammable and highly toxic.

The spread of the fire from this point continues quickly. Soon the flammable gases at the ceiling as well as other combustible material in the room of origin reach ignition temperature. At that point, an event termed “flashover” occurs; the gases and other material ignite, which in turn ignites everything in the room. Once flashover occurs, damage caused by the fire is significant and the environment within the room can no longer support human life.

Flashover usually occurs about five to eight minutes from the appearance of flame in typically furnished and ventilated buildings. Since flashover has such a dramatic influence on the outcome of a fire event, the goal of any fire agency is to apply water to a fire before flashover occurs.

Although modern codes tend to make fires in newer structures more infrequent, today’s energy-efficient construction (designed to hold heat during the winter) also tends to confine the heat of a hostile fire. In addition, research has shown that modern furnishings generally burn hotter (due to synthetics).

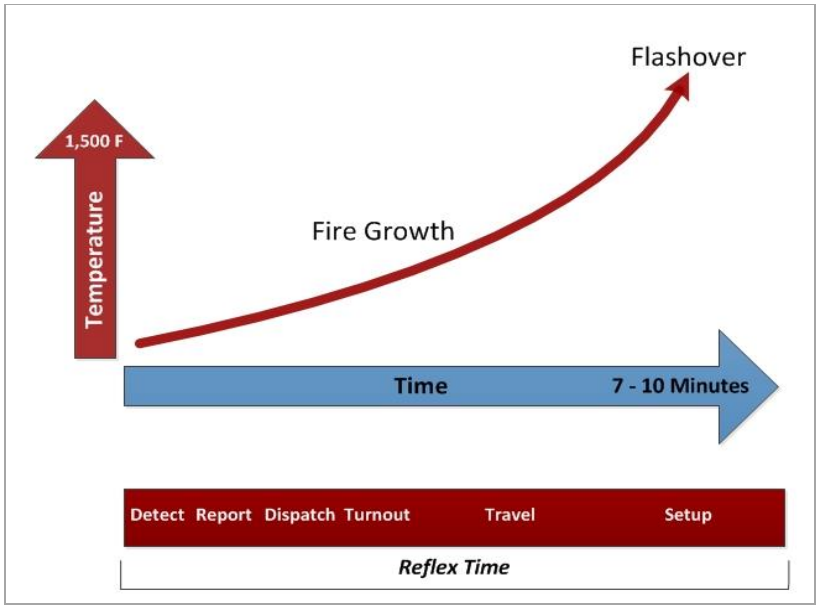
In the 1970s, scientists at the National Institute of Standards and Technology found that after a fire broke out, building occupants had about 17 minutes to escape before being overcome by heat and

smoke. Today, that estimate is as short as three minutes.[6] The necessity of effective early warning (smoke alarms), early suppression (fire sprinklers), and firefighters arriving on the scene of a fire in the shortest span of time is more critical now than ever.

Perhaps as important as preventing flashover is the need to control a fire before it does damage to the structural framing of a building. Materials used to construct buildings today are often less fire resistive than the heavy structural skeletons of older frame buildings. Roof trusses and floor joists are commonly made with lighter materials that are more easily weakened by the effects of fire. "Light weight" roof trusses fail after five to seven minutes of direct flame impingement. Plywood I-beam joists can fail after as little as three minutes of flame contact. This creates a dangerous environment for firefighters.

In addition, the contents of buildings today have a much greater potential for heat production than in the past. The widespread use of plastics in furnishings and other building contents rapidly accelerate fire spread and increase the amount of water needed to effectively control a fire. All of these factors make the need for early application of water essential to a successful fire outcome. A number of events must take place quickly to make it possible to achieve fire suppression prior to flashover. Figure 79 illustrates the sequence of events.

Figure 79: Fire Growth vs. Reflex Time



[6] Bukowski, Richard, et al. *Performance of Home Smoke Alarms, Analysis of the Response of Several Available Technologies in Residential Fire Settings,* National Institute of Standards and Technology.

As is apparent by this description of the sequence of events, application of water in time to prevent flashover is a serious challenge for any fire department. It is critical, though, as studies of historical fire losses can demonstrate.

The National Fire Protection Association found that fires contained to the room of origin (typically extinguished prior to or immediately following flashover) had significantly lower rates of death, injury, and property loss when compared to fires that had an opportunity to spread beyond the room of origin (typically extinguished post-flashover). As evidenced in the following figure, fire losses, casualties, and deaths rise significantly as the extent of fire damage increases.

Figure 80: Fire Extension in Residential Structures

Consequence of Fire Extension In Residential Structures 2003 - 2007			
	Rates per 1,000 Fires		Average Dollar Loss
Extension	Civilian Deaths	Civilian Injuries	Per Fire
Confined to room of origin or smaller	2.17	25.75	$4,228
Confined to floor of origin	16.86	82.56	$35,581
Confined to building of origin or larger	27.90	61.30	$65,450

Source: National Fire Protection Association, "Home Structure Fires," March 2010.

Emergency Medical Event Sequence

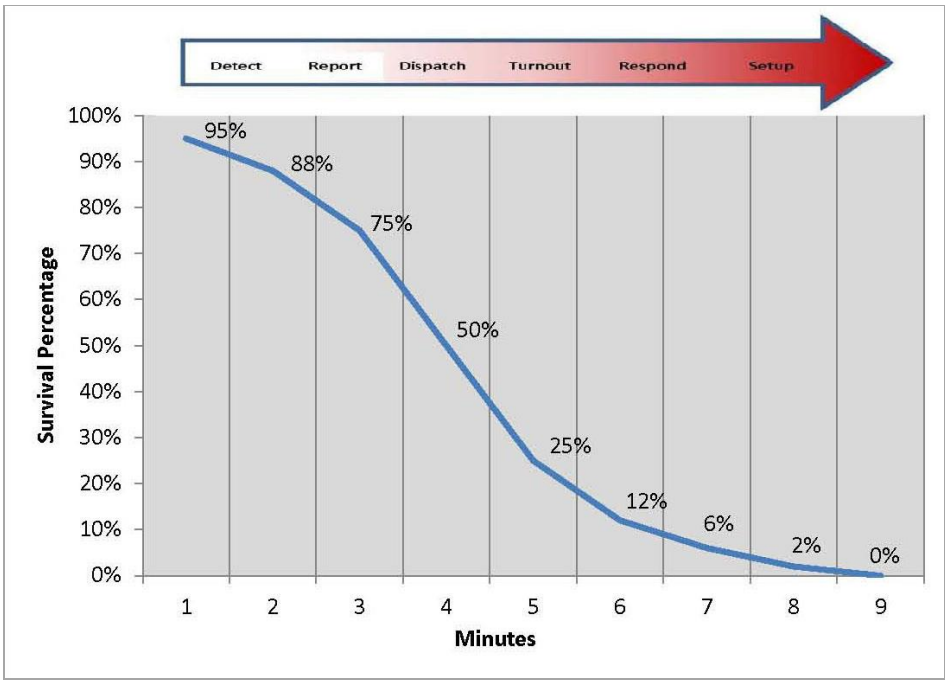
Cardiac arrest, also known as sudden cardiac arrest, is the abrupt loss of heart function. This can occur with or apart from the diagnosis of heart disease. The time and mode of death are unexpected; occurring instantly or shortly after symptoms appear. Cardiac arrest is the most significant life-threatening medical event in emergency medicine today. A victim of cardiac arrest has mere minutes in which to receive lifesaving care if there is to be any hope for resuscitation.

The American Heart Association (AHA) issued a set of cardiopulmonary resuscitation (CPR) guidelines designed to streamline emergency procedures for heart attack victims, and to increase the likelihood of survival. Hands-only CPR is the current recommendation by dispatchers for all 9-1-1 cardiac arrest calls. The AHA guidelines include goals for the application of cardiac defibrillation to cardiac arrest victims.

Cardiac arrest is reversible in most victims if it is treated within a few minutes, however survival chances fall by 7 to 10 percent for every minute between collapse and defibrillation. Consequently, the AHA recommends rapid application of an automated external defibrillator (AED) as early as possible and within five minutes of cardiac arrest.

As with fires, the sequence of events that lead to emergency cardiac care can be graphically illustrated, as in the following figure.

Figure 81: Cardiac Arrest Event Sequence



The percentage of opportunity for recovery from cardiac arrest drops quickly as time progresses. The stages of medical response are very similar to the components described for a fire response. Recent research stresses the importance of rapid cardiac defibrillation and administration of certain medications as a means of improving the opportunity for successful resuscitation and survival.

People, Tools, and Time

Time matters a great deal in the achievement of an effective outcome to an emergency event. Time, however, is not the only factor. Delivering sufficient numbers of properly trained, appropriately equipped personnel within the critical time period completes the equation.

For medical emergencies this can vary based on the nature of the emergency. Many medical emergencies are not time critical. However, for serious trauma, cardiac arrest, or conditions that may lead to cardiac arrest, a rapid response is essential.

Equally critical is delivering enough personnel to the scene to perform all of the concurrent tasks required to deliver quality emergency care. For a cardiac arrest, this can be up to six personnel; two to perform CPR, two to set up and operate advanced medical equipment, one to record the actions taken by emergency care workers, and one to direct patient care. Thus, for a medical emergency, the real test of performance is the time it takes to provide the personnel and equipment needed to deal effectively with the patient's condition, not necessarily the time it takes for the first person to arrive.

Fire emergencies are even more resource critical. Again, the true test of performance is the time it takes to deliver sufficient personnel to initiate application of water to a fire. This is the only practical method to reverse the continuing internal temperature increases and ultimately prevent flashover. The arrival of one person with a portable radio does not provide fire intervention capability and should not be counted as "arrival" by the fire department.

Component I – Overall Evaluation and Recommendations

Overall Evaluation

This Fire Services Master Plan, based on the *CFAI Standards of Cover 5th Edition,* required the completion of an intensive analysis on all aspects of the KFD deployment and staffing practices. The analysis used various tools to review workload, historical performance, evaluate risk, and validate response and non-response service performance. The analysis relied on the experience of staff officers and their historical perspective combined with historical incident data captured by both the dispatch center and the department's in-house records management system.

The Description of Community Served section provided a general overview of the organization, including governance, lines of authority, finance, and capital and human resources, as well as an overview of the service area including population and geography served. The Review of Services Provided section detailed a brief overview of the core services the organization provides based on general resource/asset capability and basic staffing complements.

An overview of community risk was provided to describe the risks KFD is charged with protecting. Geospatial characteristics, topographic and weather risks, transportation network risks, physical assets, and critical infrastructure were reviewed. As a factor of risk, community populations and demographics are evaluated against historic and projected service demand. Population and service demand, over the past decade, has increased.

Evaluating risk using advanced geographic information systems (GIS) provided an increased understanding of community risk factors, which can lead to an improved deployment policy.

During the analysis of service level objectives, critical tasking assignments were completed for incident types ranging from a basic medical emergency to a high risk structure fire. Critical tasking required a review of on-scene staffing capability to mitigate the effects of an emergency. These tasks ultimately determine the resource allocation necessary to achieve a successful operation. The results of the analysis indicate that a moderate risk structure fire required 15 personnel, including command and assistants.

The Review of Historical System Performance evaluated each component of the emergency incident sequence. Total response time included a number of components such as call processing, turnout, and travel. Beyond the response time of the initial arriving units, the additional components of concentration and effective response force, reliability, call concurrency, and resource drawdown were evaluated.

Based on the analysis and considering community expectations, recommendations are offered to improve the delivery of fire and emergency services to the City of Kirkland. It is not expected that all will be implemented in the short-term. Some may wait until economic conditions allow their implementation. However, all the recommendations offered chart a course to improved capability and service.

Recommendations

During the course of this study a number of issues, concerns, and opportunities were identified. The following recommendations are intended to accomplish three primary objectives:

1. Define clearly the expected level of performance provided by KFD.
2. Improve service delivery with no or minimal expenditure of funds.
3. Identify service level improvement opportunities that can be implemented as funding becomes available.

The recommendations are described as improvement goals and should be implemented as funding allows. Each will improve KFD's ability to provide effective service to the community.

Improvement Goal A: Adopt New Response Performance Goals

A community's desired level of service is a uniquely individual decision. No two communities are exactly alike. Performance goals must be tailored to match community expectations, community conditions, and the ability to pay for the resources necessary to attain the desired level of service.

Levels of service and resource allocation decisions are the responsibility of the community's elected officials, in this case the Kirkland City Council. The policy making body must carefully balance the needs and expectations of its citizenry when deciding how much money to allocate to all of the services each provides.

The City of Kirkland has adopted response performance goals for its fire department. They are aggressive, in some cases more so than the guidance provided by National Fire Protection Association Standard 1710. An alignment of the city's goals with national guidance is suggested.

With this in mind the following are recommended as KFD's fire and life safety response performance goals. These are not levels of service that must be achieved immediately but, instead, are targets for achievement when resources are available to do so.

Call-Processing Performance Goal

Call processing time is the first phase of overall response time. Though much information must be gathered to properly identify the resources needed to respond to the emergency, keeping this time as short as possible has a direct impact on response time. The City of Kirkland has not adopted a goal for call processing time.

Although National Fire Protection Association Standard 1221 recommends a call be processed and dispatched within 60 seconds 80 percent of the time, the recommended performance goal sets a higher standard at 90 percent.

Recommended Call Processing Goal:

Response resources shall be notified of a priority incident within 60 seconds of receipt of the call at the dispatch center, 90 percent of the time.

- Current performance – Within 60 seconds, 83 percent of the time

Turnout Time Performance Goal

Turnout time is one area over which the fire department has total control and is not affected by outside influences. Turnout time, or the time between when the call is received by the response units (dispatched) and when the unit is actually en route to the scene (responding), can have dramatic effects on overall response times. Reducing this response time component reduces total response time.

National Fire Protection Association Standard 1710 recommends turnout time performance of 80 seconds or less, 90 percent of the time for fire response and 60 seconds or less, 90 percent of the time for all other priority responses. This extra 20 seconds for a fire response recognizes the time required to don protective clothing. KFD is not meeting the turnout time recommended in the national standard for either fires or other incidents. The City of Kirkland's current goal is within 60 seconds, 90 percent of the time. Given that turnout time is one area in which field personnel can improve overall response time, an aggressive objective is recommended.

Recommended Turnout Goal:

Response personnel shall assemble on apparatus and initiate movement towards a priority emergency within 80 seconds of notification by the dispatch, 90 percent of the time for incidents requiring full personal protective equipment and within 60 seconds from notification by the dispatch center, 90 percent of the time for all other incidents.

- Current performance for incidents requiring personal protective equipment – Within 80 seconds, 49 percent of the time
- Current performance for incidents not requiring personal protective equipment – Within 60 seconds, 38 percent of the time

Total Response Time for the First-due Unit

The time required to deliver the first response unit capable of intervening in the emergency includes call processing time, turnout time and travel time. Travel time is normally the longest phase of this response interval.

National Fire Protection Association Standard 1710 recommends four minute travel times for the first arriving response unit. The city's current goals call for either a three minute 0 second travel time for EMS incidents or a three minute 30 second travel time for fire incidents. Currently, travel time for all incidents is within five minutes 19 second, 90 percent of the time.

Like turnout time, there are two recommended goals for this performance measure.

Recommended Response Time Goals:

- **Total Response time of the first arriving response unit at a priority fire incident**
  The first response unit capable of initiating effective incident intervention shall arrive at a priority emergency within six minutes 20 seconds (6:20) from receipt of the call at the dispatch center, 90 percent of the time.
  - Current performance – Within six minutes 20 seconds, 62 percent of the time

- **Total Response time for arrival of the first response unit at a priority emergency medical incident**
  The first response unit capable of initiating effective incident intervention shall arrive at a priority emergency within six minutes 0 seconds (6:00) from receipt of the call at the dispatch center 90 percent of the time.
  - Current performance – Within six minutes 0 seconds, 74 percent of the time

Concentration Performance Goal

A fire department's *concentration* is the spacing of multiple resources close enough together so that an initial "Effective Response Force" (ERF) for a given risk can be assembled on the scene of an emergency within the specific time frame identified in the community's performance goals for that risk type. An initial effective response force is defined as that which will be most likely to stop the escalation of the emergency.

The ERF for high risk structure fires in Kirkland is identified as the arrival of at least four fire engines, two ladder trucks, an aid unit, and two battalion chiefs (20 firefighters total). For moderate risk structure fires it is three fire engines, one ladder truck, one battalion chief and one aid unit (15 firefighters total). This initial ERF does not necessarily represent the entire alarm assignment, as additional units may be assigned based on long-term incident needs and risks. Additional engines, ladders, or other specialty companies are assigned to higher risk responses in order to accomplish additional critical tasks that are necessary beyond the initial attack and containment. Current performance to deliver resources required for moderate risk structure fires is within 13 minutes 0 seconds, 90 percent of the time. Current performance to deliver resources required for high risk structure fires is within 16 minutes three seconds, 90 percent of the time.

Recommended Concentration Goal:

- For moderate risk incidents, KFD shall assemble an effective response force (ERF), consisting of personnel sufficient to effectively mitigate the incident based on risk, within ten minutes 20 seconds from receipt of the call at the dispatch center, 90 percent of the time.
    - Current performance – Within ten minutes 20 seconds, 41 percent of the time

- For high risk incidents, KFD shall assemble an effective response force (ERF), consisting of personnel sufficient to effectively mitigate the incident based on risk, within ten minutes 20 seconds from receipt of the call at the dispatch center, 90 percent of the time.
    - Current performance – Within ten minutes 20 seconds, zero percent of the time

The following figure summarizes the current and recommended response performance goals.

Figure 82: Current and Recommended Response Performance Goals

Performance Goal	KFD Current Goal	Recommended Goal
Dispatch Performance Goal: *Response resources shall be notified of a priority emergency within X seconds of receipt of the call at the dispatch center, 90 percent of the time.*	60 seconds	60 seconds
Turnout Time Performance Goal: *Response personnel shall assemble on apparatus and initiate movement towards a priority emergency within X seconds of notification by the dispatch center, 90 percent of the time.*	60 seconds for all incidents	80 seconds for all incidents requiring personal protective equipment 60 seconds for all others
First-Due Total Response Time Performance Goal – Fire: *The first response unit capable of initiating effective incident intervention shall arrive at a priority emergency within X minutes Y seconds **from receipt of call at the dispatch center**, 90 percent of the time.*	5 minutes 30 seconds (allows 3:30 for travel time)	6 minutes 20 seconds
First-Due Total Response Time Performance Goal – EMS: *The first response unit capable of initiating effective incident intervention shall arrive at a priority emergency within X minutes Y seconds **from receipt of the call at the dispatch center**, 90 percent of the time.*	5 minutes 0 seconds (allows 3:00 for travel time)	6 minutes 0 seconds
Concentration Performance Goal: *For moderate risk incidents, KFD shall assemble an Effective Response Force (ERF) consisting of personnel sufficient to effectively mitigate the incident based on risk within X minutes **from receipt of the call at the dispatch center**, 90 percent of the time.*	10 minutes (allows 8 minutes for travel time)	10 minutes 20 seconds
*For high risk incidents, KFD shall assemble an Effective Response Force (ERF) consisting of personnel sufficient to effectively mitigate the incident based on risk within X minutes **from receipt of the call at the dispatch center**, 90 percent of the time.*	10 minutes (allows 8 minutes for travel time)	10 minutes 20 seconds

The following figures list KFD's recommended performance goals and those of other agencies within the region. It also lists the degree to which each agency is meeting their goals. If no information is listed it means either the agency has not adopted a goal or information is not available about its degree of accomplishment.

Figure 83: Current or Recommended Response Performance Goals

Response Performance Goals at 90th Percentile										
Department	**Call Processing Time**	**Turnout Time - Fire**	**Turnout Time - EMS**	**Travel Time**	**Response Time - Fire**	**Response Time - EMS**	**Received to Arrival Time - Fire**	**Received to Arrival Time - EMS**	**Effective Response Force - Moderate Risk**	**Effective Response Force - High Risk**
Kirkland	60 sec	60 sec	80 sec	4 min	5 min 20 sec	5 min 0 sec	6 min 20 sec	6 min	10 min 20 sec	10 min 20 sec
Bellevue	60 sec	60 sec		4 min	5 min	5 min	6 min	6 min		
Seattle	60 sec	60 sec		4 min	5 min	5 min	6 min	6 min		
Northshore	60 sec	120 sec			6 min	6 min	NA	NA	14 minutes	
Redmond Suburban	90 sec	120 sec			8 min	8 min	9 min 30 sec	9 min 30 sec		
Redmond Rural	90 sec	120 sec			12 min	12 min	13 min 30 sec	13 min 30 sec		
Bothell							8 min	7 min 15 sec		

Figure 84: Current Performance

Percentage of Responses Meeting Goal										
Department	**Call Processing Time**	**Turnout Time - Fire**	**Turnout Time - EMS**	**Travel Time**	**Response Time - Fire**	**Response Time - EMS**	**Received to Arrival Time - Fire**	**Received to Arrival Time - EMS**	**Effective Response Force - Moderate Risk**	**Effective Response Force - High Risk**
Kirkland	83 percent	49 percent	38 percent	75 percent	62 percent	69 percent	62 percent	74 percent	41 percent	0 percent
Bellevue					60 percent	69 percent	74 percent	74 percent		
Seattle	50 percent	45 percent		83 percent			83 percent	85 percent		
Northshore		87 percent			66 percent	77 percent	NA	NA	100 percent	
Redmond Suburban										
Redmond Rural										
Bothell							9 min 21 sec 90%	7 min 26 sec 90%		

Improvement Goal B: Reduce Call Processing Time

NORCOM, Kirkland's dispatch center, is performing relatively well by notifying response personnel of an incident within 60 seconds, 83 percent of the time. However, this can be improved. High performance dispatch centers elsewhere are able to receive and process a call and notify response personnel as quickly as 45 seconds, 90 percent of the time. A review of procedures at NORCOM is recommended.

NORCOM already has much of the technology needed to produce quick call processing times. It has automatic phone number and address identification. It has computer-voice dispatch that allows quick notification of response personnel even while the call taker is gathering additional information.

A review of procedures to ensure that early notification of responders is occurring as soon as possible, including both KFD and Medic One, is recommended. As was noted earlier in this report, only 50 percent of Medic One dispatches occurred within one minute of KFD dispatches. 50 percent took longer.

Improvement Goal C: Reduce Turnout Time

The recommended turnout time goal is within 60 seconds, 90 percent of the time, to initiate response for emergency responses not requiring full personal protective equipment (PPE) and within 80 seconds, 90 percent of the time for those incidents requiring full PPE. This is the time period between when dispatchers notify response personnel of the incident and when response crews begin travel towards the incident location. KFD's current turnout time performance is much longer.

Like call processing time, shortening the time required for this phase of the response also reduces overall response time. Though certain technology and other physical modifications can help, rapid turnout time is largely a function of response crew performance.

KFD should review fire station configuration to determine if there are obstacles to rapid turnout. Solutions could include adding doors between rooms, rearranging furnishings, and adding dispatch alerting system speakers to improve audibility.

KFD should acquire technology that will support rapid turnout time. This can include in-vehicle routing information so that directions to the incident are immediately available.

Response personnel performance must also be addressed. Fire department management should regularly prepare information that describes current turnout time performance by individual response crews. Performance expectations should be reinforced and periodic monitoring conducted to determine if improvements are being made and sustained.

Improvement Goal D: Reduce Travel Time

Travel time is typically the longest of the response phases. It is influenced by a variety of factors including street connectivity, traffic, and road design. Response unit workload is also a factor in that if a response unit is not close to a request for service, travel time is extended. The busier a response system the more likely travel times will be longer.

Improve Street Connectivity

Lack of street connectivity can cause a response unit to travel greater distances in order to reach an emergency. Well-gridded interconnected street systems provide faster travel times than those with numerous dead-end and meandering streets.

Kirkland, for the most part, is served by interconnected streets. There are exceptions. Interstate 405 presents a significant barrier to east-west travel.

The 100th Street pedestrian bridge represents an innovative approach to improving emergency response. This bridge was designed to carry the weight of fire apparatus and is used routinely for emergency response. Its existence provides neighborhoods to the west of Interstate 405 much quicker response than would otherwise be possible.

Other similar opportunities include:

- Completion of NE 132nd Street between Juanita Drive NE and 76th Avenue NE.
- Construct a connection on NE 132nd Street between 72 Avenue NE and NE 130th Place.
- Completion of NE 124th Street between 88th Place NE and 93 Place NE.
- Completion of NE 100th Street between 111th Avenue NE and 6th Street.
- Construct a connection between Forbes Creek Drive and 111th Avenue NE.
- Construct a connection between the switchback on Goat Hill located at NE 116th Place and NE 117th Place and 86th Avenue NE.
- Remove several of the barricades located on Finn Hill.
- Review the speed humps and roundabouts placed in the Norkirk neighborhood.

These road segments, if completed, would significantly improve response times to the neighborhoods west and east of the uncompleted street sections.

Relocate Two Fire Stations; Staff Station 24 with Full-time Personnel

Fire Station 24 is staffed by volunteers only during nighttime hours. This facility is too small to house modern fire engines. Its accommodations for 24-hour personnel are limited at best. It is also located at the far north end of the city. A great deal of its response capability lies outside the city.

Fire Station 27 is well located to serve a very busy area but is on the west side of Interstate 405. Only one Kirkland fire station lies on the freeway's east side.

Relocating both stations and staffing Station 24 with full-time personnel would improve service to Kirkland. The following locations are recommended:

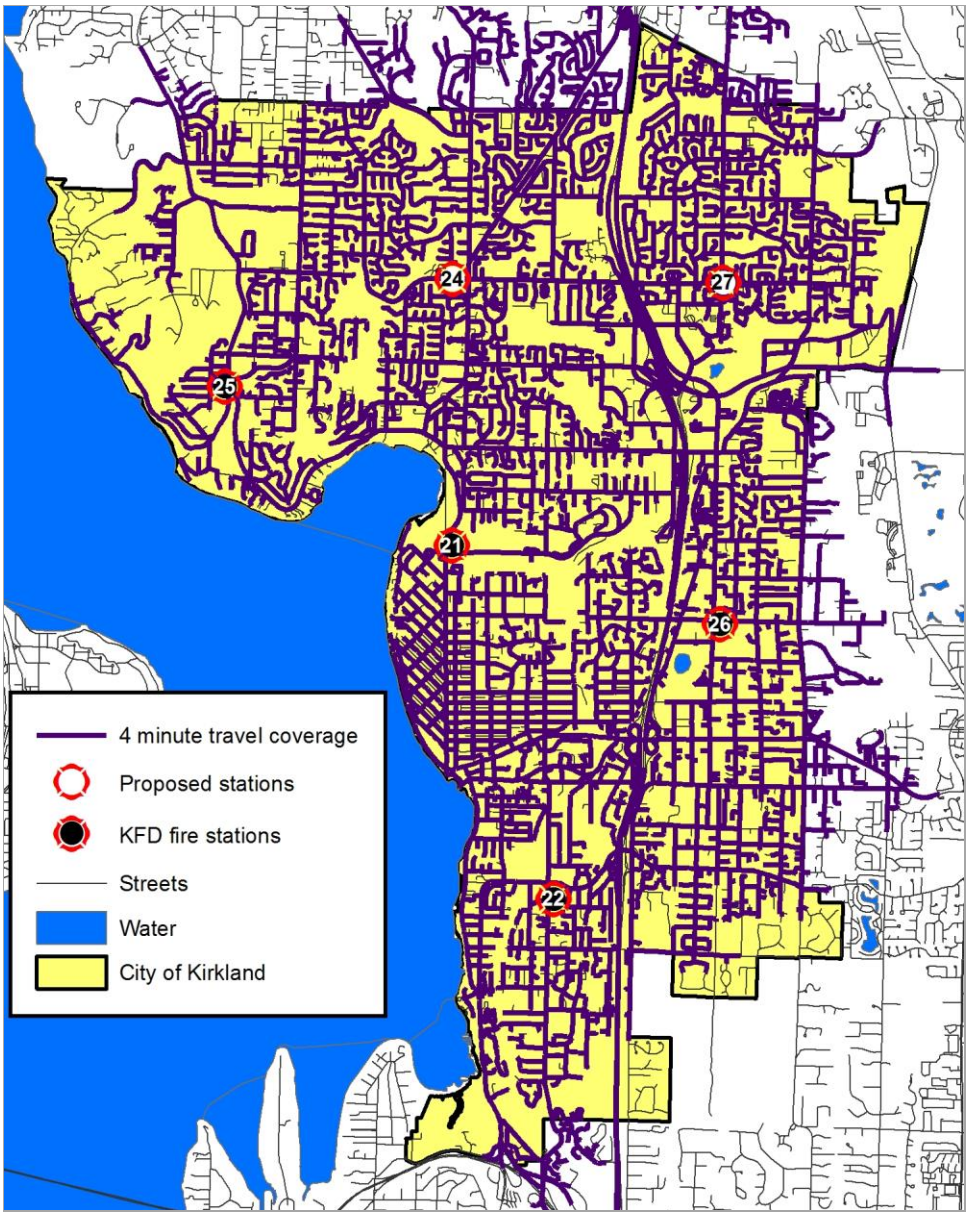
- Station 24 – NE 132nd Street and 98th Avenue NE
- Station 27 – NE 132nd Street and 124th Avenue NE

Moving Station 24 places most of its service capability within Kirkland. It also moves it closer to an area of greater incident density. Moving Station 27 keeps it in an area of great incident density and provides an additional fire station on the east side of the freeway.

Fire Station 24 should be staffed with full-time personnel and equipped with one fire engine and one aid car. This will help reduce the workload on Station 27 response resources, already operating at combined average unit hour utilization over 0.10. The population of the northern portion of Kirkland is expected to grow at a faster pace than the southern portion. Additional response resources will be needed to serve this growing population.

The following figure illustrates four minute travel coverage provided if these two stations are relocated and Station 24 is staffed with full time personnel.

Figure 85: Proposed Station Relocations and Four Minute Travel Coverage



Staff All Fire Engines with Four Personnel

Response personnel from each of the five fire engines and one ladder truck also staff an aid car. The aid car is used for emergency medical incidents and the fire engine or ladder truck for all other incidents. Given KFD's role as first responder and BLS patient transportation provider in the emergency medical system this is an appropriate and efficient operating practice.

When personnel respond to an emergency medical incident with the aid car, the fire engine or ladder truck is unavailable for a subsequent emergency. Adding one additional firefighter to each engine would

allow it to remain in service for the next emergency. Though it would not have the operational capability of a three or four person staffed engine on a fire incident, it would have full capability to respond to another emergency medical incident or other minor request for service.

Implementation of this recommendation would add five additional firefighters per shift based on current staffing. The response system will benefit by nearly doubling the number of available response units from six to eleven. This is possible because engines will remain in service even when its associated aid car is dispatched to a medical emergency.

Staffing the ladder truck with four personnel does not provide the same benefit. Because of its configuration, no less than three firefighters must operate the ladder truck.

Currently, 4.8 full-time equivalent personnel (FTE) are required to staff one 24-hour position. To fully implement this recommendation an additional 24 FTE would be needed. This recommendation can be phased in over time as funding is available. Station 22 should be the first to gain the additional staffing because of its distance from other stations and service area workload. Engine 27 should be the next unit to receive increased staffing and then Stations 26, 25, and 24 (when staffed).

Improvement Goal E: Improve the Quality of Emergency Medical Services

Emergency medical care is the service most requested of KFD by the community. In total numbers of requests it far exceeds any other type of request for service. The current system utilizes KFD resources for first response and basic life support care and the King County Medic One system for advanced life support care as needed.

In the Review of Historic Response Performance section of this report, it was noted that KFD arrives at an emergency medical incident first the vast majority of the time and by a significant time margin (seven minutes 16 seconds, 90 percent of the time). It was also noted that this is primarily caused by a delay in dispatching a Medic One advanced life support unit. More than 50 percent of the time the Medic One unit was dispatched more than one minute after the dispatch of the KFD unit.

First, KFD, NORCOM, and Medic One should review dispatch procedures to determine if Medic unit dispatch can be completed much more quickly than is currently the case. The review should identify if

delaying the dispatch of advanced life support care to complete the call triage process is justified as compared to delivering advanced care more quickly. While it is reasonable to not want to overuse this scarce resource, the patient's quality of care interests should be the primary consideration.

Next, KFD should consider upgrading its level of care to advanced life support. Staffing each response unit with a paramedic and the necessary equipment, supplies, and medications should be explored. Doing so will provide advanced life support care to the patient far more quickly than is the case now.

Along with the benefit to individual requests for emergency medical service, upgrading KFD units to advanced life support care also provides improved capability during mass casualty and disaster level events.

Improvement Goal F: Improve Water-based Fire and Rescue Capability

The City of Kirkland has service responsibility for approximately eight miles of the Lake Washington shoreline. This area is well-developed with homes, large buildings, and dock facilities. Large boats are moored along the shoreline. Several buildings on wooden piers are built over the water. Fire in the support structure of these buildings requires water-based firefighting capability. The city recently began issuing permits allowing businesses to rent kayaks, paddle boards and jet skis from three city parks.

KFD does not have water based rescue or firefighting capability. It relies exclusively on outside agencies for rescues that cannot be accomplished from shore.

The city has a contract with King County Sheriff's Office Marine Patrol (KCSO) for water rescue and water-based policing. KCSO staffs their boats by calling personnel in from patrol duty or from home. This contributes to a delay in response. KCSO has a larger boat moored at Carrillon Point, at the city's southern most shoreline. This boat has limited firefighting capability, not sufficient for the water based risks present along the city's waterfront or for larger vessel fires.

The closest fire boat is operated by the Seattle Fire Department and is based in Lake Union. Though close enough to provide support, this resource is too far away to provide effective initial response to a water-based fire or rescue incident.

KFD responds regularly to water based incidents. The following figure illustrates water based responses for the past six years. "Commandeered boats" means KFD used a boat owned by a private party to affect the water based response.

Figure 86: Water Based Incidents, 2009 – 2014

Incident Type	2009	2010	2011	2012	2013	2014
Water Rescue Responses	17	15	23	27	32	13
Fatalities	4	5	3	6	5	3
Boat fires	3	4	3	14	4	2
Sinking boats	13	9	7	17	12	3
Hazardous spill	16	11	9	5	14	7
Commandeered boats	3	4	1	5	6	6

KFD experiences numerous water based incidents each year. The numbers of incidents will likely increase over time as public aquatic recreation increases, such as the new opportunity to rent paddle boards, kayaks and jet skis. Existing resources are not adequate to provide effective and prompt response throughout the entire year. KFD should consider adding water-based fire and rescue capability. A thorough review of risk should be completed to determine the size and capability of a fire and rescue boat. This would include a review of expected firefighting water delivery demand, potential water rescue needs, and others. Adding a fire and rescue boat will also require personnel receive specialized training in its operation.

Improvement Goal G: Improve Community Fire Risk Mitigation

National model building and fire codes have recognized the value of automatic fire suppression equipment (fire sprinklers). Model codes now require fire sprinklers be installed in all residential occupancies including single family and multi-family dwellings.

In Washington, new multi-family dwellings are required to install fire sprinkler systems. However, those same building codes do not require fire sprinkler installation in single family homes. There is a process by which local jurisdictions can create the authority to add this important fire safety provision to its local building requirements.

Fire sprinkler technology has improved considerably over the years. The cost of installation in many communities has decreased to as little as $0.60 per square foot and is typically around $1.30 to $1.60

per square foot. At the high cost, a 2,000 square foot home can be protected with fire sprinklers for around $3,200.

Residential fire sprinklers have an excellent track record nationally. A 15-year study completed in Scottsdale, Arizona, a community that has required fire sprinklers in homes before that time, proves the value. Fire losses have decreased dramatically and fire fatalities have been virtually eliminated. The only fatalities reported were people "intimate to the fire" (i.e. the initial material ignited was the clothing being worn by the person).

Residential fire sprinklers are a relatively simple technology. It takes only a small amount of training to understand how to design the system and install it. Licensed plumbers already understand the requirements for potable water connections and pipe installation. Other communities have had success training plumbers to do residential fire sprinkler design and installation. KFD should consider providing training to local plumbing contractors on the design and installation of residential fire sprinklers. Increasing the number of installers increases competition and reduces prices.

Improvement Goal H – Improve Effective Response Force Capability

There are two recommended response performance goals for the delivery of the full effective response force; one for moderate risk structure fires and one for high risk structure fires. Both goals recommend the same time standard; within nine minutes 20 seconds, 90 percent of the time.

Achieving the moderate risk structure fire effective response force goal can be accomplished if many of the previous recommendations in this report are implemented. Achieving this level of performance for high risk structure fires is not possible without additional resources.

As discussed previously, a moderate risk fire requires three fire engines, one ladder truck, and one battalion chief for a total of 15 firefighters. Current and recommended distribution of resources, as well as other improvement initiatives, will be sufficient to achieve the nine minute 20 second goal 90 percent of the time. A high risk structure fire, however, requires four fire engines, two ladder trucks, and two battalion chiefs (a total of 20 personnel) to deliver sufficient personnel and apparatus to initiate effective fire suppression operations. Even with full implementation of all improvement goals listed

previously, delivery of the full effective response force for a high risk structure fire will not be possible within nine minutes 20 seconds, 90 percent of the time.

To achieve this goal, two additional ladder trucks and two additional battalion chiefs would need to be deployed within the City of Kirkland. This is necessary in order to ensure that enough engines, ladder trucks, and battalion chiefs are available within eight minutes travel to nearly the entire city. The significant cost for these additional resources is well recognized. The Kirkland City Council will need to determine if and when this cost can be incurred. Alternatively, the City Council can decide to adopt a longer response performance goal for high risk structure fires.

If adopting a longer goal is the choice, the following response performance goal is recommended. It is achievable with current resources along with those recommended earlier in this report.

- For high risk incidents, KFD shall assemble an effective response force (ERF), consisting of personnel sufficient to effectively mitigate the incident based on risk, within 14 minutes 20 seconds from notification of response personnel, 90 percent of the time.

Component J – Appendices, Exhibits, and Attachments

Appendix A – Kirkland Fire Department Compared to Others

The following figures provide a comparison of KFD to other fire service agencies serving similar populations. Comparable information is derived from several sources including the National Fire Protection Association and the U. S. Census Bureau. Regional data includes fire agencies from the states of Alaska, Arizona, Washington, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

Figure 87: Comparison of Career Firefighters per 1,000 Population

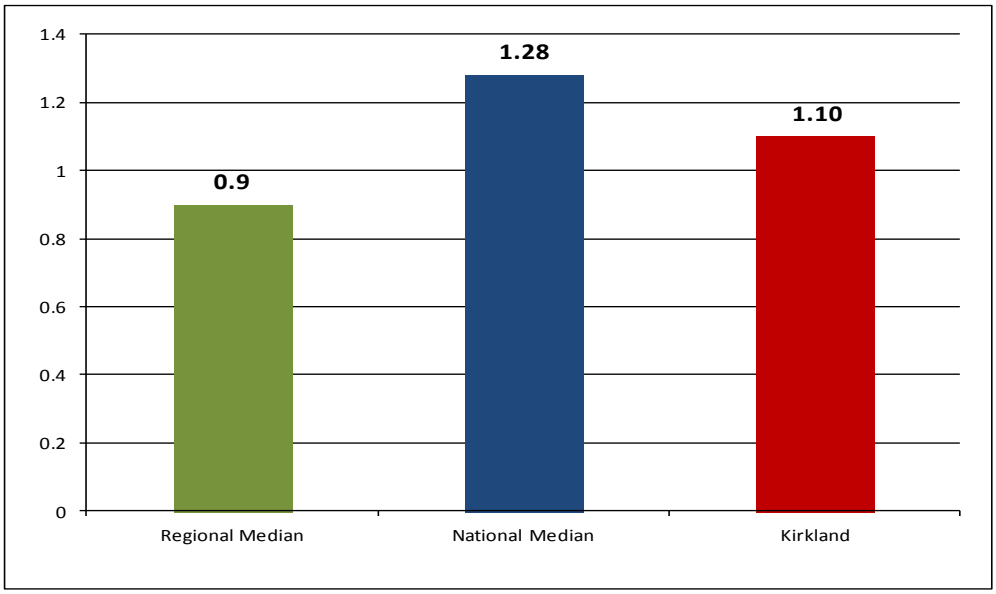


Figure 88: Local Comparison of Fire Agencies

Fire Department	Population Served	2013 Fire Budget	FTE's	Line Fire Fighters	FTE's Per 1,000 Population
City of Redmond, WA*	78,840	$20,150,000	128	109	1.62
City of Bellevue, WA	150,420	$30,838,083	190	159	1.26
City of Kirkland, WA	**81,730**	**$18,640,241**	**104**	**90**	**1.27**
City of Renton, WA*	121,812	$24,293,143	156	130	1.28
City of Everett, WA	104,200	$19,890,180	143	117	1.37

Figures provided do not include ALS funding or staffing of firefighter/paramedics on Medic One ambulances.
* Includes fire district territory served by the city.

Figure 89: Comparison of Stations and Apparatus

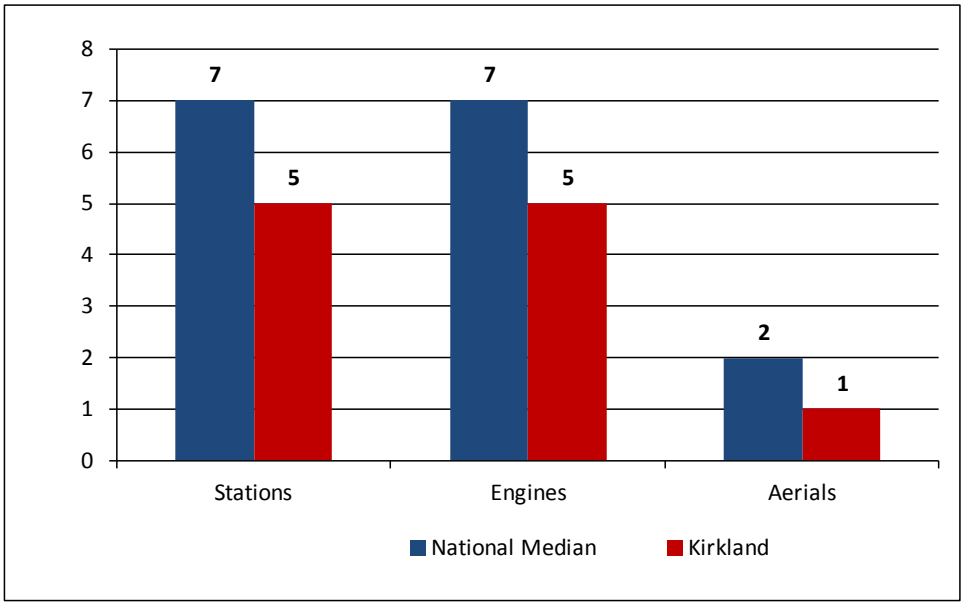


Figure 90: Comparison of Incidents per 1,000 Population

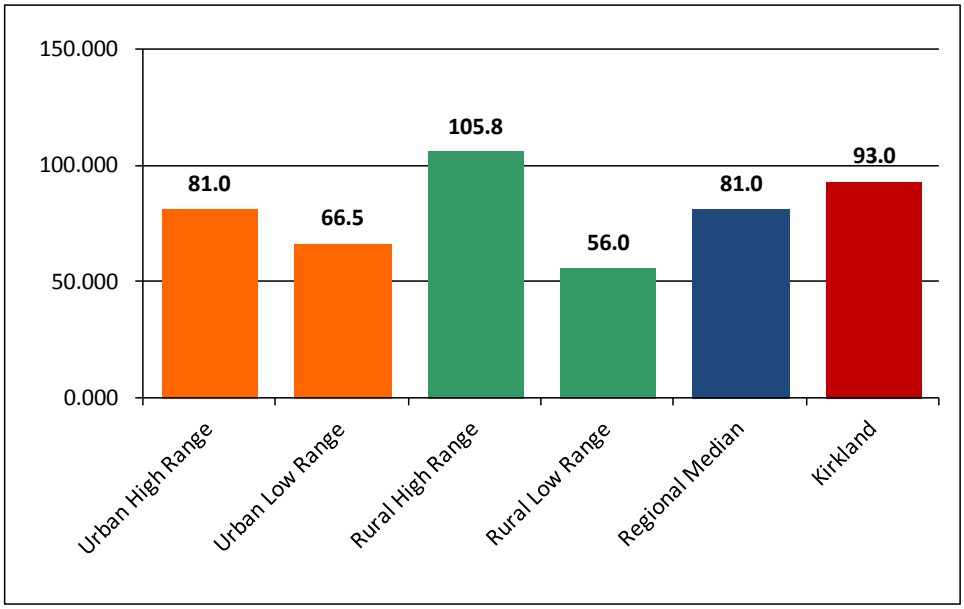
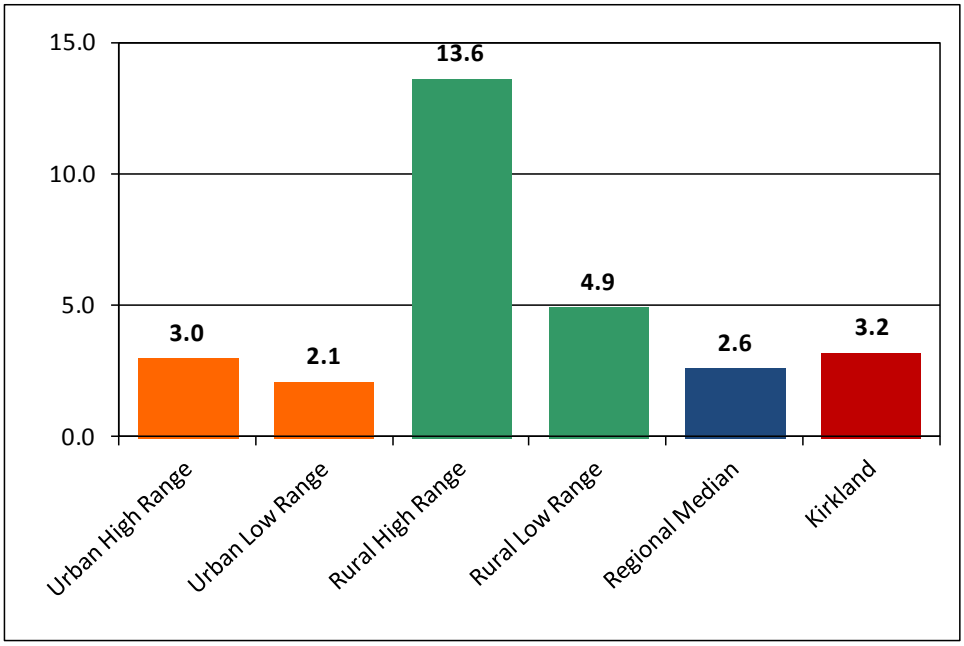


Figure 91: Comparison of Fires per 1,000 Population



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KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Consultant Recommendations and Staff Response

Appendix B

Recommendation #	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	PRIORITY	STATUS	NOTES
48	Periodically (annually or more frequently) review minimum staffing levels and options for filling vacancies.		Complete	Is current practice
84	Determine the cause of the dramatic decrease in the percent of full alarm assignment deployments.		Complete	This was a data reporting issue. Added "confirmed" fires to run cards. Reduced "full" responses
87	Develop and adopt response time intervals, benchmark, and review at a minimum annually.		Complete	Is done annually
88	NORCOM – Establish communication center performance measurement benchmarks that meet national standards.		Complete	
20	Aggregate like item equipment purchases with a total value of $5,000 or more and include in the City's annual budget.		Complete	
50	Develop an internal CIP for the maintenance and replacement of KF&BD capital equipment.		Complete	Sinking fund list is complete
52	Replace apparatus using a combination of age, mileage (for gas powered units), engine hours (for diesel apparatus) and condition.		Complete	Reflects current practice
2	Create a budget category for administrative services		Complete	
22	Establish a medical baseline for new firefighters at the time of hire/appointment.		Complete	Reflects current practice
62	Develop a consistent program for training hazardous materials technicians	HIGH	Complete	Techs receiving required minimums per year
64	Develop a joint recruit academy with other members of the EMTG.	HIGH	Complete	Completed 2014 EMTG Academy in April of 2014. Are continuing to have regular academies for new hires.

KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Consultant Recommendations and Staff Response

Appendix B

Recommendation #	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	PRIORITY	STATUS	NOTES
66	In the absence of a combined EMTG training manual, KF&BD should develop its own training manual, preferably in concert with the other members of the EMTG.	MED	**Complete**	Training manuals have been and are currently being developed by EMTG consortium. **Our training manual is part of the "Best Practices" (BP) program. Sections currently being worked on are Extrication BP, Safety BP, Command BP, EMS BP and more will be added. This will be is an EMTG Manual. It will constantly change and grow. Currently we operate out of manuals but will be a single resource soon. I consider this completed but it cold also be classified as on-going.**
67	Refine and expand goals and purpose statements of training objectives	MED	**Complete**	Part of EMTG Training Manual. **EMTG has also created training Vision and mission statements to address these areas. We constantly refine and grow our objectives as requirements and responsibilities change.**
69	Conduct at a minimum two night drills per shift per year that involve all fire suppression personnel.	LOW	**Complete**	Will be incorporated into EMTG training schedule. **Was incorporated into last year's quarterly training. It has become part of out annual training in Kirkland and most of EMTG. Likewise, crews have also night drills on their own. It is not possible to include all fire personnel in the same drill but all personnel will be scheduled to complete the training.**
72	Include company level training activities by subject in the RMS.	HIGH	Complete	Entering in training division RMS
34	Develop and adopt a plan for the maintenance, repair, and flow testing of all fire hydrants in the City of Kirkland.		Complete	Already completed by Water Districts
37	Develop and adopt a plan to actively solicit feedback from a representative sample of recipients of KF&BD inspection and enforcement services.	MED	Complete	Done as part of Development Services Strategic Plan
71	Establish a minimum requirement for annual company and individual training evaluations. Include shift battalion chief involvement in annual evaluations.	HIGH	Complete	Required minimum competencies are established.

KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Consultant Recommendations and Staff Response

Appendix B

Recommendation #	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	PRIORITY	STATUS	NOTES
61	Identify training competencies in writing, teach, train, test, and evaluate personnel regularly by the training division in concert with shift battalion chiefs.	MED	**Completed**	**Complete annual scheduled classroom and MCO Field operations, Tech Rescue, RS I, MCI, HM perform, taught and evaluated by EMTG staff. We address all WAC 296-305 on either bi-annual or annual basis. Includes live fire. We require SCBA Practice four times annually (WAC Requires twice only). Annual fit tests are also performed.**
74	Refine and expand goals and purpose of training objectives.	MED	**Completed**	Will be part of EMTG training manual. **EMTG has also created training Vision and mission statements to address these areas. We constantly refine and grow our objectives as requirements and responsibilities change.**
19	Develop a procedure and policy for reporting and retaining all employee exposure records.	HIGH	~~In Process~~ **Completed**	Complete for "reportable" exposures. Working on process for non-reportable as well
9	KF&BD review and validate the mission, vision, and values following completion of the 2012 strategic plan.	HIGH	~~In Process~~ **Completed**	Updated and validated by department members
60	Formalize the East Metro Training Group via an interlocal agreement between participating agencies.	HIGH	~~In Process~~ **Completed**	**ILA has been completed. All five agencies have approved and signed**
31	Hire a full-time City Emergency Manager, shifting daily responsibilities from the Deputy Chief of Administration to the City Emergency Manager.	HIGH	~~In Process~~ **Completed**	**New Manager began February 16, 2014**
10	Display the adopted mission, vision, and organizational values in City Hall and fire department facilities.	HIGH	~~In Process~~ **Completed**	**Currently being added to printed materials as needed and updated**
59	Create a formal mentoring program for officers to use with subordinates.	MED	~~In Process~~ **Completed**	Have started training, including management training to officers by Human Resources. **Development of an acting officer and Fire Officer I NFPA 1021 program completed. First class scheduled for May 2014.**
32	Integrate KF&BD fire prevention records management with the EnerGov RMS software used by the Building Division.	HIGH	~~In Process~~ **Completed**	Looking at data transfer from New World to EnerGov and alternate software to include integrated pre-fire plans with other partner agencies **Using Zoll FireRMS**
4	Request WSRB to conduct an evaluation of the fire and suppression capabilities of KF&BD	HIGH	~~Not yet Started~~ **Completed**	Dept recommends this be highest priority and foundation for all other recommendations in Strategic Plan

KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Consultant Recommendations and Staff Response

Appendix B

Recommendation #	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	PRIORITY	STATUS	NOTES
51	Perform an energy audit on all fire stations and follow recommended energy efficiency measures.	MED	~~Not yet Started~~ **Completed**	Potential long term costs savings could offset one time costs **Upgrades completed in Feb 2014**
49	Periodically review sick leave and work-related injuries for patterns and opportunities to reduce occurrences.	HIGH	~~Ongoing~~ **Completed**	Current Practice. **Sick leave usage reviewed on weekly basis**
7	Bill for EMS transport when responding and transporting patients outside of the City of Kirkland.	MED	**Completed**	Currently we bill for transport in those jurisdictions who also bill for transport. If they don't, we don't.
5	Annually conduct a detailed analysis of revenue verses expenditure to validate that EMS transportation activity is meeting stated goals established by the city.	MED	~~Ongoing~~ **Completed. Scheduled Annually**	Revenue currently exceeds expenditures and forecast.
8	Add one FTE administrative ~~assistant~~ support for EMS…..	HIGH	~~Not yet~~ **Staff position increased from .25 to .5**	Administrative support needed for EMS and billing
58	ICS training is currently at the federal minimum. Department minimum should be IS-100, IS-200, & IS-700 and IS-800b for all response personnel, and IS-300 & IS-400 for all chief officers.	HIGH	~~Ongoing~~ **Completed**	Provided on ongoing basis - Recommend partnering with outside agencies to continue to provide ICS training
33	Conduct a fire and life-safety inspection of all inspect able occupancies in the next 12 months. If necessary use emergency services personnel to complete inspections.	HIGH	~~Ongoing~~ **Completed**	Unable to accomplish every 12 months. Goal should be 24 month compliance w/current staff. 12 months requires add staff
54	Monitor mutual and automatic aid for ~~equity~~ "service impacts".	MED	In Process	Remove "equity" and replace with "Service Impacts"
36	Acquire and deploy electronic tablet devices for field data entry and rapid downloading to the records management system.	MED	In Process	Tablets have been purchased. RMS issues are in process with NORCOM.
77	Provide Advanced Life Support services within the City of Kirkland via the King County Medic One program.	MED	In Process	Updated KCEMS language to allow Kirkland participation in next levy cycle
53	Store PPE in a separate, well ventilated room.	HIGH	In Process	Analyzed current stations for upgrades and it proved unworkable. Should be included in future station planning

KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Consultant Recommendations and Staff Response

Appendix B

Recommendation #	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	PRIORITY	STATUS	NOTES
55	Make upgrades to incident reporting RMS software to eliminate erroneous data entries.	MED	In Process	Exploring alternatives to New World which was purchased to meet this need
63	Dedicate a reserve engine to the training division, preferably a unit that can be shared by agencies.	MED	In Process	Reserve engine has been identified for transfer
29	Develop a Hazard Identification and Vulnerability Assessment and a Hazard Mitigation Plan. Submit to King County for inclusion as an annex to the County plan.	HIGH	In Process	In Process with King County Emergency Operations Center
30	Involve KF&BD and other City of Kirkland employees in community-based emergency exercises at least annually.	MED	In Process	To be scheduled
1	Amend Job descriptions to accurately reflect roles and expectations for administration and support staff.	HIGH	In Process	Restructuring the organizational chart will effectively complete this recommendation
8	And one FTE financial analyst to administrative support functions.	HIGH	In Process	Hired one FA completed on temp basis. Recommend FA become permanent
11	Outsource development and maintenance of Administrative Rules and Standard Operating Guidelines to a third party.	HIGH	In Process	Outsourced to Lexipol. Policy review and adoption process is currently ongoing.
18	Administer a stress test at the time of hire and periodically on incumbent employees/members based on age and risk factors.	HIGH	In Process	Stress test done at time of hire but not periodically thereafter
24	Provide a fire service-related occupational and health program.	HIGH	In Process	Recommend IAFC/IAFF Wellness Fitness Initiative. In current CBA 20.3.
45	Update KF&BD Department Manual Directive Number 3.001 to accurately reflect current daily minimum staffing level.	MED	In Process	To be included in Policy and Procedure update
70	Develop lesson plans for core competencies requiring instructors to follow plans when instructing.	MED	**In Process**	Have lessons plans for recruit academy currently. Will use same format for all required training. **Actively scheduling current and future company officers to attend certificated Fire Instructor I courses. We have developed standard lesson plans for Live Fire, Fireground Communications, HM Training, Auto Extrication and more. Some of these lesson plans are taught by outside agencies.**
16	Develop interactive content for the fire department website: citizen training videos and downloadable documents (fire escape plans, preparedness, and self-help checklists).	HIGH	In Process	Working with IT on webpage redesign. Website training set.

KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Consultant Recommendations and Staff Response

Appendix B

Recommendation #	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	PRIORITY	STATUS	NOTES
38	Adopt a local residential sprinkler ordinance for new residential construction.	HIGH	In Process	Staff is initiating process to make recommendation based on stakeholder input.
Dept	Establish proactive community risk reduction	HIGH	In Process	Requires Risk Reduction Officer to develop and lead programs to reduce risk to citizens
Dept	Establish regional Metro Fire Investigation Team	HIGH	In Process	Shared data, integrated access and possible grant funding are benefits
Dept	Develop joint, regional apparatus purchasing and sharing of reserve apparatus	HIGH	In Process	Currently in discussions with Zone 1 representatives to reach mutual agreements
12	Develop a succession plan to ensure employees are recruited and developed to fill each key role within the organization.	LOW	In Process	**Improvements need to be made to area of Officer Development. Started Leadership training on coaching best practices for all BCs and Captains. Managing for success for all officers. Annual Command post training. Incident Safety Officer class for all Captains scheduled for April 2014.**
75	Jointly construct and staff a new fire station with Northshore FD.	HIGH	~~In Process~~ **In Progress**	To be evaluated in Station Siting and Standard of Coverage Studies
81	Develop a capital plan for the rebuild or replacement of Fire Station 25 (Finn Hill South) and Fire Station 27 (Totem Lake).	HIGH	~~In Process~~ **In Progress**	Station Siting Study and Standard of Coverage Study will define plan
35	Develop and implement a self-inspection program for light risk occupancies where the occupants have demonstrated regular code compliance.	MED	~~Not yet Started~~ **In Process**	As staff is available to accomplish. **Will attempt to address in 2015-2016 budget**
86	Risk assessment RMS should be managed by the KF&BD Fire Prevention Division.	MED	~~Not yet Started~~ **In Process**	Software system will need to be identified and purchased. **Software identified and updated. Staff limitations slowing process. Should be competed by Dec 2014**
26	Identify a location and develop a dedicated EOC; apply for a matching grant from the Washington EMD Emergency Operations Center Grant Program (requires 25% local match).	MED	~~Not yet Started~~ **In Process**	**Part of discussions on City Hall remodel**
3	Increase emergency operations by adding a BLS aid unit staffed for 12 hours to maintain adequate personnel for a moderate risk fire event.	HIGH	~~Not yet Started~~ **In Progress**	Are looking at other options. To be included in Standard of Coverage Study
56	Track failure rate of units to respond to incidents in their first due area by fire station and apparatus.	HIGH	~~Not yet Started~~ **In Progress**	To be included in Standard of Coverage Study

KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
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Recommendation #	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	PRIORITY	STATUS	NOTES
79	Modify the EMS response protocol of sending three responders to medical incidents. Redeploy with dedicated staffing of two-person aid units, or single person quick response unit for low priority EMS incidents.	HIGH	~~Not yet Started~~ **In Progress**	Agree with dedicated staffing of aid units. Redeployment of one person responses should be reviewed in Standard of Coverage Study
80	Expand the current partnership with the King County Sheriff's Marine Unit and the Seattle Fire Department to provide a joint, coordinated response to marine firefighting and rescue incidents.	HIGH	~~Not yet Started~~ **In Progress**	To be included in Standard of Coverage Study. Pursue CIP & grant funding for possible off shore rescue equipment and additional partnerships with other agencies
82	Develop a long term plan to become a CFAI accredited fire agency	HIGH	~~Not yet Started~~ **In Progress**	High Priority. Need to find staff time to complete
83	Define and report (Response Time Objectives Report) geographic areas where response time objectives are not being met. Include information on predictable consequences and steps to achieve compliance	HIGH	~~Not yet Started~~ **In Progress**	To be included in Standard of Coverage Study
85	Adopt two tiered response time objectives for fire, EMS, hazardous materials, technical rescue, and specialized rescue incidents.	HIGH	~~Not yet Started~~ **In Progress**	Currently have tiered response for Fire and EMS. To be included in Standard of Coverage Study
89	Adopt turnout time standards based on incident type and time of day.	HIGH	~~Not yet Started~~ **In Progress**	Currently have turnout time standards based on incident type. Will conduct Standard of Coverage Study re: time of day
28	Complete and publish the COOP and COG plans	HIGH	~~Not yet Started~~ **In Progress**	High priority. Has been assigned to City Emergency Manager
6	Add a Medical Service Administrator (MSA) at the rank of division chief to manage the medical division.	HIGH	~~Not yet Started~~ **Budget Request Rejected**	Funding and regional partnerships will be pursued
13	Prioritize media messaging. Use "Currently Kirkland" and other media outlets as a tool to leverage the reach and impact of fire department public information and education messages.	MED	Done on Limited Basis	Done occasionally as needed or requested
14	Anticipate controversies or events which may generate media or community interest and develop a media or messaging plan in advance.	MED	Done on Limited Basis	City Communication Manager assists on a limited basis
76	Develop a comprehensive evaluation program to assess all aspects of the EMS system.	HIGH	Not yet Started	Requires Medical Services Administrator investment

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Recommendation #	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	PRIORITY	STATUS	NOTES
78	Participate in the King County Medic One Community Medical Technician (CMT) pilot.	MED	Not yet Started	Request will be made when program funding becomes available
27	Seek potential partner agencies to provide contracted emergency management services from KF&BD.	LOW	Not yet Started	Last in implementation order
90	Integrate the New World RMS (records management system) with emergency management plans, records, and reports.	MED	Not yet Started	Data for Emergency Management needs to be in RMS
21	Develop, validate and employ a physical evaluation process that is job related.	MED	Not yet Started	Current Physical Fitness program not job related
15	Develop a proactive message file where the subject is not time-sensitive, but timely release may position the message to its greatest advantage.	MED	Not yet Started	This is accomplished whenever possible. Insufficient staff prevents a more proactive approach as recommended
39	Form a regional partnership to develop and deliver juvenile firesetter intervention and counseling.	MED	Not yet Started	Additional resources will be required. Will incorporated into regional investigation unit.
40	Develop, adopt, publish, and implement a KF&BD Public Education Plan.	MED	Not yet Started	Requires subject matter expert to initiate. Additional resources required.
41	Form regional partnerships for the development and deployment of public fire and life safety education initiatives; also rotate operations personnel to deliver a structured curriculum.	MED	Not yet Started	Additional staffing required to develop and implement.
43	Employ electronic information media from the United States Fire Administration and NFPA for linking or posting and making available on the Kirkland website.	MED	Not yet Started	Current staff will implement as time permits. Risk Reduction Officer needed to expedite.
44	Create partnerships with other public agencies and private sector companies to provide public education and information to the citizens of Kirkland.	MED	Not yet Started	Additional staff needed to manage program
57	Expand Chapter 21.35A of the Kirkland Municipal Code to include response by KF&BD to repeat false of malicious fire alarms.	MED	Not yet Started	Work with City Attorney to develop code
73	Integrate pre-fire incident planning of community target hazards in training activities.	MED	Not yet Started	Fire Prevention developing list of target hazards
Dept	Develop Incident Action Plans for special events and high hazard target occupancies	HIGH	Not yet Started	High priority. Should be done asap. Assign City Emergency Manager

KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Consultant Recommendations and Staff Response

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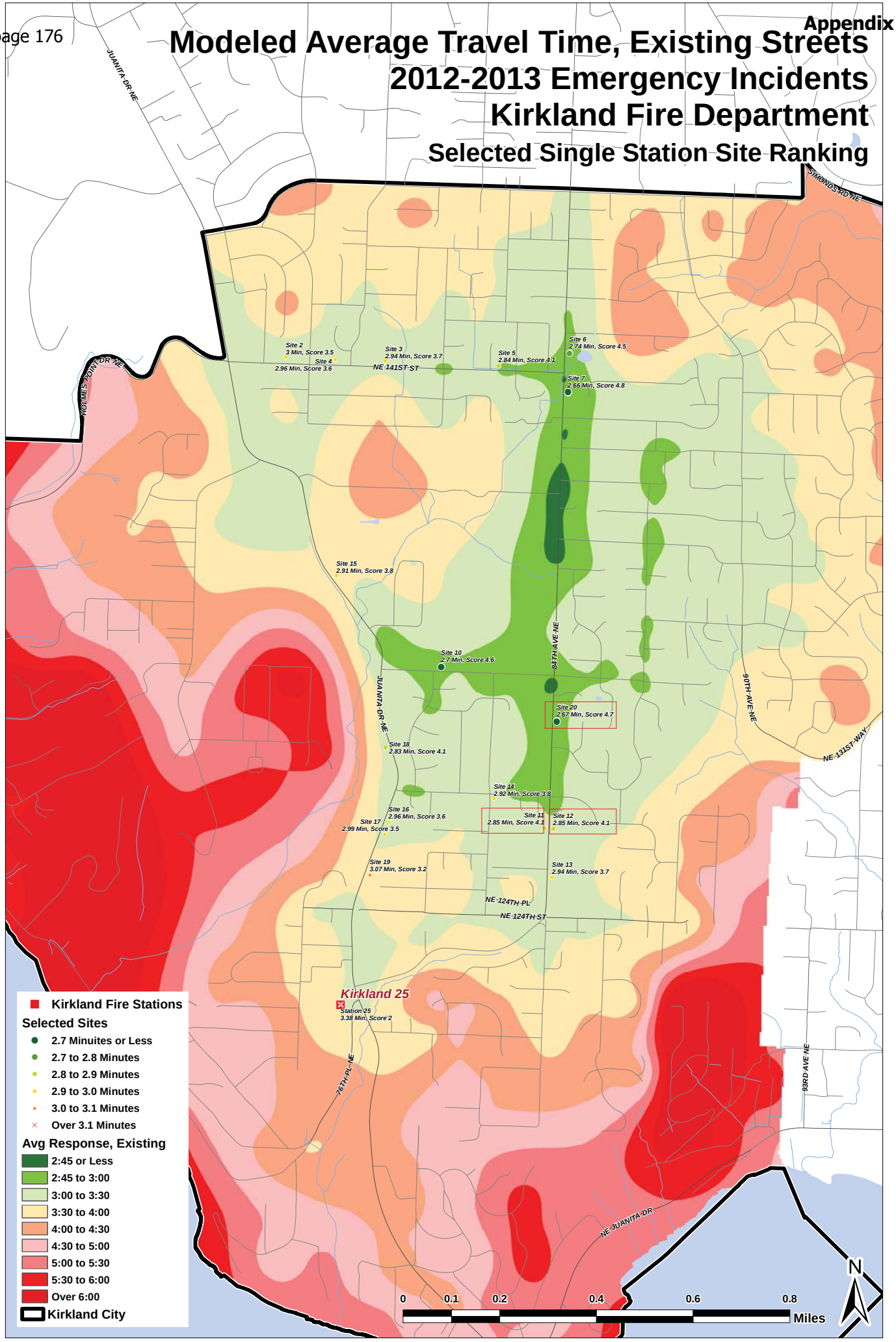
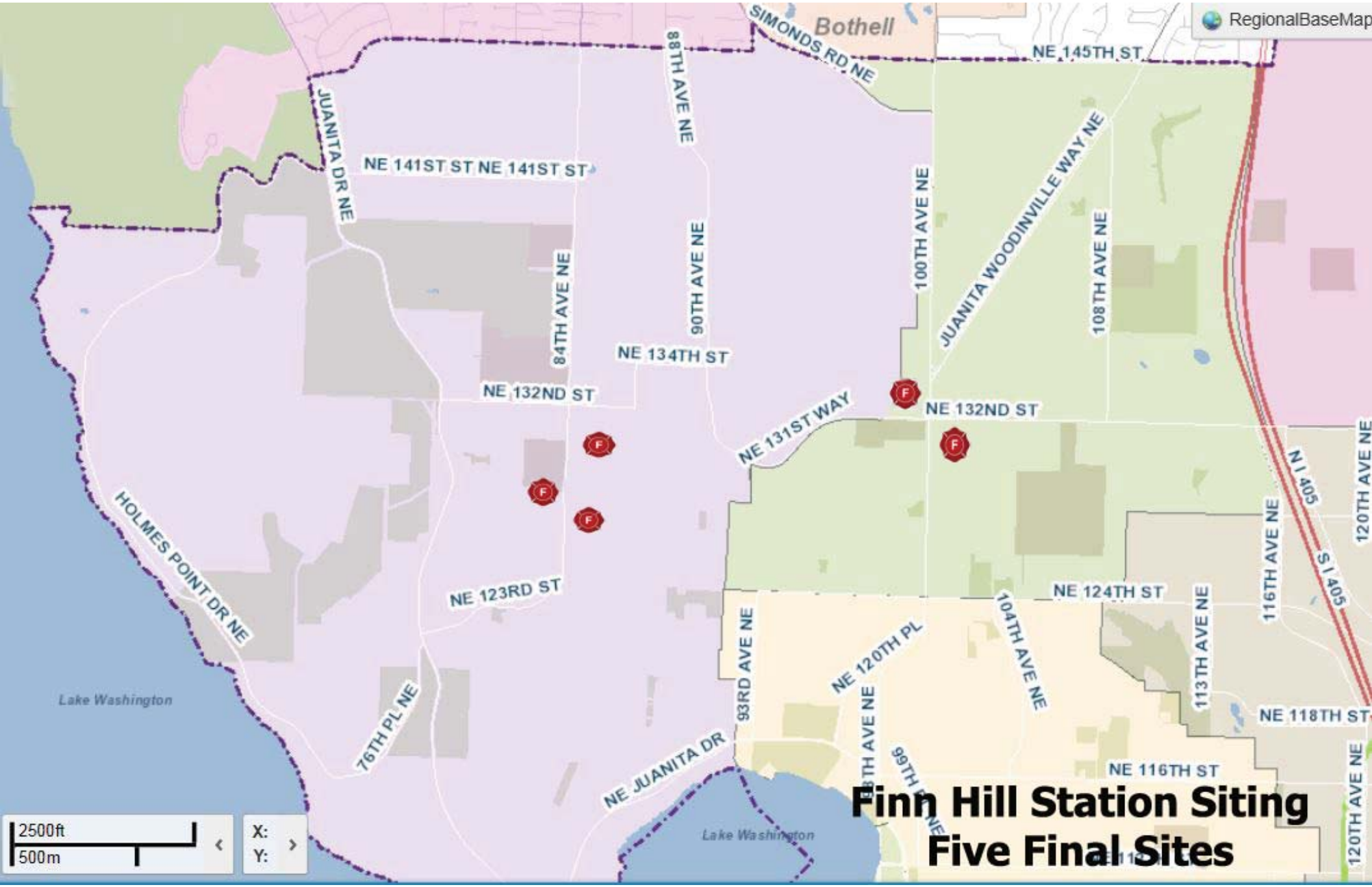
Recommendation #	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	PRIORITY	STATUS	NOTES
Dept	Centralize Department purchasing	HIGH	Not Yet Started	Reduce costs, improve compliance, reduce errors
46	Maintain a minimum per shift of two personnel (swing personnel) at firefighter EMT, two at lieutenant, and two at the captain rank with the qualifications and appropriate certifications to fill vacancies or step-up.	DISAGREE		KFD trains and utilizes Acting Officers to fill these vacancies
47	Within the limits of the collective bargaining agreement use personnel at the Captain and Lieutenant rank to work down to fill vacancies.	DISAGREE		Collective Bargaining Agreement would limit. Situation this deals with is rare
23	Produce a live monthly informational broadcast between the fire chief and department personnel.	DISAGREE		Fire Chief prefers face to face visits during regularly scheduled monthly mtgs and station visits
42	Rotate emergency operations personnel to a temporary duty assignment as a public educator to deliver the public education curriculum.	DISAGREE		Temp rotations need to be backfilled. No cost savings. Should be 3 yr rotation if implemented.
65	Maintain the practice EMTG recruit training or use the practice of sending recruits to either Bates or North Bend, augmented with agency specific training.	DISAGREE	N/A	Agree w/#64.
68	Establish a minimum number of annual training hours an individual or company is required to complete.	DISAGREE	N/A	Training is competency based not hours based. Have required minimum competencies established.

Modeled Average Travel Time, Existing Streets
2012-2013 Emergency Incidents
Kirkland Fire Department
Selected Single Station Site Ranking




RegionalBaseMap
Bothell
SIMONDS RD NE
NE 145TH ST
88TH AVE NE
JUANITA DR NE
NE 141ST ST NE 141ST ST
100TH AVE NE
JUANITA WOODINVILLE WAY NE
108TH AVE NE
90TH AVE NE
84TH AVE NE
NE 134TH ST
NE 132ND ST
NE 132ND ST
NE 131ST WAY
HOLMES POINT DR NE
NE 123RD ST
NE 124TH ST
116TH AVE NE
I 405
120TH AVE NE
113TH AVE NE
104TH AVE NE
93RD AVE NE
NE 120TH PL
NE 118TH ST
Lake Washington
76TH PL NE
NE JUANITA DR
NE 116TH ST
Lake Washington
2500ft
500m
X:
Y:
Finn Hill Station Siting
Five Final Sites

KIRKLAND CITY COUNCIL SPECIAL MEETING MINUTES
May 30, 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. Agenda Overview and Housekeeping

4. 2014 Community Survey Results

Deputy City Manager Marilynne Beard reviewed the background of the Community Survey and introduced Andrew Thibault of ECM Research, who provided an overview of the Survey process and results.

5. Break

6. Financial Planning

City Manager Kurt Triplett noted the City's AAA credit rating and low price of government, and introduced Finance and Administration Director Tracey Dunlap, who provided a recap of year-to-date 2014 financial results, an overview of the upcoming mid-year budget adjustments, an update to the "price of government," the 2013-2022 financial forecast, the "Kirkland Quad," and an introduction to a variety of financial planning and budget considerations in preparation for the 2015-2016 budget process.

7. Lunch

8. Health Care Update

Human Resources and Performance Management Director Jim Lopez provided an update on the City's efforts to improve employee health and mitigate the rising costs of healthcare.

Council adjourned for a short break.

9. Americans with Disabilities Act (ADA) Update

Mr. Lopez introduced Susan Duncan, Accessibility Manager/Project Manager, with WH Pacific, who shared information about the Americans with Disabilities Act and a summary of the City's activities related to compliance.

10. Break

11. Discussion on Financial Topics of Interest to the Council

Council proposed a list of follow up items for staff including:

- Business Licensing modifications to the business license structure such as exempting individuals renting homes until they are sold, exempting business owners from the FTE count, dedicating a portion of the business license revenue to the Street Fund, capital projects or economic development, and improving messaging as to the purpose and benefit of business license fees;
- Dedicating sales tax for capital improvement projects;
- Developing a process for sorting out/staging the communities wants and needs into a long-range plan;
- Dues and memberships paid to outside organizations;
- Identifying capital investments that can be made to reduce operating costs;
- Evaluate joining the District Court or contracting with the County versus maintaining a Municipal Court;
- Implications and strategies concerning the sunsetting of the Annexation Sales Tax Credit in 2022;
- Assessing the impact of regional transportation cuts on Lake Washington School District and Lake Washington Institute of Technology;
- Current progress and future plans relating to reducing the City's carbon footprint;
- Location of the Food Bank as it relates to access to transit;
- Transit funding options for routes within Kirkland;
- Service package for a community garden coordinator position;
- Evaluate the potential of selling the Maintenance Center property for residential development and relocating the Maintenance Center;
- Health care and employee benefits;
- Impact of new zoning regulations on the feasibility of solar panel conversions and potential impact on carbon footprint;
- Improving communication with the public by mailing copies of the City Update and broadcasting board and commission meetings;
- Highlighting the impact of cul-de-sacs on traffic issues.

12. Adjournment

The Kirkland City Council Special Meeting/Retreat was adjourned at 4:23 p.m.

City Clerk

Mayor

KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
June 03, 2014

1. CALL TO ORDER

2. ROLL CALL

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

Motion to Excuse Councilmember Arnold's absence.
Moved by Councilmember Toby Nixon, seconded by Councilmember Doreen Marchione
Vote: Motion carried 6-0
Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

3. STUDY SESSION

a. Parks, Recreation and Open Space (PROS) Plan

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Parks and Community Services Deputy Director Michael Cogle, Park Board Chair Adam White, and Conservation Technix Principal, Steve Duh.

4. EXECUTIVE SESSION

None.

5. HONORS AND PROCLAMATIONS

a. Proclamation: June 2014 as Pride Month

City Diversity Committee representatives including Director of Human Resources and Performance Management James Lopez, Senior Financial Analyst Neil Kruse, Intergovernmental Relations Manager Lorrie McKay, Accounting Support Associate Victoria Davies, Video Production Specialist Michael Connor and Human Resource Analyst Jean Lim accepted the proclamation from Mayor Walen and Deputy Mayor Sweet.

b. Employee Service Awards

Human Resources and Performance Management Director James Lopez introduced the following employees: Twenty-year service awards were presented to Utility

Craftsperson Karla Holmes, Lead Person in Waste Water/Storm Dan VanIterson, Accountant Carol Wade, and Firefighter Marc Hallen. Twenty-five-year service awards were presented to Customer Accounts Associate Gloria Martin, Corporal Benedict Sumaoang, Grounds Technician Jerry Merkel, and Safety Risk Analyst Kathleen Joyner. Thirty-year service awards were awarded to Deputy Director of Parks and Community Services Michael Cogle, Firefighter Mark Anderson, Firefighter Robert Holmes Sr., Battalion Chief Michael Jeffery, Captain Bryan Vadney, Firefighter Andrew O'Keefe, and Development Review Manager Nancy Cox.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Jessica Cohen
Stan Kehl
Rachel Shanley
Marissa Harden
Jack Rodgers
Chris Dammann
Chris Vandenberge
Brigitta Hughes

c. Petitions

7. SPECIAL PRESENTATIONS

None.

8. CONSENT CALENDAR

a. Approval of Minutes

(1) May 20, 2014

(2) May 21, 2014

b. Audit of Accounts:
Payroll $2,764,290.12
Bills $4,104,564.36
run #1319 checks #553005 - 553007
run #1320 checks #553033 - 553141
run #1321 checks #553142 - 553158
run #1322 check #553159
run #1323 checks #553160 - 553235

c. General Correspondence

d. Claims

A claim from Daniel Willson was acknowledged via approval of the Consent Calendar.

e. Award of Bids

(1) 2014 Striping Project Schedules A, B, C1, and C2, Specialized Pavement Marking, Tualatin, Oregon

The construction contract for the Annual Striping Program (2014 Project) was awarded to Specialized Pavement Marking, Tualatin OR, in the amount of $279,552, via approval of the Consent Calendar.

(2) Cross Kirkland Corridor Interim Trail, Rodarte Construction, Inc., Auburn, Washington

This item was pulled for consideration under Unfinished Business, item 10.c.

f. Acceptance of Public Improvements and Establishing Lien Period

(1) 2013 Street Preservation Program - Phase II Street Overlay Project, Watson Asphalt Paving Company Inc., Redmond, Washington

(2) Annual Sidewalk Maintenance Program Project, AGR Contracting, Monroe, Washington

g. Approval of Agreements

h. Other Items of Business

(1) Ordinance O-4443 and its Summary, entitled "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."

Motion to Approve the Consent Calendar with the exception of item 8.e.(2)., which was pulled for consideration under Unfinished Business, item 10.c.
Moved by Deputy Mayor Penny Sweet, seconded by Councilmember Dave Asher
Vote: Motion carried 6-0
Yes: 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. Draft 2013 Park Levy Accountability Report

Parks and Community Services Director Jennifer Schroder provided an overview of the draft report and received Council feedback.

b. Norkirk Light Industrial Technology (LIT) Zone Update

Planning and Community Development Director Eric Shields reviewed issues and concerns about marijuana sales in the Norkirk LIT zone for Council consideration and received and responded to Council questions and feedback.

Motion to Consider a new interim ordinance that uses other methods to exclude the Norkirk LIT zone such as additional school walk route designations or buffers from low residential development.
Moved by Deputy Mayor Penny Sweet, seconded by Councilmember Dave Asher
Vote: Motion carried 6-0
Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

c. Award of Bid for the Cross Kirkland Corridor Interim Trail project to Rodarte Construction, Inc., of Auburn, Washington in the amount of $2,099,175.

City Manager Triplett responded to Council questions.

Motion to Approve the Award of Bid for the Cross Kirkland Corridor Interim Trail construction project to Rodarte Construction, Inc., of Auburn, Washington in the amount of $2,099,175.00.
Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione
Vote: Motion carried 6-0
Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

11. NEW BUSINESS

a. Resolution R-5057, Expressing the City Council's Support for Regional Transfer Of Development Rights and the City Council's Willingness to Consider Regional Transfer of Development Right Policies as Part of the Comprehensive Plan Update and Implementing Development Regulations, File No CAM13-1936.

Senior Planner Dorian Collins, King County Transfer of Development Rights Program Manager Darren Greve, and BERK Consulting and ECONorthwest Lead Study Consultant Morgan Shook provided an overview of the study and recommendations.

Motion to Approve Resolution R-5057, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND EXPRESSING THE CITY COUNCIL'S SUPPORT FOR REGIONAL TRANSFER OF DEVELOPMENT RIGHTS AND THE CITY COUNCIL'S WILLINGNESS TO CONSIDER REGIONAL TRANSFER OF DEVELOPMENT RIGHT POLICIES AS PART OF THE COMPREHENSIVE PLAN UPDATE AND IMPLEMENTING DEVELOPMENT REGULATIONS, FILE NO CAM13-1936." as amended.
Moved by Councilmember Doreen Marchione, seconded by Deputy Mayor Penny Sweet
Vote: Motion carried 6-0
Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

Motion to Amend the motion by striking the section about the Zoning Code and supporting language from the attached Exhibit A.
Moved by Councilmember Dave Asher, seconded by Councilmember Toby Nixon
Vote: Motion carried 6-0
Yes: 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.

12. REPORTS

a. City Council Reports

(1) Finance and Administration Committee

Chair Marchione reported on an update regarding the Animal Control Services contract with King County, a progress report on the Development Services Fee, the April financial dashboard, the monthly investment report and briefing on the status of the Park Place redevelopment.

(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

Councilmembers shared information regarding the recent Evergreen Health Seven Hills of Kirkland Bicycling event; Association of Washington Cities Municipal Excellence Award videotaping; Councilmember Nixon's Open Government Training to King County Housing Authority staff; Sound Cities Association Networking Dinner; King County Regional Law, Safety and

Justice Committee meeting; Councilmember Nixon's presentation to a delegation from Indonesia in his role as Washington Coalition of Open Government President; Nourishing Networks Spring Gathering event; Eastside Human Services Forum "Toward a Livable Wage" Eastside conversation event; 4th Annual Eastside Legal Assistance Program Breakfast for Justice; Market Neighborhood Association meeting; Totem Lake Conversations; 2014 Kirkland City Council Retreat; Grand Opening of Kirkland Justice Center; 4th Annual Kiwanis Pancake Breakfast; Cascade Water Alliance meeting; Emergency Management Advisory Committee meeting; Puget Sound Regional Council General Assembly; Mayor's meeting with Kirkland Alliance of Neighborhood new Co-Chairs Bea Nahon and Anna Rising; Northeast Mayors' luncheon; upcoming King County-Cities Climate Collaboration summit.

(7) Disability Board

Chair Kloba reported on potential efficiencies in processing claims.

b. City Manager Reports

(1) Calendar Update

Councilmember Nixon mentioned upcoming dates of interest including the Potala Village appeal hearing on Friday June 6 and the first session of the Kirkland Municipal Court in the new Kirkland Justice Center on Tuesday June 17.

City Manager Kurt Triplett updated the City Council on a regional conversation about the Eastside Public Safety Communications Agency; a regional discussion about the North East King County Regional Public Safety Communication Agency (NORCOM) and a potential public-safety answering point (PSAP) consolidation; and an upcoming visit by third graders from AG Bell Elementary.

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

The Kirkland City Council regular meeting of June 3, 2014 was adjourned at 10:05 p.m.

City Clerk

Mayor

Council Meeting: 06/17/2014
Agenda: Claims
Item #: 8. d.

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: June 4, 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) Joshua Hake
33725 SE Tibbits Street
Snoqualmie, WA 98065

Amount: $273.75

Nature of Claim: Claimant states damage to vehicle resulted from City vehicle debris.

(2) Daniel Trythall
10145 NE 135th Lane
Kirkland, WA 98034

Amount: $87.59

Nature of Claim: Claimant states damage to vehicle resulted after striking uneven pavement in a construction zone.

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

Council Meeting: 06/17/2014
Agenda: Award of Bids
Item #: 8. e. (1).

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: David Snider, P.E., Capital Projects Manager
Rod Steitzer, P.E., Capital Projects Supervisor
Marilynne Beard, Interim Public Works Director

Date: June 4, 2014

Subject: NE 85TH STREET CORRIDOR IMPROVEMENT PROJECT – AWARD CONTRACT

RECOMMENDATION:

It is recommended that City Council awards the contract for construction of the NE 85th Street Corridor Improvement Project to Johansen Excavating, Inc., of Buckley, WA, in the amount of $7,473,494.44.

BACKGROUND:

The NE 85th Street Corridor Project is the largest non-facility Capital Improvement Project ever undertaken by the City. The overall corridor enhancement project includes the following separate CIP projects and amounts (see also Vicinity Map Attachment A):

Reference Number	Project Number	Project	Status
1	**NM 51**	**Rose Hill Business District Sidewalks**	**This Contract**
2	**TR 78**	**NE 85th Street & 132nd Ave NE Intersection Imp.**	**This Contract**
3	TR 79	NE 85th Street & 114th Ave NE Intersection Imp.	Complete
4	**TR 80**	**NE 85th Street & 124th Ave NE Intersection Imp.**	**This Contract**
5	ST 06002	NE 85th Street One-Time Overlay	To be Completed 2015
6	**SD 25**	**NE 85th Street Detention and Sediment Control**	**This Contract**
7	**WA 140**	**NE 85th Street Water main Replacement**	**This Contract**
8	ST 75	NE 85th Street Utility Conversion	Construction Completed – Project Closeout Pending Final Billing by Contractor

	Project	Budget	Expenses to Date	Anticipated Expenses	Total
NM 51	Rose Hill Business District Sidewalks	$8,075,700	$5,100,037	$3,036,322	$8,136,359
TR 78	NE 85th Street & 132nd Ave NE Intersection Imp.	$2,149,900	$1,242,192	$897,980	$2,140,172
TR 79	NE 85th Street & 114th Ave NE Intersection Imp.	$1,271,000	$1,271,000	-	$1,271,000
TR 80	NE 85th Street & 124th Ave NE Intersection Imp.	$2,022,300	$815,679	$1,225,300	$2,040,979
ST 06002	NE 85th Street One-Time Overlay	$1,469,000	$7,874	$1,461,126	$1,469,000
SD 25	NE 85th Street Detention and Sediment Control	$621,800	$140,566	$401,711	$542,277
WA 140	NE 85th Street Water main Replacement	$3,992,200	$251,387	$3,750,726	$4,002,113
ST 75	NE 85th Street Utility Conversion	$2,691,400	$2,065,583	$625,817	$2,691,400
Total		$22,293,300	$10,894,318	$11,398,982	$22,293,300

The transportation elements of the NE 85th Street Corridor Project (numbers 1 - 5 above) represent a partnership between the City, Sound Transit, the Transportation Improvement Board (TIB) and Washington State for the creation of a vibrant transportation corridor. As planned, the whole Project will provide non-motorized and motorized improvements, utility upgrades, intelligent transportation signal upgrades, enhancements to transit service, and a complete overlay of the roadway surface between 114th and 132nd Avenues NE.

Of the eight individual projects listed above, two are currently fully constructed (3 & 8) with five projects (1, 2, 4, 6, & 7) included in this recommended construction contract award.

The Rose Hill Business District Sidewalks (number 1 above) is a two-phased project with the construction of the first phase now complete. A separate memo recommending acceptance of work is scheduled for the June 17, 2014 City Council meeting.

The final project making up the NE 85th Street Corridor Improvement Project is the NE 85th Street One-Time Overlay Project (number 5) which is funded in part through state and federal grants with completion scheduled for 2015 as the final element of the whole Corridor Improvement Project. The overlay will be a separate contract.

Contract Bid Results

With an engineer's estimate of $6,915,912, the NE 85th Street Corridor Project was first advertised on April 17 for a three week period. With Supplemental Bidder Responsibility Criteria added to the contract documents, bids were opened on May 8, 2014. A total of 3 bids were received with Johansen Excavating being the lowest responsive bidder submitting a total bid of $7,473,494.44. A summary of the bid results is found in Table 1 below:

Table 1: Bid Results

Contractor	Amount	Difference from Engineer's Estimate
Engineer's Estimate	$6,915,912.00	-
Johansen Excavating	**$7,473,494.44**	**$557,582**
Coluccio Construction	$7,697,801.75	$781,889
Marshbank Construction	$9,085,307.78	$2,169,395
Average bid	$8,085,535.00	

As shown above, the low bid is $557,582 above the engineer's estimate. In order to offset the difference, Public Works and Finance staff looked closely at the overall project budget to identify appropriate sources for making up that difference. Through those efforts the following sources were identified:

- Additional external funding was secured.
- A revised amount for anticipated engineering and consultant costs for inspection and contract administration was negotiated.
- A reduction in the construction contingency was made from the initial estimating/planning level of approximately 13.5% to a project-specific post-bid amount closer to 10%.

External Funding

With the higher than estimated contractor bids received, staff successfully secured an additional $217,500 in Transportation Improvement Board (TIB) authorized funding for the Project. That external funding increase raised the TIB's contribution from $1,450,000 to $1,667,500. While the TIB funding is for exclusive use on the Rose Hill Business District Sidewalks (NM 51 – number 1 above), the net result is an increased total Project funding from $16,644,400 to $16,861,900, as shown in Table 2 below:

Table 2: Project Funding

Project	Original Funding Amount	Current Funding Amount
WA 140	$3,992,200	$3,992,200
SD 25	$621,800	$621,800
TR 78	$2,149,900	$2,149,900
TR 80	$2,022,300	$2,022,300
NM 51	***$7,858,200***	***$8,075,700***
Total	$16,644,400	**$16,861,900**

Revised Soft Costs

In conjunction with the additional TIB funding, a reduction of anticipated soft-cost expenses totaling $340,082 effectively provides the remaining offset to fund the entire $557,582 deficit arising from the bid outcome.

By reducing the overall construction contingency from approximately 13.5% to near 10%, the result is a reduction of $186,000 from the amount used in estimating prior to receiving bids; the net result is an overall five project construction contingency of $747,350. Johansen Excavating has successfully completed several projects with the City of Kirkland, making the reduction in contingency reasonable. The quality of the contractor also enabled a reduced estimate for internal project management staff time of $78,082.

Finally, staff successfully renegotiated a lower consultant inspection fee for an additional savings of $76,000. A summary of funding and cost reductions is shown in Table 3 below:

Table 3: Additional Funding & Cost Reductions

Items	Amount
Additional TIB	$217,500
Reduced Contingency	$186,000
Reduced Staff Time	$78,082
Reduced Inspection	$76,000
Total	$557,582

Night Construction

The NE 85th Street Water main Replacement Project (WA 0140 - number 7 above) was advertised and bid to be constructed at night. Night construction work, as suggested by the NE 85th Street Construction Advisory Group (CAG), will minimize impacts to surrounding businesses, reduce costs for traffic control, and minimize the time needed for the water main replacement work. Currently, the remaining projects are programmed and scheduled for day work; however, the bid documents and bid amount allow for both day and night work for the remaining corridor improvements if it is determined that night construction for other work

elements is feasible and would be a prudent course of action. Staff will monitor progress of the nighttime water main work, including any adverse impacts, and report back to City Council if there is any move towards increased night construction activities (beyond the water main replacement work).

Channelization

As per the Kirkland Comprehensive Plan, City Council is required to approve the final roadway channelization plan (i.e., lane striping, median islands, etc.) whenever changes are made. The final Channelization Plan will be part of NE 85th Street One-Time Overlay Project (ST 0006 02 - number 5 above) currently in design and scheduled for construction in 2015. To date, staff has met often with individual property and business owners along the corridor to keep them informed of the planned changes and have worked through a few individual concerns for access control to and from certain properties. Staff also presented the preliminary Channelization Plan to the Transportation Commission for concurrence and will return to the City Council for adoption of the final Channelization Plan later this year.

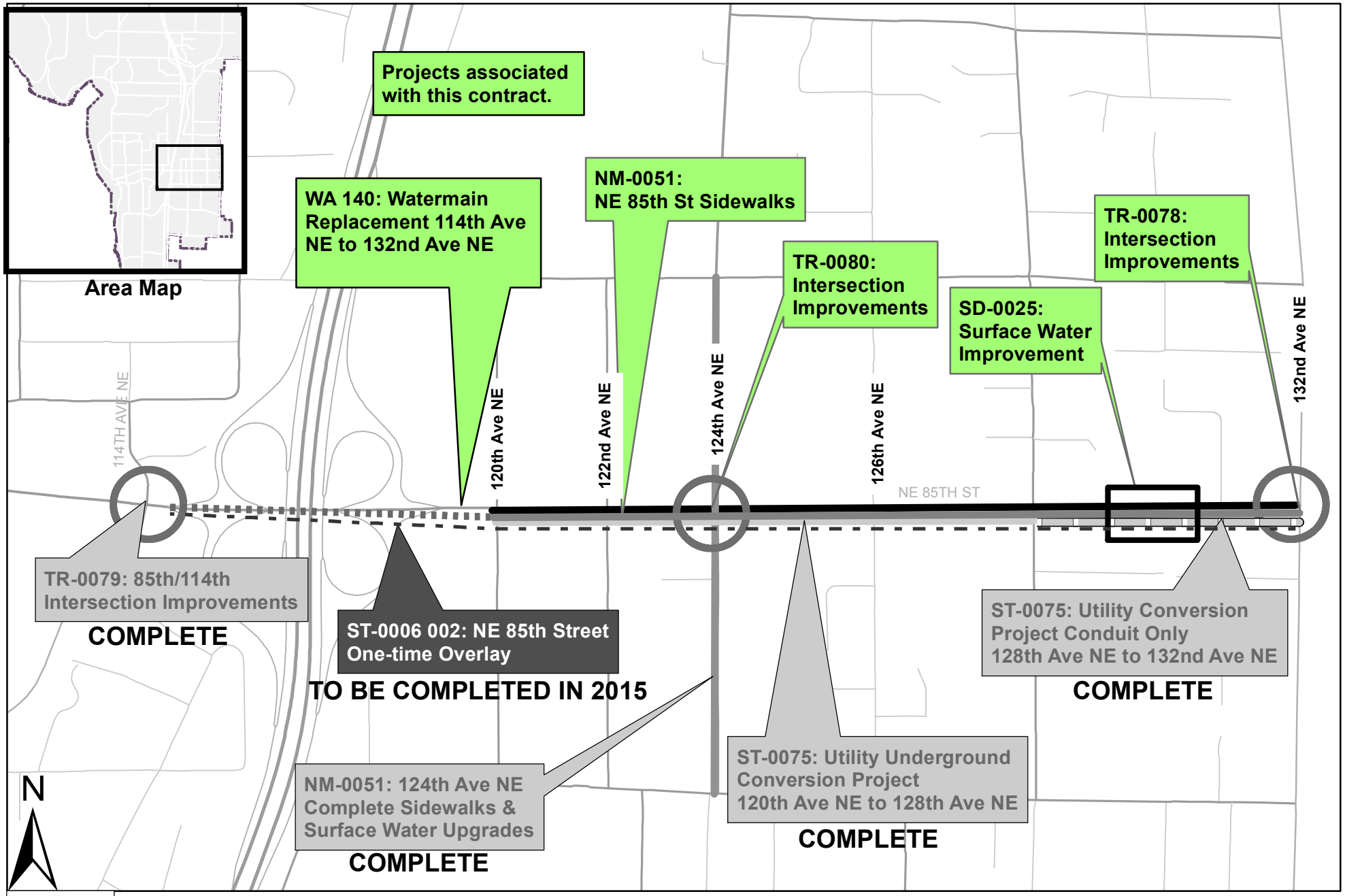
Summary

With a City Council award of the construction contract at the June 17 meeting, staff will begin the pre-construction public outreach process by notifying adjacent property owners, interested North and South Rose Hill Neighborhood Association members and other interested persons. Project updates, various List Servs, along with regular Construction Advisory Group (CAG) meetings will support the outreach plan. Project information such as closures and pedestrian detours will also be posted on the City's web site.

Since the Corridor Project includes a significant amount of sidewalk and ramp reconstruction, staff did include specific contract language related to signage for sidewalk closures and a requirement for the general contractor to provide clearly delineated detour routes for pedestrians. The construction management and inspection team will ensure the contractor maintains safe travel routes for pedestrians at all times.

A June 17 award will result in construction starting in late July to early August. The contract documents provide for a 240 working day schedule, resulting in an anticipated completion date during the third quarter of 2015.

Attachment A – Vicinity Map



Vicinity Map

NE 85th Street Corridor Improvement Project

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
Marilynne Beard, Interim Public Works Director

Date: June 3, 2014

Subject: ANNUAL STRIPING PROGRAM – 2013 STRIPING PROJECT
ACCEPT WORK

RECOMMENDATION:

It is recommended that City Council accepts the work on the 2013 Striping Project, as installed by Stripe Rite, Inc., of Pacific, WA, and establish the statutory lien period.

BACKGROUND DISCUSSION:

The purpose of Annual Striping Program is to maintain the pavement markings that define safe travel paths for motorists, bicyclists and pedestrians, primarily on arterials and collector streets throughout the City. For 2013, the Striping Project included restriping over 43 miles of vehicle lane lines, 40 miles of bike lanes and almost 2 miles of curb painting. The project also replaced worn crosswalk markings, intersection stop lines, turn arrows and other on-pavement symbols.

Kirkland Avenue Bike Lane and Crosswalk

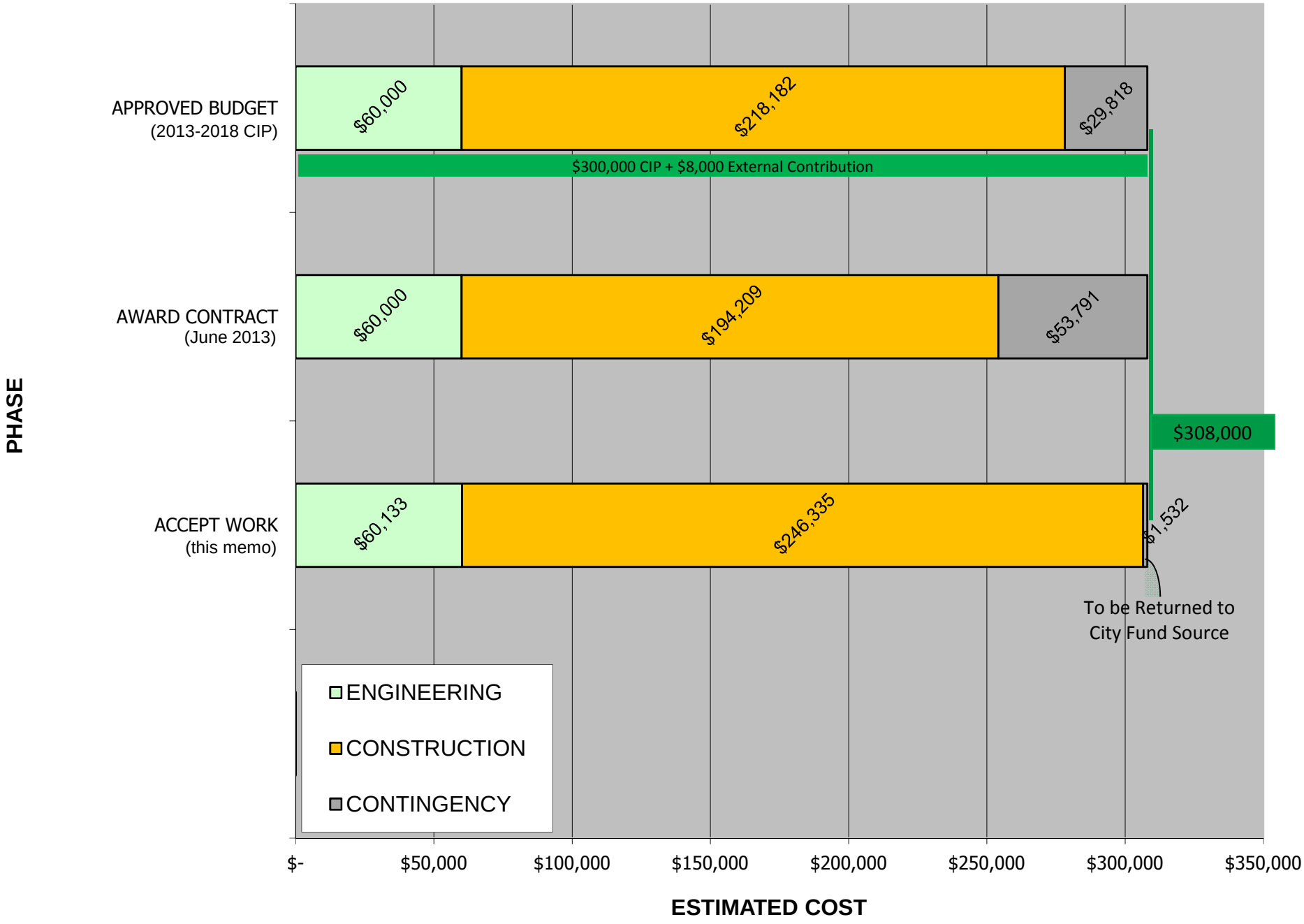
At their regular meeting of June 18, 2013, City Council awarded the 2013 Striping Project contract to Stripe Rite, Inc., in the amount of $194,209. Construction began in July 2013 and was completed in October 2013. As approved by Council at the time of contract award, staff increased various quantities for thermoplastic and bike lane striping in order to more fully maximize the available construction contingency. As a result, the total amount paid to the contractor was $246,335 (Attachment A), with the issuance of three change orders for additional striping and pavement markings at select crosswalks totaling $52,126.

The Project was completed with a surplus of approximately $1,500 in funds to be returned to the original funding source (Attachment A).

2013 ANNUAL STRIPING PROGRAM
(CST -1380)

Attachment A

PROJECT BUDGET REPORT



Council Meeting: 06/17/2014
Agenda: Establishing Lien Period
Item #: 8. f. (2).

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
Marilynne Beard, Interim Public Works Director

Date: June 4, 2014

Subject: ROSE HILL BUSINESS DISTRICT SIDEWALKS – ACCEPT WORK;
124th AVENUE NE SIDEWALKS PROJECT

RECOMMENDATION:

It is recommended that City Council accepts the work on the Rose Hill Business District Sidewalks, 124th Avenue NE Sidewalks Project, as constructed by Road Construction Northwest, Inc., of Renton, WA, and establishes the statutory lien period.

BACKGROUND DISCUSSION:

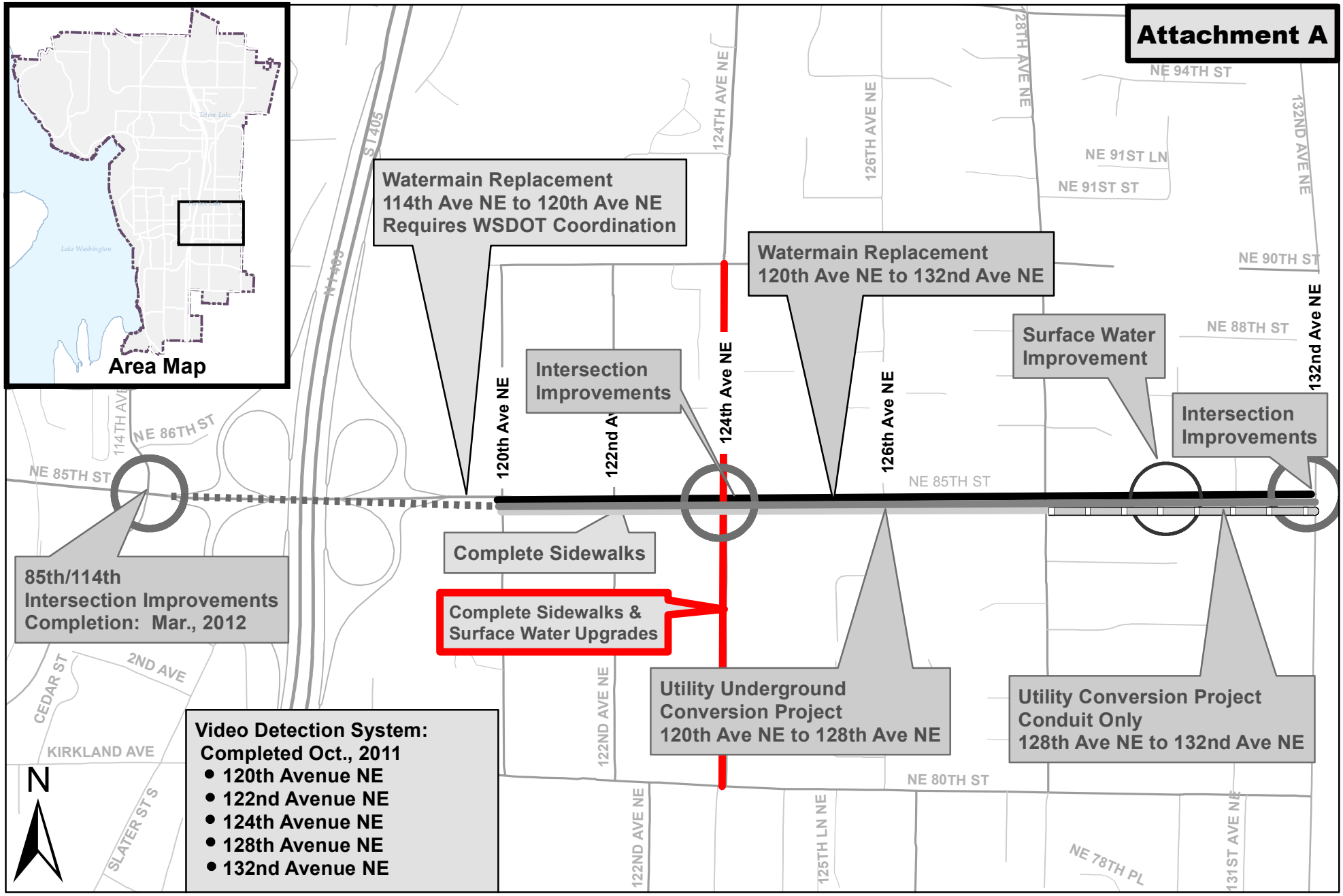
The corridor improvements along NE 85th Street are made up of multiple CIP projects including Rose Hill sidewalk improvements, three signalized intersection improvements, a watermain replacement, storm water detention, sediment and water quality improvements, the conversion of aerial utilities, and a final pavement overlay between 114th and 132nd Avenues NE. The emphasis on pedestrian improvements include the installation of continuous sidewalks and other pedestrian amenities on both sides of NE 85th Street and, as the subject of this memo, 124th Avenue NE, between NE 80th and NE 90th Streets (Attachment A).

The 124th Avenue Sidewalk was the first phase of the planned two-phased Rose Hill Business District Sidewalks Project. A separate memo recommending award of the second phase of work is scheduled for the June 17, 2014 City Council meeting. As a two-phased sidewalk improvement, the phases were planned as separate construction packages to allow for greater control over the construction work. By limiting the work zone area and minimizing the number of contractor crews working over a large area, public impacts were minimized. The 124th Avenue Sidewalk Project also included surface water quality features, new retaining walls, bicycle lanes, and landscaping.

124th Avenue Sidewalk

At their regular meeting of August 7, 2012, City Council awarded the 124th Avenue Sidewalk Project to Road Construction Northwest, Inc. in the amount of $1,241,851. Construction began in October, 2012 and was completed in April, 2014. The total amount paid to the contractor was $1,213,174.14, which included one deductive change order of $3,000 and nearly $26,000 in savings from material quantities coming in less than estimated (Attachment B). With all Project costs known for this first phase of the Rose Hill Business District Sidewalks Project, it was completed with a surplus of approximately $159,000. Staff recommends retaining the excess funds as a part of the overall NE 85th Street Corridor Improvement Project budget for the next phase of work.

Attachment A – Vicinity Map
Attachment B – Project Budget Report



Vicinity Map

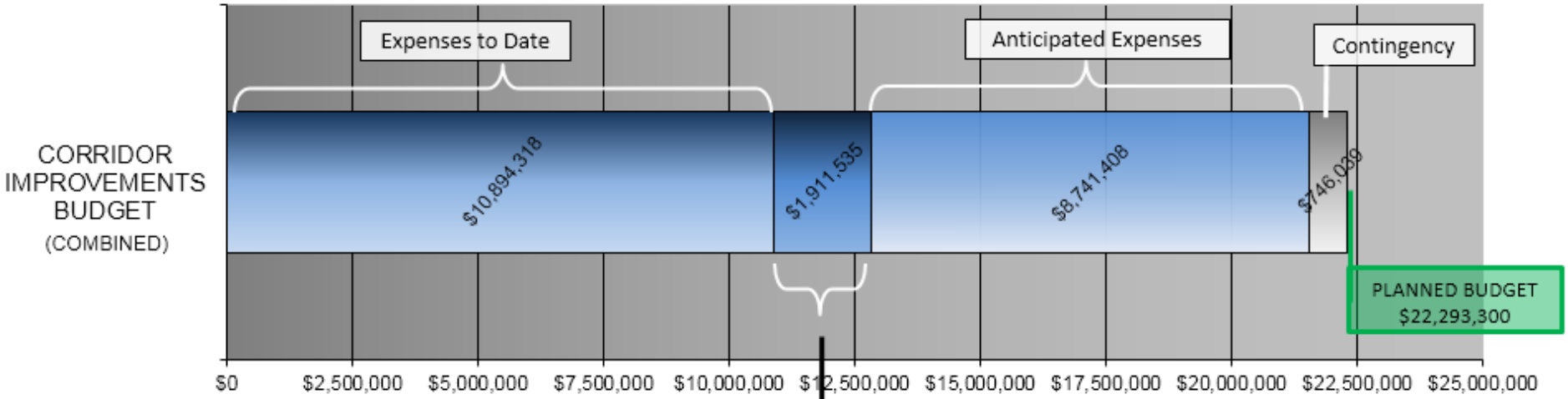
NE 85th Street Corridor Improvements

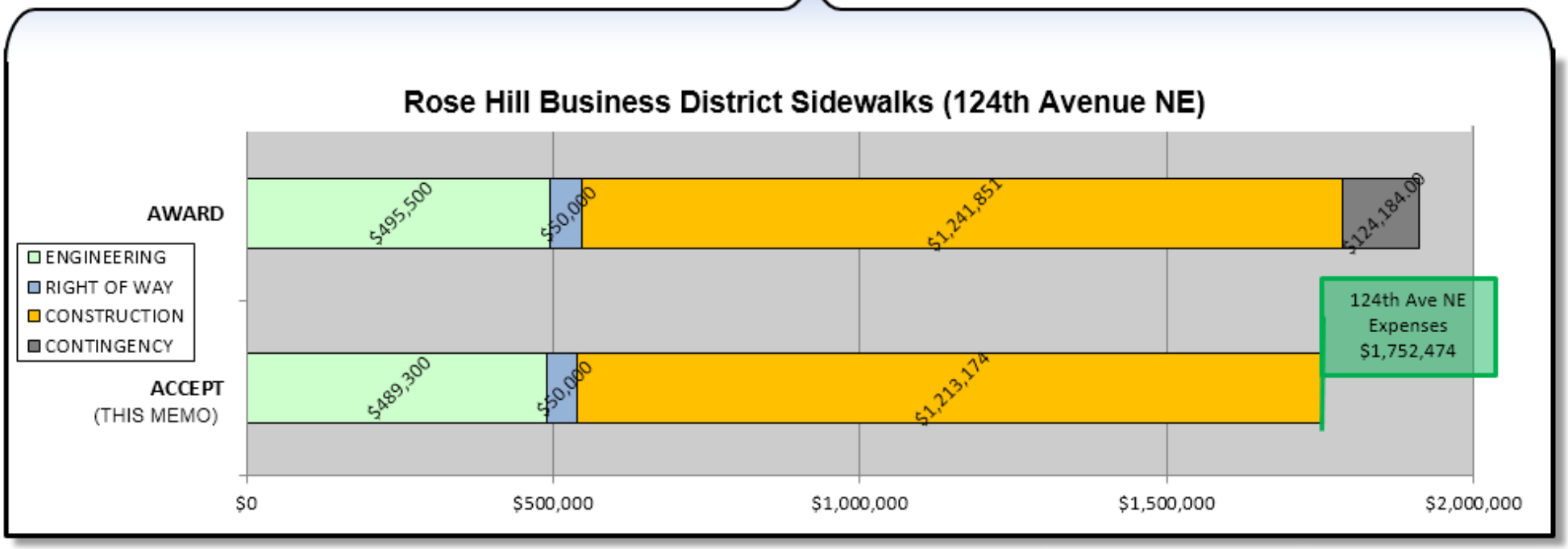
Rose Hill Business District Sidewalks [124th Ave NE from NE 80th St to NE 90th St]

Attachment B

NE 85th STREET CORRIDOR IMPROVEMENTS

PROJECT BUDGET REPORT





ESTIMATED COST

CITY OF KIRKLAND
Department of Planning and Community Development
123 Fifth Avenue, Kirkland, WA 98033 425-587-3225
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Dawn Nelson, Planning Supervisor

Date: June 5, 2014

Subject: KIRKLAND CROSSING CONDITIONAL CERTIFICATE FOR MULTIFAMILY PROPERTY TAX EXEMPTION AT SOUTH KIRKLAND TRANSIT ORIENTED DEVELOPMENT, FILE HSG13-01668

RECOMMENDATION

Staff recommends that the City Council approves the enclosed resolution authorizing the Planning Director to:

- Enter into the contract included as Exhibit A to the Resolution with Kirkland Crossings, L.L.C. for a potential multifamily housing property tax exemption; and
- Issue a conditional certificate of acceptance of tax exemption.

BACKGROUND DISCUSSION

The transit oriented development at the South Kirkland Park and Ride includes 243 apartments, approximately 6,700 square feet of commercial space, and a 530 stall parking garage and transit center. The project is the culmination of over a decade of policy and planning work.

In 2011, the City Council adopted new zoning and design regulations for the Yarrow Bay Business District (YBD) that allowed the project that is currently under construction. Part of the regulatory package adopted included an expansion of the City's Multifamily Housing Property Tax Exemption program to include the business district. Along with that expansion, the Council adopted very specific requirements for the tax exemption in order to address the Council's guiding principles for the transit oriented development and to help increase the economic feasibility of the project.

Background information about the Multifamily Housing Property Tax Exemption program and its expansion to include the Yarrow Bay Business District, as well as the 2011 annexation area, can be found in the June 7, 2011 City Council materials. The current regulations are included in KMC 5.88.

The residential development at the South Kirkland TOD is included in two buildings – a 58 unit residential structure being built by KTOD LLC (Imagine Housing) and a 185 unit mixed use structure being built by Kirkland Crossings, L.L.C. (Polygon Homes). The project will include 61 affordable housing units – 58 in the KTOD LLC building and 3 in the Kirkland Crossings building. This will satisfy the requirement that at least 25% (and not more than 50%) of the residential units in the YBD 1 zoning district be affordable to those earning not more than 70% of King County median income in order for a 12 year tax exemption to be granted. The affordability requirements for the 12 year tax exemption also stipulate that at least 15% of the residential units be affordable to those earning not more than 50% of King County median income. These affordability levels are specified in the attached contract that is Exhibit A to the resolution. In addition, the 58 units in the KTOD LLC building will be affordable at 30%, 40% and 60% of King County median income to satisfy other requirements for the various public funding sources that were awarded to the project. The contract provides that if these 58 affordable housing units are not provided in the KTOD LLC building, then they will need to be provided in the Kirkland Crossings building for the tax exemption to continue.

The affordability required in exchange for the tax exemption must remain for the life of the project and is secured by the agreements attached to the contract. The tax relief provided is from the ad valorem taxes on all of the residential improvement value on the property for 12 years. Taxes are still collected on the land and non-residential improvements. The KTOD LLC improvements are already exempted under RCW 84.36.560 because they are a non-profit providing affordable housing receiving public financing. Consequently, the exemption granted by the City in the enclosed resolution would only be for the 185 residential units in the Kirkland Crossings project.

The City has granted three multifamily property tax exemptions since 2010. Those projects include a total of 166 residential units. Two of the exemptions are for eight years and one, for a small six unit project, is for 12 years. The amount of Kirkland property taxes not collected from those three projects will be $26,680 in 2014. The annual average amount of forgone taxes for the three projects will be about $16,000, assuming a one percent increase in assessed valuation per year. The exemption for the 185 units in the Kirkland Crossings building is estimated to result in about $30,000 of Kirkland property taxes not collected next year, projecting from the current exemptions that have been granted. The actual amount will not be known until the King County Assessor establishes the assessed valuation for the improvements.

The process for approving a multifamily housing property tax exemption includes the following steps:

- Review and approval of application for conditional certificate for tax exemption by the Planning Director – *completed on June 4, 2014*

- Approval of resolution to enter into contract with City – *pending action by City Council on June 17, 2014*

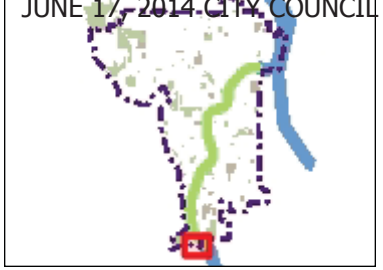
Actions to occur following approval of the resolution:

- Execution of contract and issuance of conditional certificate of acceptance of tax exemption
- Recording of covenant that addresses long term affordability requirements (Exhibits D1 and D2 to contract)
- Upon completion of construction, submittal of request for final certificate for tax exemption and review by Planning Director
- Filing of final certificate of tax exemption with the King County Assessor
- Submittal of annual certification of compliance by property owner

ATTACHMENTS

1. Vicinity Map
2. South Kirkland Transit Oriented Development Site Plan and Affordable Unit Layouts

South Kirkland TOD Vicinity Map



Legend

- City Limits
- Grid
- Cross Kirkland Corridor
- Regional Rail Corridor
- Streets
- Parcels
- Buildings
- Lakes
- Parks
- Schools

Notes

0.2 0 0.08 0.2 Miles

NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

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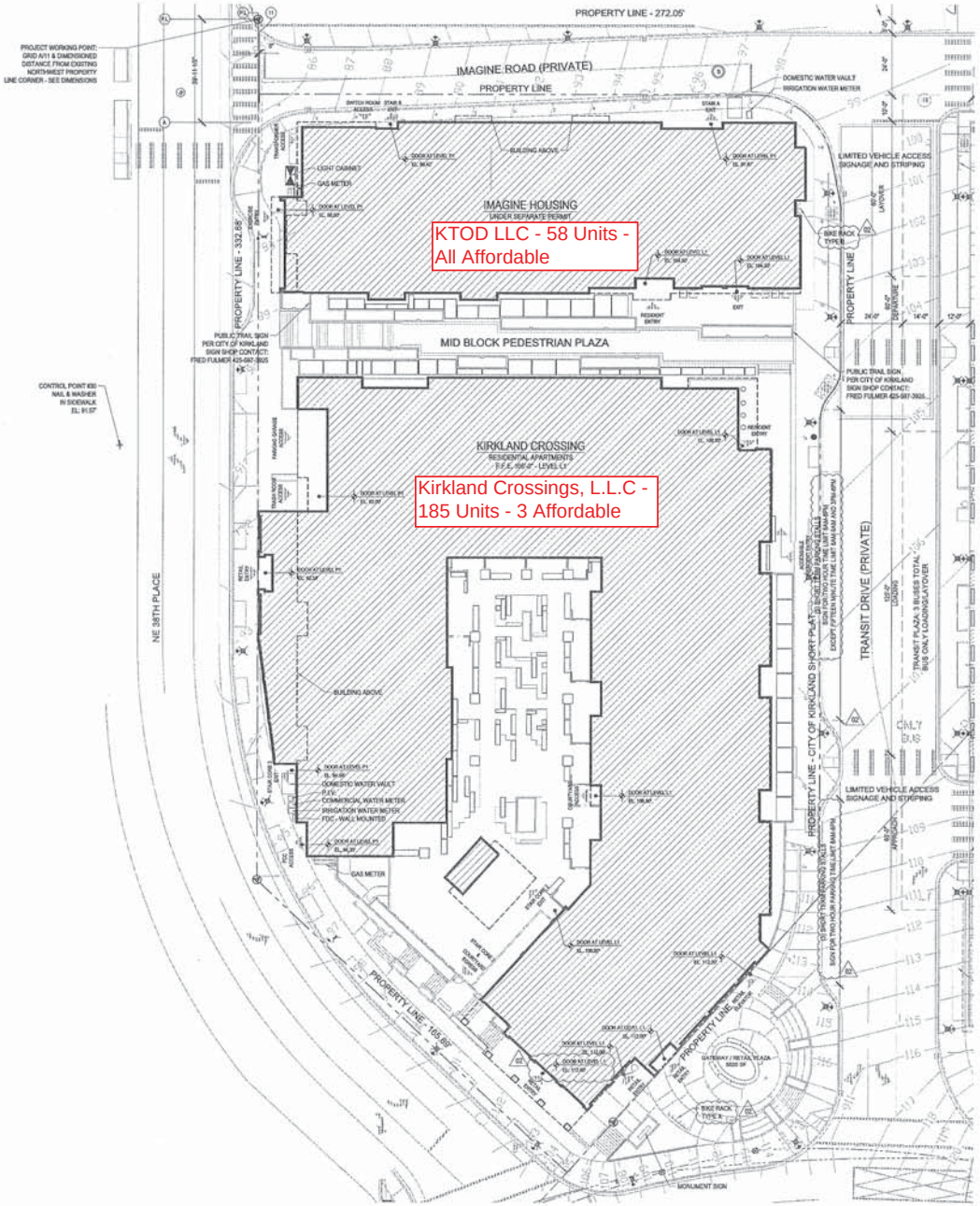
ATTACHMENT 2
KIRKLAND CROSSING MFTE
JUNE 17, 2014 CITY COUNCIL

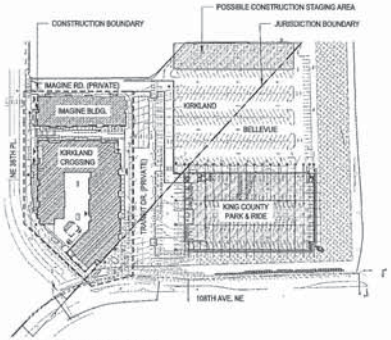


VICINITY MAP

LEGAL DESCRIPTION:

Lot 1 Metro Park and Ride Short Plat as filed in Volume 290, Pages 262 through 264 under Recording No 20120828001002, Records of King County, Washington.

1 VICINITY MAP
SCALE: NTS



2 PROJECT SITE PLAN
SCALE: NTS

3 MARKET HOUSING SITE PLAN - KIRKLAND
SCALE: 1/16" = 1'-0"

GENERAL NOTES:
1. REFER TO CIVIL AND LANDSCAPE DRAWINGS FOR ADDITIONAL INFORMATION.
2. REFER TO SHEETS C01.00-C01.11 FOR LAND USE CODE INFORMATION.
3. REFER TO SHEETS A2.00 THROUGH A2.05 FOR BUILDING PLAN DIMENSIONS.
4. FIELD VERIFY EXISTING CONDITIONS AT ALL BUILDING ENTRY POINTS PRIOR TO CONSTRUCTION.
5. LOWEST ELEVATION ON PROJECT IS AT LEVEL P3 - EL 82' - 0"

WEBER THOMPSON

225 Terry Ave N, Suite 200
Seattle WA 98109
p 206 344 5700
f 206 508 3507

www.weberthompson.com

PROJECT:
KIRKLAND CROSSING
3801 108TH AVE NE
KIRKLAND, WA 98033

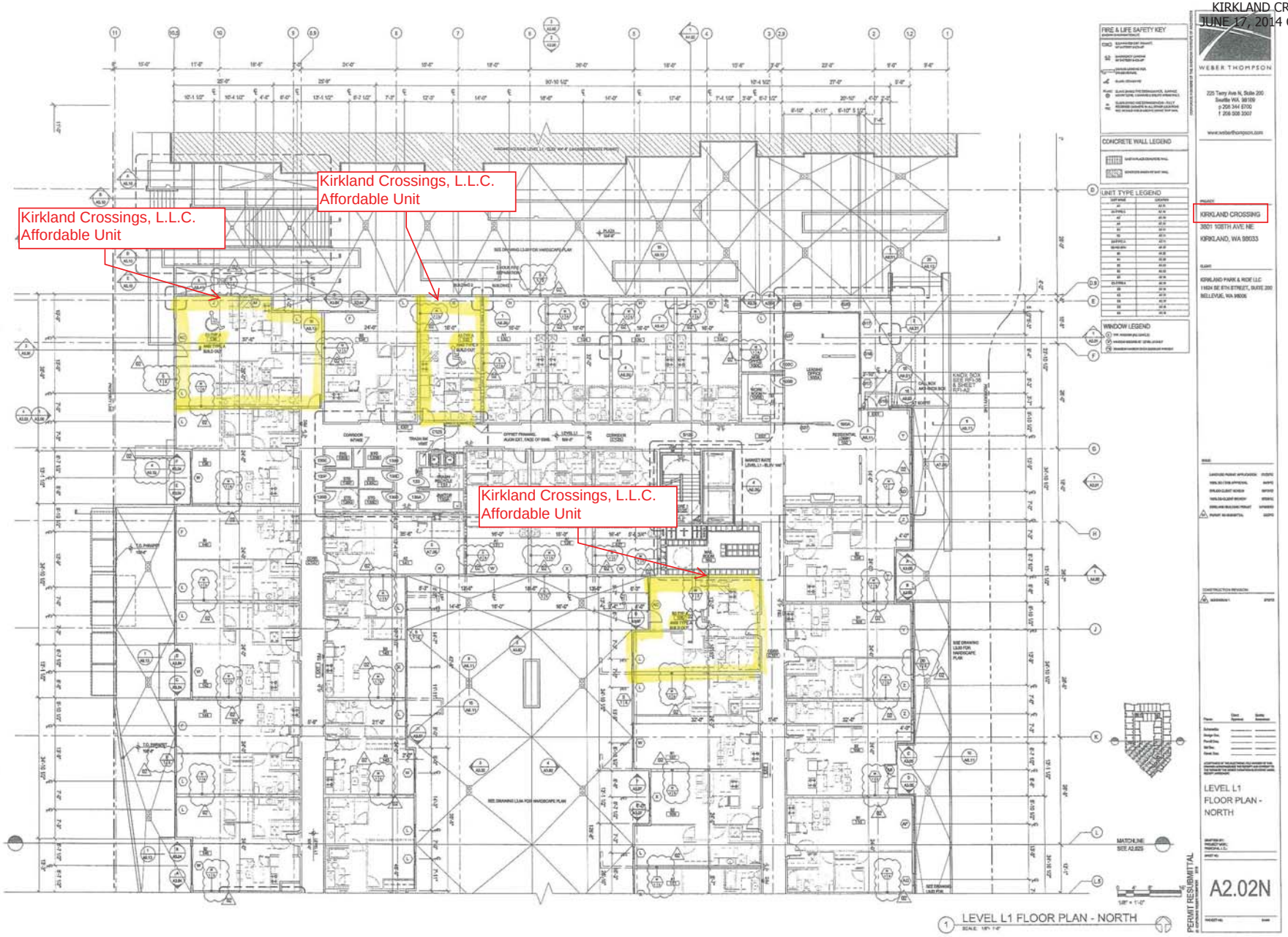
CLIENT:
KIRKLAND PARK & RIDE LLC
11624 SE 5TH STREET, SUITE 200
BELLEVUE, WA 98005

CONSTRUCTION REVISION

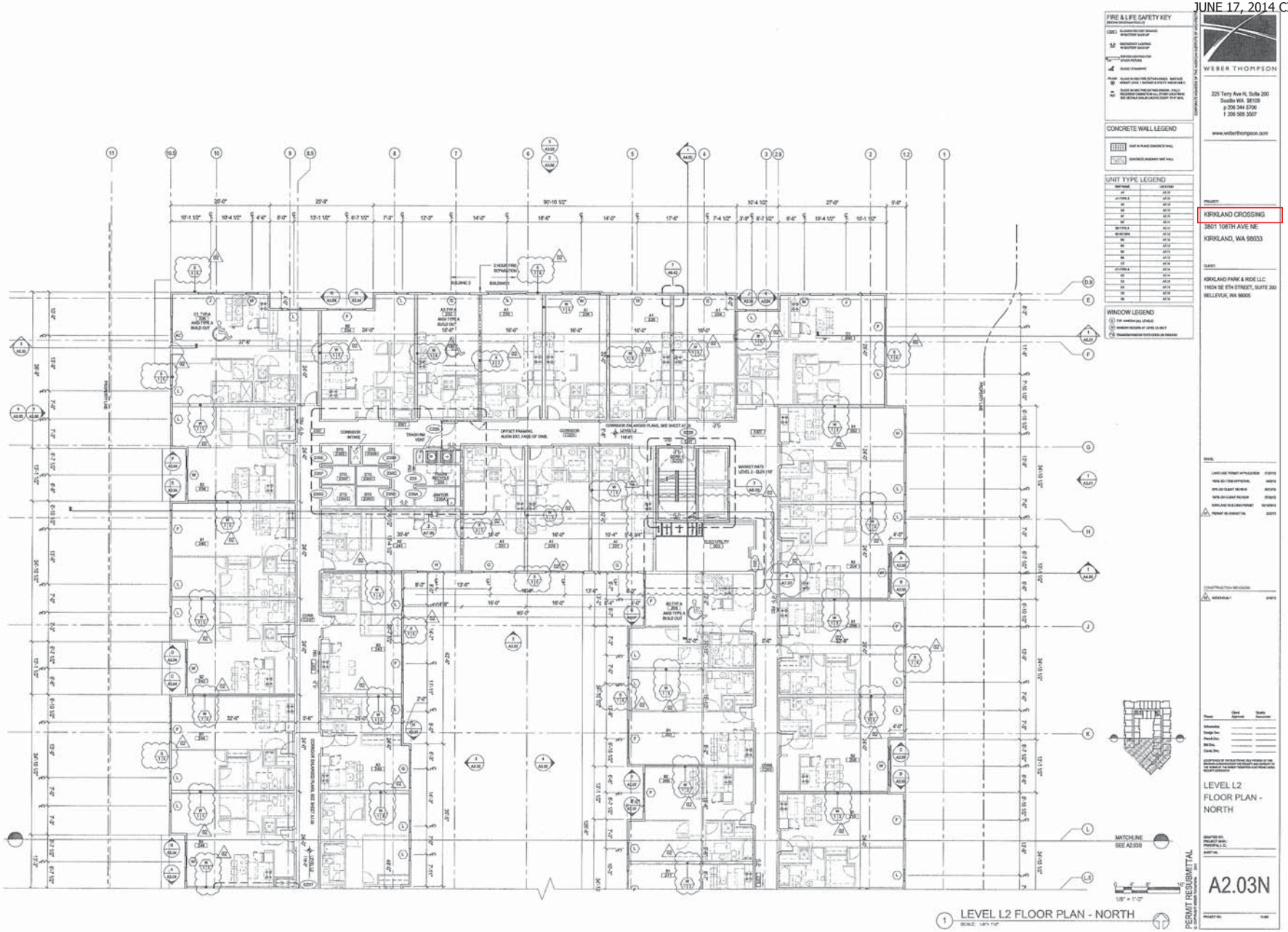
CAMPUS
SITE PLAN
KIRKLAND

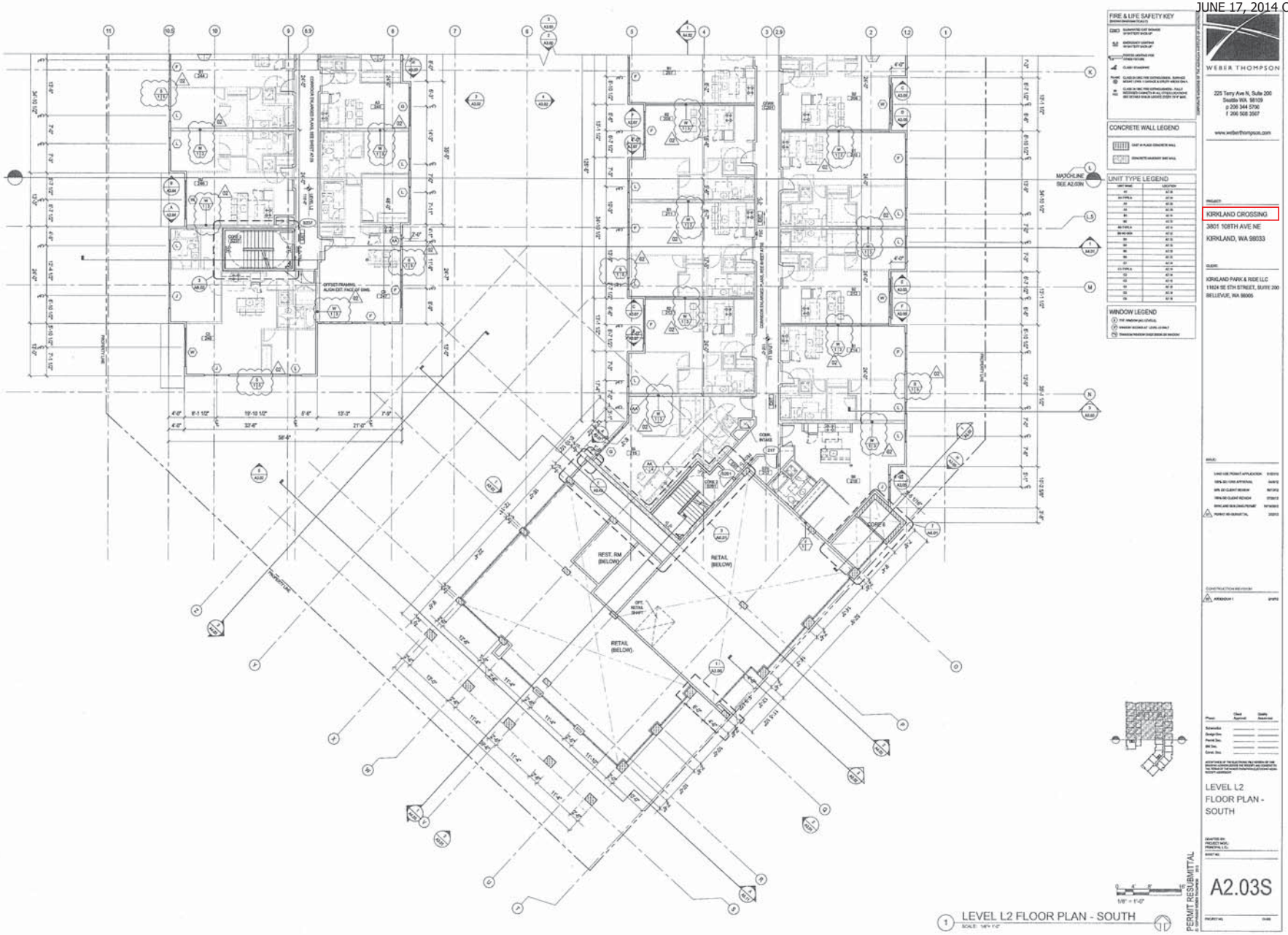
PERMIT RESUBMITTAL

A1.00

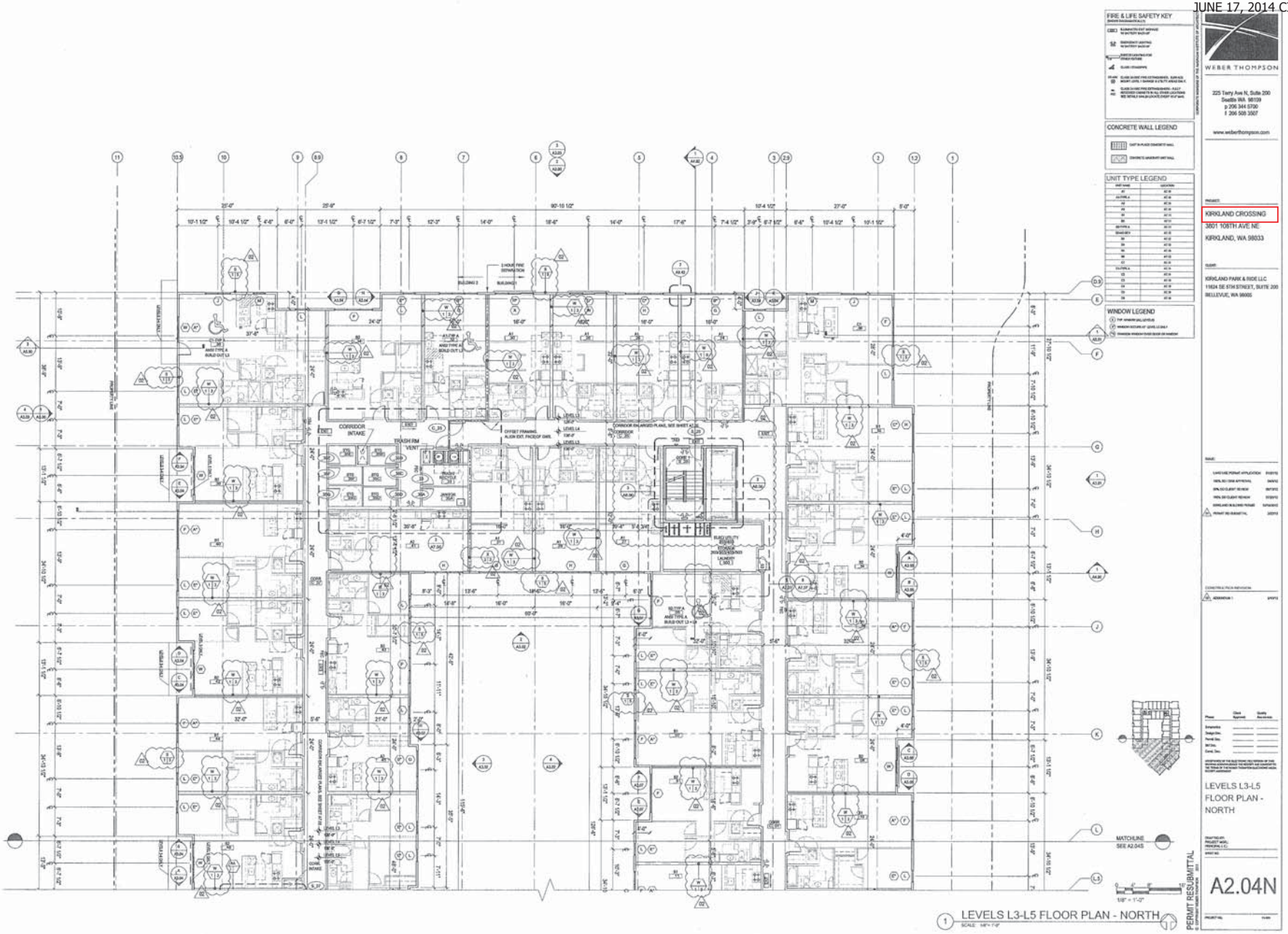

Kirkland Crossings, L.L.C.
Affordable Unit
Kirkland Crossings, L.L.C.
Affordable Unit
Kirkland Crossings, L.L.C.
Affordable Unit
FIRE & LIFE SAFETY KEY
CONCRETE WALL LEGEND
UNIT TYPE LEGEND
WINDOW LEGEND
WEBER THOMPSON
KIRKLAND CROSSING
3801 108TH AVE NE
KIRKLAND, WA 98033
LEVEL L1
FLOOR PLAN -
NORTH
A2.02N
PERMIT RESUBMITTAL
LEVEL L1 FLOOR PLAN - NORTH

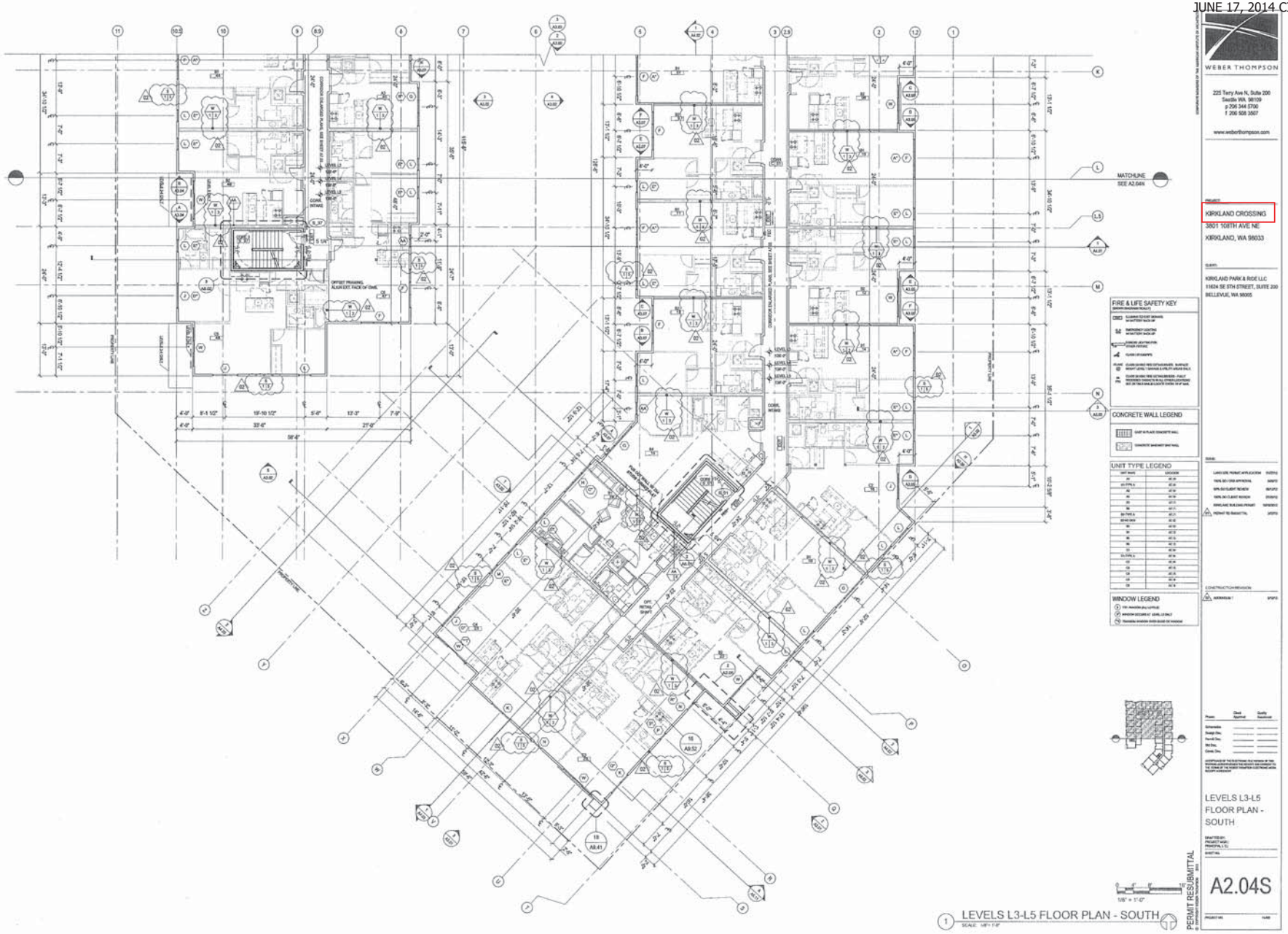
ATTACHMENT 2
KIRKLAND CROSSING MFTE
JUNE 17, 2014 CITY COUNCIL




FIRE & LIFE SAFETY KEY
CONCRETE WALL LEGEND
UNIT TYPE LEGEND
WINDOW LEGEND
WEBER THOMPSON
225 Terry Ave N, Suite 200
Seattle WA 98109
p 206 344 0790
f 206 508 2507
www.weberthompson.com
KIRKLAND CROSSING
3801 108TH AVE NE
KIRKLAND, WA 98033
KIRKLAND PARK & RIDE LLC
11624 SE 5TH STREET, SUITE 200
BELLEVUE, WA 98005
LEVEL L2
FLOOR PLAN -
SOUTH
A2.03S
PERMIT RESUBMITTAL
REST. RM (BELOW)
RETAIL (BELOW)
RETAIL (BELOW)
MATCHLINE SEE A2.03N
1 LEVEL L2 FLOOR PLAN - SOUTH

ATTACHMENT 2
KIRKLAND CROSSING MFTE
JUNE 17, 2014 CITY COUNCIL




WEBER THOMPSON
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KIRKLAND PARK & RIDE LLC
11624 SE 5TH STREET, SUITE 200
BELLEVUE, WA 98005
FIRE & LIFE SAFETY KEY
CONCRETE WALL LEGEND
UNIT TYPE LEGEND
WINDOW LEGEND
MATCHLINE
SEE A2.04N
LEVELS L3-L5
FLOOR PLAN -
SOUTH
A2.04S
PERMIT RESUBMITTAL
1 LEVELS L3-L5 FLOOR PLAN - SOUTH

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FX: 425.519.5361
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achung@deainc.com

PROJECT DESCRIPTION

LOCATION	3801 108TH AVE NE KIRKLAND, WA 98033
PARCEL #	2925059280
LEGAL DESCRIPTION	LOT 1 METRO PARK AND RIDE SHORT PLAT AS FILED IN VOLUME 290, PAGES 262 THROUGH 264 UNDER RECORDING NUMBER 2912082900002, RECORDS OF KING COUNTY WASHINGTON
SUMMARY OF WORK	A 58 UNIT RESIDENTIAL BUILDING W/ PARKING AND SUPPORT SERVICE SPACES. FOUR LEVELS OF WOOD FRAME CONSTRUCTION BUILT OVER TWO LEVELS OF STRUCTURAL CONCRETE. CONCRETE PODIUM UNDER SEPARATE PERMIT, REFERENCE DRC12-00001
CIVIL PLANS	ALL CIVIL WORK FOR INTERIM & PERMANENT STORM WATER RETENTION SYSTEMS & CALC'S UNDER SEPARATE PERMIT, REFERENCE DRC12-00001

REFERENCE CODES

JURISDICTION	CITY OF KIRKLAND
ACCESSIBILITY	2009 INTERNATIONAL BUILDING CODE (IBC): 2009 ANSI A117.1
BUILDING	2009 INTERNATIONAL BUILDING CODE (IBC)
ELECTRICAL	2009 INTERNATIONAL BUILDING CODE (IBC). CHAPTER 27
ENERGY	2009 WASHINGTON STATE ENERGY CODE (WSEC)
FIRE	2009 INTERNATIONAL FIRE CODE (IFC)
INDOOR AIR QUALITY	2009 INTERNATIONAL BUILDING CODE (IBC), CHAPTER 12; 2009 WSEC
MECHANICAL	2009 INTERNATIONAL MECHANICAL CODE (IMC)
PLUMBING	2009 UNIFORM PLUMBING CODE (UPC)
SIGNAGE	2009 KIRKLAND MUNICIPAL CODE, CHAPTER 19
SUSTAINABILITY	EVERGREEN SUSTAINABILITY DEVELOPMENT STANDARD (ESDS)
ZONING/LAND USE	2009 KIRKLAND ZONING CODE (KZC)

VICINITY MAP - NTS

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CS0.21	BUILDING CODE ANALYSIS
CS0.22	BUILDING CODE ANALYSIS
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2 of 2	SURVEY 2
LANDSCAPE	
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L2.00	LANDSCAPE PLAN: IRRIGATION
L3.00	PLANTING SCHEDULE & DETAILS
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A1.01	SITE PLAN
A1.02	ENLARGED SITE PLANS
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A5.01	SECTION: BUILDING
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A5.62	DETAILS: FIRE RATED
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A8.14	INTERIOR ELEVATIONS: COMMON AREAS
A8.15	INTERIOR ELEVATIONS: COMMON AREAS
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A8.21	INTERIOR ELEVATIONS: UNIT
A8.22	INTERIOR ELEVATIONS: UNIT
A8.23	INTERIOR ELEVATIONS: UNIT
A8.24	INTERIOR ELEVATIONS: UNIT
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A9.11	DETAILS: SIDING
A9.12	DETAILS: SIDING
A9.13	DETAILS: SIDING
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1142 REGISTERED ARCHITECT
JOHN L. WOODWORTH
STATE OF WASHINGTON

REVISIONS/NOTES

NO	DATE	DESCRIPTION
1	10.23.12	BP SUBMITTAL

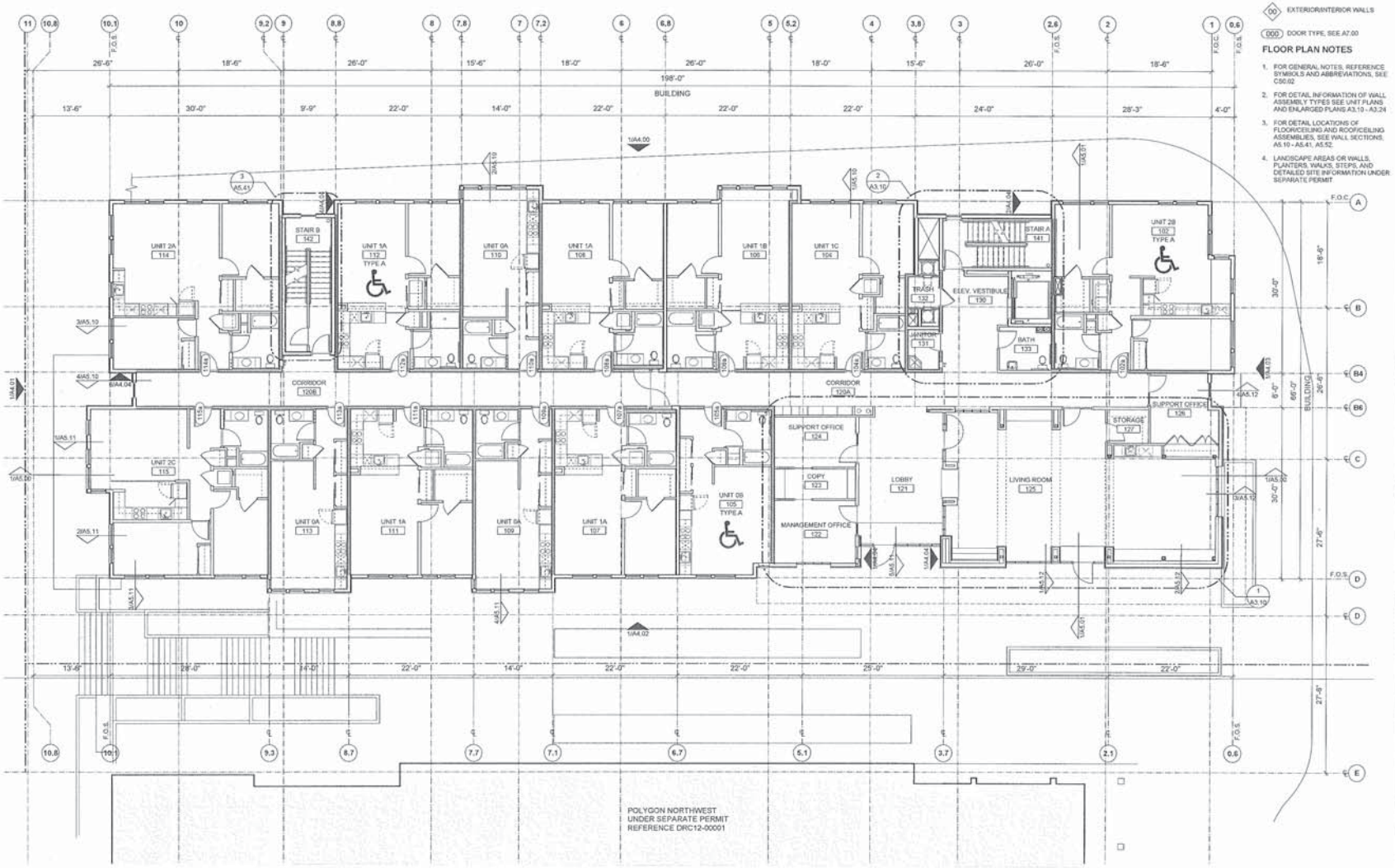
TITLE
SHEET INDEX & PROJECT INFORMATION

DESIGN REV. #	12-00001
PERMIT #	00000
DRAWN	PEH AM CA
CHECKED	JW
ISSUE DATE	10.23.2012
JOB NUMBER	11020.00

SHEET NO.:
CS0.01

ATTACHMENT 2
KIRKLAND CROSSING MFTE
JUNE 17, 2014 CITY COUNCIL

KTOD LLC - ALL UNITS ARE AFFORDABLE



1 LEVEL 1 PLAN
SCALE: 1/8" = 1'-0"

LEVEL 1 - ROOF WALL ASSEMBLY TYPES

EXCEPT AS NOTED OTHERWISE, WALL ASSEMBLIES TO BE AS LISTED BELOW. SEE SHEET A5.30 & A5.51 FOR WALL ASSEMBLIES.

ASSEMBLIES CALLED OUT IN DETAIL PLANS WHERE AVAILABLE.

00 EXTERIOR/INTERIOR WALLS

000 DOOR TYPE, SEE A7.00

FLOOR PLAN NOTES

1. FOR GENERAL NOTES, REFERENCE SYMBOLS AND ABBREVIATIONS, SEE C50.02
2. FOR DETAIL INFORMATION OF WALL ASSEMBLY TYPES SEE UNIT PLANS AND ENLARGED PLANS A3.10 - A3.24
3. FOR DETAIL LOCATIONS OF FLOOR/CEILING AND ROOF/CEILING ASSEMBLIES, SEE WALL SECTIONS, A5.10 - A5.41, A5.52.
4. LANDSCAPE AREAS OR WALLS, PLANTERS, WALKS, STEPS, AND DETAILED SITE INFORMATION UNDER SEPARATE PERMIT

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THO REGISTERED ARCHITECT JOHN L. WOODWORTH STATE OF WASHINGTON

REVISIONS/NOTES

NO	DATE	DESCRIPTION
1	10.23.12	BP SUBMITTAL

TITLE
LEVEL 1

DESIGN REV. #	12-00001
PERMIT #	00000
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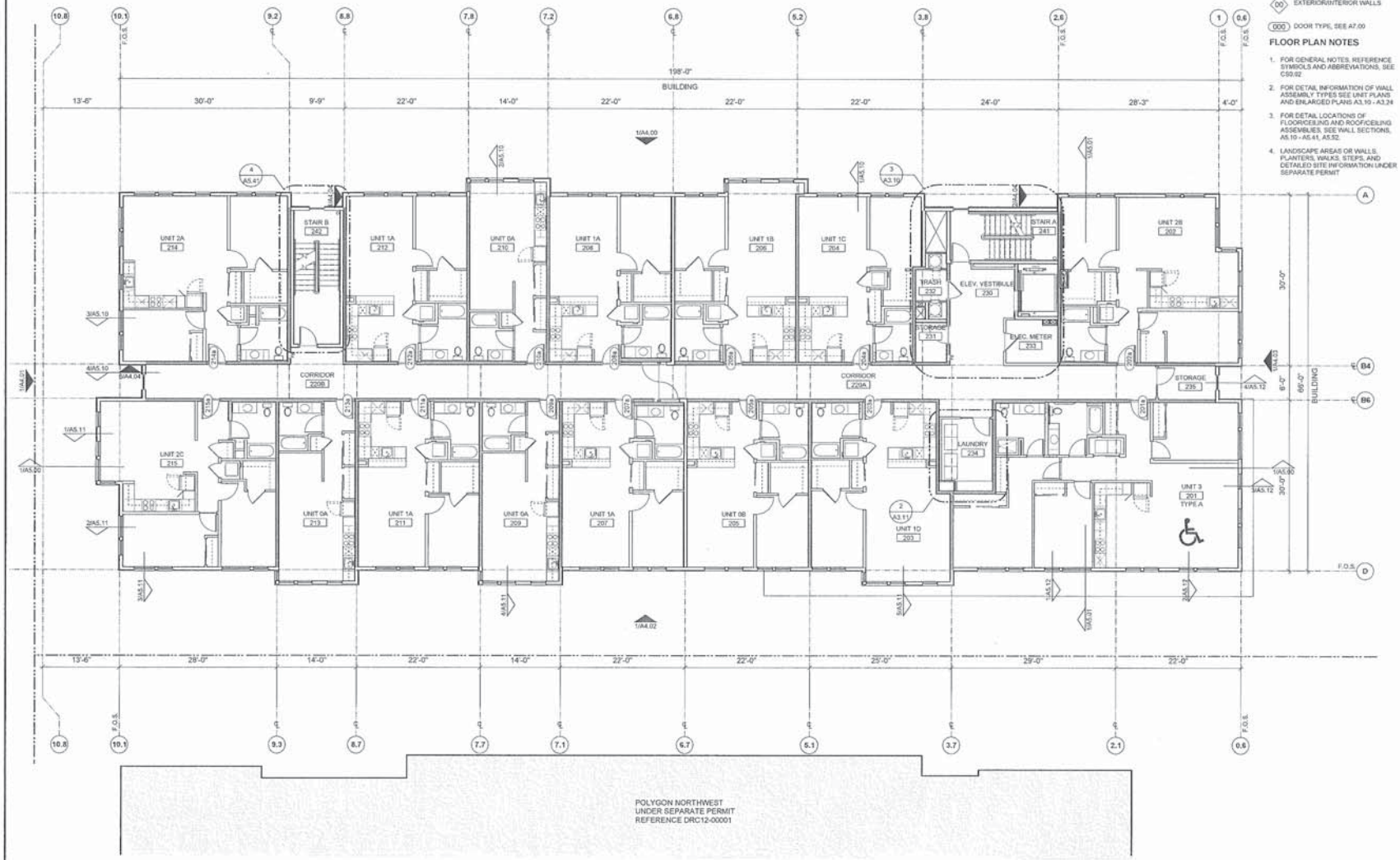
ISSUE DATE	10.23.2012
JOB NUMBER	11020.00

SHEET NO.:
A3.02

ATTACHMENT 2
KIRKLAND CROSSING MFTE
JUNE 17, 2014 CITY COUNCIL

KTOD LLC - ALL UNITS ARE AFFORDABLE



1 LEVEL 2 PLAN
SCALE: 1/8" = 1'-0"

LEVEL 1 - ROOF WALL ASSEMBLY TYPES

EXCEPT AS NOTED OTHERWISE, WALL ASSEMBLIES TO BE AS LISTED BELOW. SEE SHEET A5.50 & A5.51 FOR WALL ASSEMBLIES.

ASSEMBLIES CALLED OUT IN DETAIL PLANS WHERE AVAILABLE.

00 EXTERIOR/INTERIOR WALLS

000 DOOR TYPE, SEE A7.00

FLOOR PLAN NOTES

1. FOR GENERAL NOTES, REFERENCE SYMBOLS AND ABBREVIATIONS, SEE C50.02
2. FOR DETAIL INFORMATION OF WALL ASSEMBLY TYPES SEE UNIT PLANS AND ENLARGED PLANS A3.10 - A3.24
3. FOR DETAIL LOCATIONS OF FLOOR/CEILING AND ROOF/CEILING ASSEMBLIES, SEE WALL SECTIONS, A5.10 - A5.41, A5.52.
4. LANDSCAPE AREAS OR WALLS, PLANTERS, WALKS, STEPS, AND DETAILED SITE INFORMATION UNDER SEPARATE PERMIT

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NO	DATE	DESCRIPTION
1	10.23.12	BP SUBMITTAL

TITLE
LEVEL 2

DESIGN REV. #	12-00001
PERMIT #	00000
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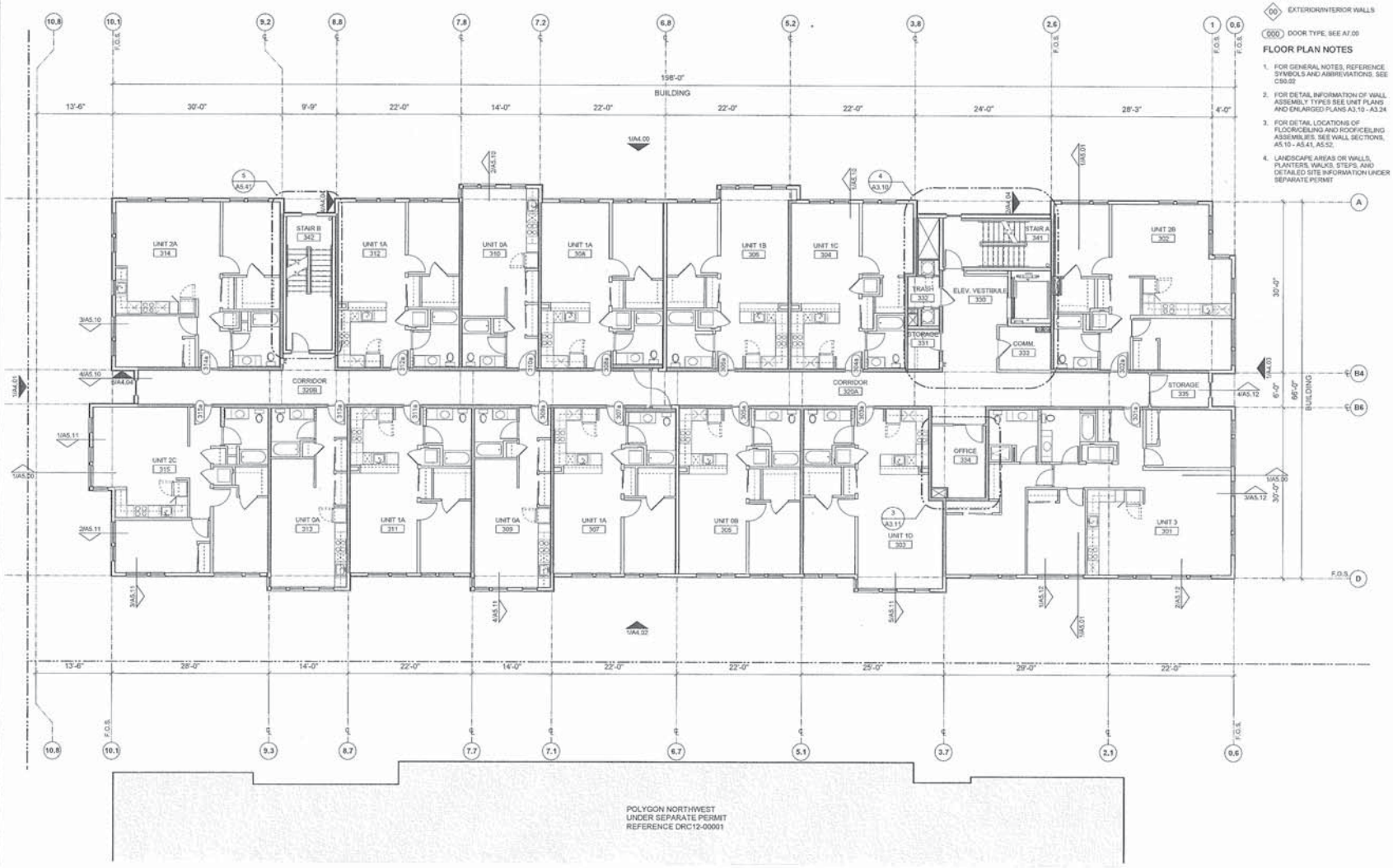
ISSUE DATE	10.23.2012
JOB NUMBER	11020.00

SHEET NO.:
A3.03

ATTACHMENT 2
KIRKLAND CROSSING MFTE
JUNE 17, 2014 CITY COUNCIL

KTOD LLC - ALL UNITS ARE AFFORDABLE



1 LEVEL 3 PLAN
SCALE: 1/8" = 1'-0"

LEVEL 1 - ROOF WALL ASSEMBLY TYPES

EXCEPT AS NOTED OTHERWISE, WALL ASSEMBLIES TO BE AS LISTED BELOW. SEE SHEET A5.50 & A5.51 FOR WALL ASSEMBLIES.

ASSEMBLIES CALLED OUT IN DETAIL PLANS WHERE AVAILABLE.

00 EXTERIOR/INTERIOR WALLS

000 DOOR TYPE, SEE A7.00

FLOOR PLAN NOTES

1. FOR GENERAL NOTES, REFERENCE SYMBOLS AND ABBREVIATIONS, SEE C50.02
2. FOR DETAIL INFORMATION OF WALL ASSEMBLY TYPES SEE UNIT PLANS AND ENLARGED PLANS A3.10 - A3.24
3. FOR DETAIL LOCATIONS OF FLOOR/CEILING AND ROOF/CEILING ASSEMBLIES, SEE WALL SECTIONS, A5.10 - A5.41, A5.52.
4. LANDSCAPE AREAS OR WALLS, PLANTERS, WALKS, STEPS, AND DETAILED SITE INFORMATION UNDER SEPARATE PERMIT

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TITLE
LEVEL 3

DESIGN REV. #	12-00001
PERMIT #	00000
DRAWN	PEH-AM-DA
CHECKED	JW
ISSUE DATE	10.23.2012
JOB NUMBER	11020.00

SHEET NO.:
A3.04

ATTACHMENT 2
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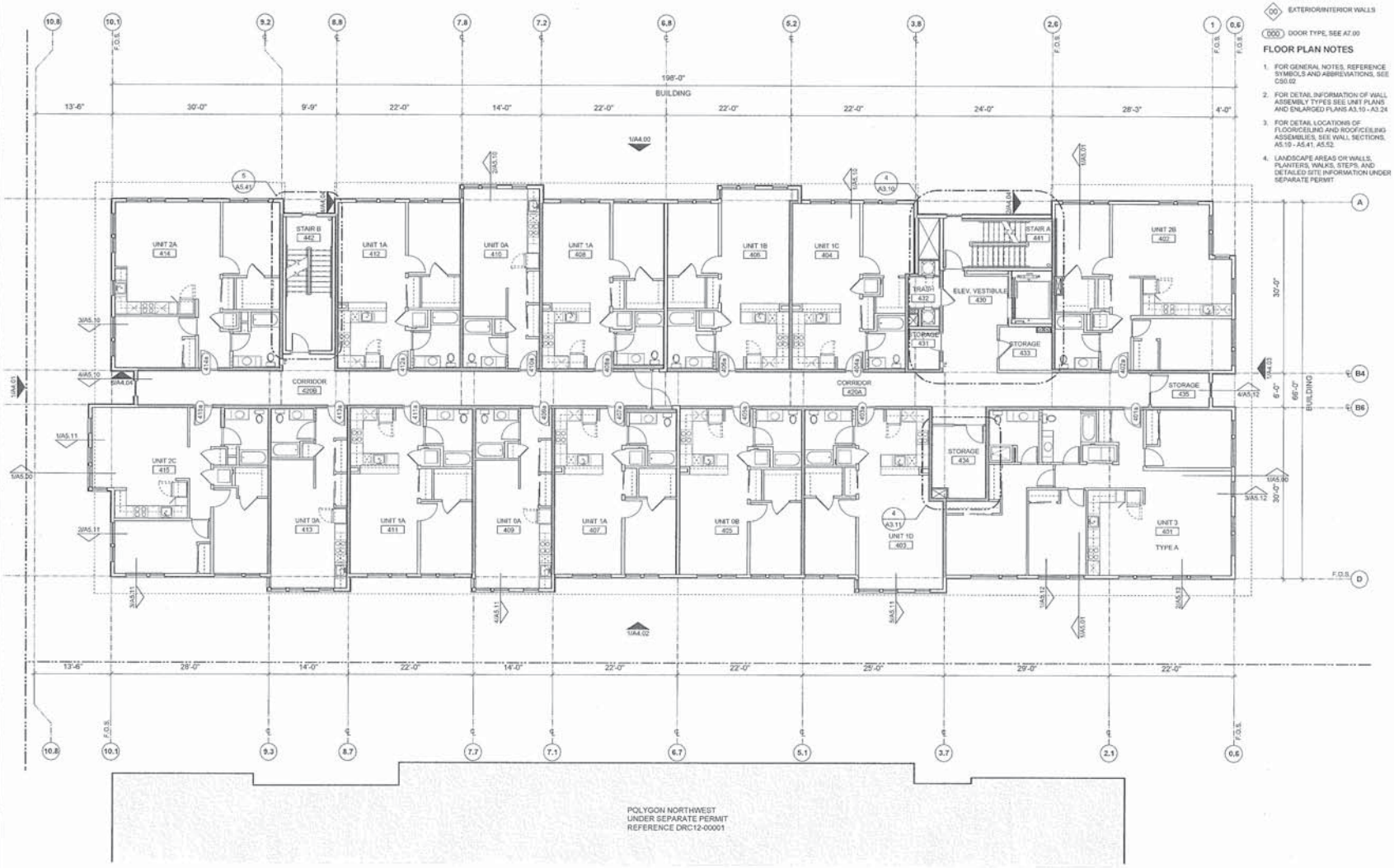
JUNE 17, 2014 CITY COUNCIL

KTOD LLC - ALL UNITS ARE AFFORDABLE



1 LEVEL 4 PLAN
SCALE: 1/8" = 1'-0"

LEVEL 1 - ROOF WALL ASSEMBLY TYPES

EXCEPT AS NOTED OTHERWISE, WALL ASSEMBLIES TO BE AS LISTED BELOW. SEE SHEET A5.50 & A5.51 FOR WALL ASSEMBLIES.

ASSEMBLIES CALLED OUT IN DETAIL PLANS WHERE AVAILABLE.

(00) EXTERIOR/INTERIOR WALLS

(000) DOOR TYPE, SEE A7.00

FLOOR PLAN NOTES

1. FOR GENERAL NOTES, REFERENCE SYMBOLS AND ABBREVIATIONS, SEE CS0.02
2. FOR DETAIL INFORMATION OF WALL ASSEMBLY TYPES SEE UNIT PLANS AND ENLARGED PLANS A3.10 - A3.24
3. FOR DETAIL LOCATIONS OF FLOOR/CEILING AND ROOF/CEILING ASSEMBLIES, SEE WALL SECTIONS, A5.10 - A5.41, A5.52.
4. LANDSCAPE AREAS OR WALLS, PLANTERS, WALKS, STEPS, AND DETAILED SITE INFORMATION UNDER SEPARATE PERMIT

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THE REGISTERED ARCHITECT
JOHN L. WOODWORTH
STATE OF WASHINGTON

REVISIONS/NOTES

NO	DATE	DESCRIPTION
1	10.23.12	BP SUBMITTAL

TITLE
LEVEL 4

DESIGN REV. #	12-00001
PERMIT #	00000
DRAWN	PEH-AM-DA
CHECKED	JW
ISSUE DATE	10.23.2012
JOB NUMBER	11020.00

SHEET NO.:
A3.05

RESOLUTION R-5059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH KIRKLAND CROSSINGS, L.L.C., REGARDING A POTENTIAL MULTIFAMILY HOUSING PROPERTY TAX EXEMPTION AND APPROVING THE ISSUANCE OF A CONDITIONAL CERTIFICATE OF TAX EXEMPTION.

WHEREAS, Kirkland Crossings, L.L.C., has applied for a limited property tax exemption as provided for in Chapter 84.14 RCW and Chapter 5.88 KMC for multifamily residential rental housing ("Multifamily Housing") in the Lakeview Residential Targeted Area, and the Director of Planning and Community Development has approved the application; and

WHEREAS, Kirkland Crossings, L.L.C. has submitted to the City preliminarily site plans and floor plans for one hundred eighty-five (185) units of new Multifamily Housing to be constructed as part of a two hundred forty-three (243) unit mixed use project on property situated at 3801 108th Avenue NE, Kirkland, Washington; and

WHEREAS, the Director has determined the multifamily housing will, if completed, occupied, and owned as proposed, satisfy the requirements for a Final Certificate of Tax Exemption,

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

Section 1. The City Manager or his designee is authorized and directed to execute on behalf of the City of Kirkland, an agreement substantially similar to that attached as Exhibit "A", which is entitled "Multifamily Housing Limited Property Tax Exemption Agreement" and issue a Conditional Certificate of Acceptance of Tax Exemption.

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

MULTIFAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION AGREEMENT

THIS AGREEMENT, entered into this _____ day of _____, 2014, between the City of Kirkland, a State of Washington municipal corporation ("City") and Kirkland Crossings, L.L.C ("Applicant"), and incorporated attachments and exhibits, contains all terms and conditions agreed to by the City and the Applicant to undertake the activities described herein.

RECITALS

1. Applicant has applied for a limited property tax exemption as provided for in Chapter 84.14 RCW and Chapter 5.88 KMC for multifamily residential rental housing ("Multifamily Housing") in the Lakeview Residential Target Area, and the City's Director of Planning and Community Development ("Director") has approved the application; and

2. Applicant is the owner of Unit A ("Unit A") of KTOD Condominium ("KTOD Condominium"). KTOD Condominium is situated at 3801 108th Avenue NE in Kirkland, Washington (Property). The legal description of the Property and Unit A are set forth in Exhibit A1 and Exhibit A2 respectively.

3. Applicant has submitted to the City preliminary site plans and floor plans for one hundred and eighty-five (185) units of new Multifamily Housing ("Project-Phase A") to be constructed as part of a 243-unit project ("Overall Project") on the Property;

4. KTOD LLC a Washington Limited Liability Company ("Unit B Owner") is the owner of Unit B of KTOD Condominium ("Unit B"). Unit B Owner has submitted to the City preliminary site plans and floor plans for fifty-eight (58) units of new Multifamily Housing to be constructed in Unit B (the "Project-Phase B"). The legal description of Unit B is set forth on Exhibit A3;

5. No existing rental housing building that contained four (4) or more occupied dwelling units was demolished on the Property within 18 months prior to Applicant's submission of its application for limited property tax exemption; and

6. The City has determined that the Multifamily Housing will, if completed, occupied, and owned as proposed, satisfy the requirements for a Final Certificate of Tax Exemption.

7. This Agreement is entered into pursuant to City Council action taken on _____.

NOW, THEREFORE, in consideration of the mutual promises herein, City and Applicant do mutually agree as follows:

1. <u>Conditional Certificate of Acceptance of Tax Exemption.</u>

City agrees, upon execution of this Agreement following approval by the City Council, to issue a Conditional Certificate of Acceptance of Tax Exemption ("Conditional Certificate"), which Conditional Certificate shall expire three (3) years from the date of approval of this Agreement by the Council, unless extended by the Director as provided in KMC 5.88.070.

2. Agreement to construct Multifamily Housing.

a. Applicant agrees to construct Project-Phase A in Unit A, including the Multifamily Housing, substantially as described in the site plans, floor plans, and elevations attached hereto in **Exhibit B**, subject to such modifications thereto as may be required to comply with applicable codes and ordinances, including the design review process. In no event shall Applicant provide fewer than four (4) new dwelling units designed for permanent residential rental or ownership occupancy, nor shall permanent residential housing comprise less than fifty percent (50%) of the gross floor area of the Overall Project constructed pursuant to this Agreement.

b. Applicant agrees to construct the Project-Phase A in Unit A, and to comply with all applicable zoning requirements, land use regulations, and building and housing code requirements contained in KMC Titles 21, 22, 23, and 25 or other applicable law. Applicant further agrees that approval of this Agreement by the City Council, its execution by the Director, or issuance of a Conditional Certificate by the City pursuant to KMC chapter 5.88.060 in no way constitutes approval of proposed improvements on the Property with respect to applicable provisions of KMC Titles 21, 22, 23, and 25 or other applicable law or obligates the City to approve proposed improvements.

c. Applicant agrees that the Multifamily Housing in the Overall Project will be completed within three years from the date of approval of this Agreement by the Council, unless extended by the Director for cause as provided in KMC 5.88.070.

3. Agreement to provide affordable housing.

Applicant agrees to provide sixty-one (61) "Affordable Units" for rent, specifically available for Low- and Moderate-Income Households as shown in the following table, and affordable to households whose household annual income does not exceed the percent of the King County median household income given in the table, adjusted for household size, as determined by HUD, and no more than thirty percent (30%) of the monthly household income, based on the chart below, is paid for monthly housing expenses (rent and an appropriate utility allowance). Up to fifty-eight (58) Affordable Units may be provided in Phase B so long as Unit B Owner complies with the requirements of the Affordable Units as provided in the Regulatory Agreement for Unit B between Unit B Owner and the City of Kirkland. In the event Unit B Owner does not meet the requirements for the Affordable Units in Unit B, to the extent there are less than 58 Affordable Units that meet the requirement of this Agreement in Unit B, then the Applicant will need to

provide additional Affordable Units consistent with the provisions of this Agreement in Unit A, or otherwise be subject to the provisions of Section 10 of this Agreement.

	Percent of King County Median Income		Number of Affordable Units	
	Income for Determining Maximum Housing Expense	Maximum Income at Initial Occupancy	Phase A	Phase B
Low-Income	50%	50%	0	37
Moderate-Income	70%	70%	3	21
Total			3	58

4. Location and design of Affordable Units – Affordability Agreement – Conversion.

The Affordable Units shall be those units indicated in **Exhibit C**. The Applicant may propose to change the particular units dedicated for the Affordable Units, provided that a total of sixty-one (61) units are designated for Affordable Units. The unit mix of Affordable Units provided in Unit A shall be proportional to the unit mix (by bedroom size) of overall units in Unit A. The Applicant shall request in writing the City's approval of any proposed change to the units dedicated in Unit A for the Affordable Units. The City will review the proposed changes and shall base its approval or disapproval of the proposed changes upon the criteria set forth in this section.

The exterior designs of the Affordable Units in Unit A are to be compatible and comparable with the market rate units. The interior finish of the Affordable Units shall at a minimum include standard features and result in a totally finished and livable home.

Prior to issuing a certificate of occupancy, an agreement in a form acceptable to the city attorney ("Affordability Covenant") and substantially in the form of Exhibit D1 for Unit A and D2 for Unit B, herein incorporated by reference as hereafter recorded, that addresses price restrictions, eligible household qualifications, long-term affordability, and any other applicable topics of the Affordable Units shall be recorded with the King County department of records and elections. This agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the Applicant. Affordable Units that are provided under this section shall remain as affordable housing for the life of the Overall Project.

In the event Project-Phase A is proposed for conversion to condominium, owner-occupied, or non-rental residential use, the Applicant must submit to the City for its approval a plan for preserving the Affordable Units. The City can consider options which would convert the Affordable Units in Phase A to owner occupancy Affordable Units. In the event a condominium conversion occurs during the period of the property tax exemption and owner-occupied Affordable Units are provided at the affordability levels as defined in Section 5.88.020(a) or that have such other comparable level of affordability as provided for in the city's affordable housing multifamily tax exemption incentive program, as regulated through Chapter 112 of the Kirkland Zoning Code,

per Section 6 of this Agreement, the Affordable Units in Unit A will continue to be eligible for the property tax exemption for the balance of the exemption period or for the period of time the conversion allows, whichever is appropriate. The balance of the Project-Phase A converted to other use would no longer be eligible for the exemption, and City will not cancel the Final Certificate of Tax Exemption as provided in Section 10 of this Agreement.

5. Requirements for Final Certificate of Tax Exemption.

Applicant may, upon completion of the Overall Project and upon issuance by the City of a temporary or permanent certificate of occupancy, request a Final Certificate of Tax Exemption. The request shall be in a form approved by the city and directed to the City's Planning Department and at a minimum include the following:

a. A statement of expenditures made with respect to the Overall Project (both Phase A and Phase B) and the residential and non-residential portions of the Overall Project.

b. A description of the completed work, including floor area of residential and non-residential area, and a statement of qualification for the exemption.

c. Documentation that the Multifamily Housing was completed within the required three-year period or any authorized extension and in compliance with the terms of this Agreement.

d. Information regarding Applicant's and Unit B Owner's compliance with the affordability requirements in KMC 5.88.090 and this Agreement, which shall include the following:

(1) Identification of all Affordable Units in Unit A and Unit B, whether rented or held vacant to be rented by Income Eligible Occupants, the respective sizes of the Affordable Units in Unit A and Unit B, and the maximum rents and household incomes for each affordable unit at time of initial leasing;

(2) Rents (or offering rents, as applicable) for all Affordable Units in both Unit A and Unit B;

(3) A copy of the application and income verification form used for rental of Affordable Units in both Unit A and Unit B; and

(4) A copy of the respective form of leases or rental agreements to be used for Affordable Units in both Unit A and Unit B; and

e. Any such further information that the Director deems necessary or useful to evaluate eligibility for the Final Certificate of Tax Exemption.

6. Agreement to Issue Final Certificate.

The City agrees to file a Final Certificate of Tax Exemption for Unit A, with an exemption period of twelve (12) years with the King County Assessor within forty (40) days of submission of all materials required by paragraph 5, if Applicant has:

a. Successfully completed the Multifamily Housing in accordance with the terms of this Agreement and KMC chapter 5.88;

b. Filed a request for a Final Certificate of Tax Exemption with the Director and submitted the materials described in Paragraph 5 above;

c. Paid to the City a fee in the amount of $150.00 to cover the Assessor's administrative costs; and

d. Met all other requirements provided in KMC chapter 5.88 for issuance of the Final Certificate of Tax Exemption.

7. Annual certification.

Within thirty (30) days after the first anniversary of the date the City filed the Final Certificate of Tax Exemption and each year thereafter for the term of the Affordability Covenant, Applicant agrees to file a certification or declaration with the Director, verified upon oath or affirmation, with respect to the accuracy of the information provided therein, containing at a minimum the following:

a. A statement of the occupancy and vacancy of the Multifamily Housing units in Unit A during the previous year; and

b. A statement that the Multifamily Housing in Unit A has not changed use since the date of filing of the Final Certificate of Tax Exemption; and

c. A statement that the Multifamily Housing in Unit A continues to be in compliance with this Agreement and the requirements of KMC chapter 5.88; and

d. A description of any improvements or changes to the Project-Phase A made after the filing of the Final Certificate or the previous certification; and

e. A statement of the change in ownership of all or any part of Unit A since the final certificate was filed; and

f. Information and documentation sufficient to demonstrate, to the satisfaction of the Director, compliance with the affordability requirements of KMC 5.88.090 and this Agreement, which shall, at minimum, include the following. For purposes of this section the requirements for Unit B shall be met by the reporting provided by Unit B Owner pursuant to the provisions of Regulatory Agreement for Unit B:

(1) Identification of each Affordable Unit in Unit A and Unit B, and any substitution of Affordable Units during the previous year and for each Affordable Unit, the current Household Income limits and maximum allowed rent.

(2) For each Affordable Unit in Unit A and Unit B that was initially occupied or that had a change of tenancy during the previous year, the date of each tenant's initial occupancy, the household size and Household Income of each tenant household at initial occupancy, and the rent charged at initial occupancy.

(3) For each Affordable Unit in Unit A and Unit B that was occupied by the current tenant prior to the previous year, the date of each tenant's initial occupancy, the tenant's current Household Income, the tenant's Household Income at initial occupancy, and current contract rent.

8. No violations for duration of exemption.

For the duration of the exemption granted under KMC chapter 5.88, Applicant agrees that the Project-Phase A located in Unit A will have no violations of applicable zoning requirements, land use regulations, and building and housing code requirements contained in KMC Titles 21, 22, 23, and 25 or other applicable law for which the Department of Planning and Community Development or its functional successor shall have issued a notice of violation, citation or other notification that is not resolved by a certificate of compliance, certificate of release, withdrawal, or another method that proves either compliance or that no violation existed, within the time period for compliance, if any, provided in such notice of violation, citation or other notification or any extension of the time period for compliance granted by the Director.

9. Notification of transfer of interest or change in use.

Applicant agrees to notify the Director within thirty (30) days of any transfer of Applicant's ownership interest in Unit A. Applicant further agrees to notify the Director and the King County Assessor within sixty (60) days of any change of use of any or all of the Multifamily Housing on Unit A to another use. Applicant acknowledges that such a change in use may result in cancellation of the tax exemption and imposition of additional taxes, interest and penalties pursuant to State law.

10. Cancellation of exemption - Appeal.

a. The City reserves the right to cancel the Final Certificate of Tax Exemption if at any time either the Multifamily Housing, the Project-Phase A in Unit A, or the Project-Phase B in Unit B no longer complies with the terms of this Agreement or with the requirements of KMC chapter 5.88, or for any other reason no longer qualifies for an exemption, and Applicant fails to cause any such non-compliance to be cured pursuant to the provisions of Section 11 of the Regulatory Agreement for Unit A.

b. If the exemption is canceled for non-compliance, Applicant acknowledges that state law requires that an additional real property tax is to be imposed in the amount of: (1) the difference between the tax paid and the tax that would have been paid on Unit A if it had included

the value of the non-qualifying improvements, dated back to the date that the improvements became non-qualifying; (2) a penalty of 20% of the difference calculated under paragraph (a) of this paragraph; and (3) interest at the statutory rate on delinquent property taxes and penalties, calculated from the date the tax would have been due without penalty if the improvements had been assessed without regard to the exemptions provided by Chapter 84.14 RCW and KMC chapter 5.88. Applicant acknowledges that, pursuant to RCW 84.14.110, any additional tax owed with respect to Unit A, together with interest and penalty, become a lien on Unit A and attach at the time Unit A is removed from multifamily use or the amenities no longer meet applicable requirements, and that the lien has priority to and must be fully paid and satisfied before a recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which Unit A may become charged or liable. Applicant further acknowledges that RCW 84.14.110 provides that any such lien may be foreclosed in the manner provided by law for foreclosure of liens for delinquent real property taxes.

c. Upon determining that a tax exemption is to be canceled, the Director, on behalf of the City Council, shall notify the property owner by certified mail, return receipt requested. The property owner may appeal the determination in accordance with KMC 5.88.100(h).

11. Amendments.

No modification of this Agreement shall be made unless mutually agreed upon by the parties in writing and unless in compliance with the provisions of KMC 5.88.065.

12. Binding effect.

The provisions, covenants, and conditions contained in this Agreement are binding upon the parties hereto and their legal heirs, representatives, successors, assigns, and subsidiaries.

13. Audits and inspection of records.

Applicant understands and agrees that the City has the right to audit or review appropriate records to assure compliance with this Agreement and KMC chapter 5.88 and to perform evaluations of the effectiveness of the Multifamily Tax Exemption program. Applicant agrees to make appropriate records available for review or audit upon seven days' written notice by the City.

14. Notices.

All notices to be given pursuant to this Agreement shall be in writing and shall be deemed given when hand-delivered within normal business hours, when actually received by facsimile transmission, or two business days after having been mailed, postage prepaid, to the parties hereto at the addresses set forth below, or to such other place as a party may from time to time designate in writing.

APPLICANT: Kirkland Crossings, L.L.C
11624 SE 5th St, Suite 200
Bellevue, WA 98005

Attn: Derek Straight

With a copy to KTOD LLC (Unit B Owner):

C/O RV Manager LLC
10604 NE 38th Place, Suite 215
Kirkland, WA 98033

CITY: City of Kirkland
Planning Department
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033
Attn: Planning Director

15. Severability.

In the event that any term or clause of this Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement that can be given effect without the conflicting terms or clause, and to this end, the terms of the Agreement are declared to be severable. However, if the severable term prevents the City from receiving the benefits of having affordable housing as set forth in RCW Chapter 84.14 and KMC Chapter 5.88, then this agreement shall be deemed terminated, or may be terminated, as soon as possible in compliance with any applicable law.

16. Estoppel Certificates.

The City agrees, upon the request of Applicant or its successor in interest, to provide an Estoppel Certificate pursuant to the provisions of Section 11 of the Regulatory Agreement for Unit A

17. Exhibits.

The following exhibits are attached to this Agreement and incorporated herein by this reference:

Exhibit A1 Legal Description of Property
Exhibit A2 Legal Description of Unit A
Exhibit A3 Legal Description of Unit B
Exhibit B Unit A and Unit B Site Plans
Exhibit C Designation of Affordable Units, Unit A and Unit B
Exhibit D1 Regulatory Agreement and Affordability Covenant Unit A
Exhibit D2 Regulatory Agreement and Affordability Covenant Unit B

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates indicated below.

THE CITY OF KIRKLAND

Eric R. Shields
Its: Planning Director

Approved as to Form

City Attorney

APPLICANT: Kirkland Crossings, L.L.C., a Washington limited liability company

Its:

EXHIBIT A1

LEGAL DESCRIPTIONS OF PROPERTY

UNITS A AND B, KTOD CONDOMINIUM, THE DECLARATION OF WHICH IS RECORDED UNDER KING COUNTY RECORDING NO. 2131105000955 AND THE SURVEY MAP AND PLANS OF WHICH IS RECORDED UNDER KING COUNTY RECORDING NO.2131105000954, KING COUNTY, WASHINGTON.

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EXHIBIT A2

LEGAL DESCRIPTIONS OF UNIT A

UNIT A, KTOD CONDOMINIUM, THE DECLARATION OF WHICH IS RECORDED UNDER KING COUNTY RECORDING NO. 2131105000955 AND THE SURVEY MAP AND PLANS OF WHICH IS RECORDED UNDER KING COUNTY RECORDING NO.2131105000954, KING COUNTY, WASHINGTON

EXHIBIT A3

LEGAL DESCRIPTIONS OF UNIT B

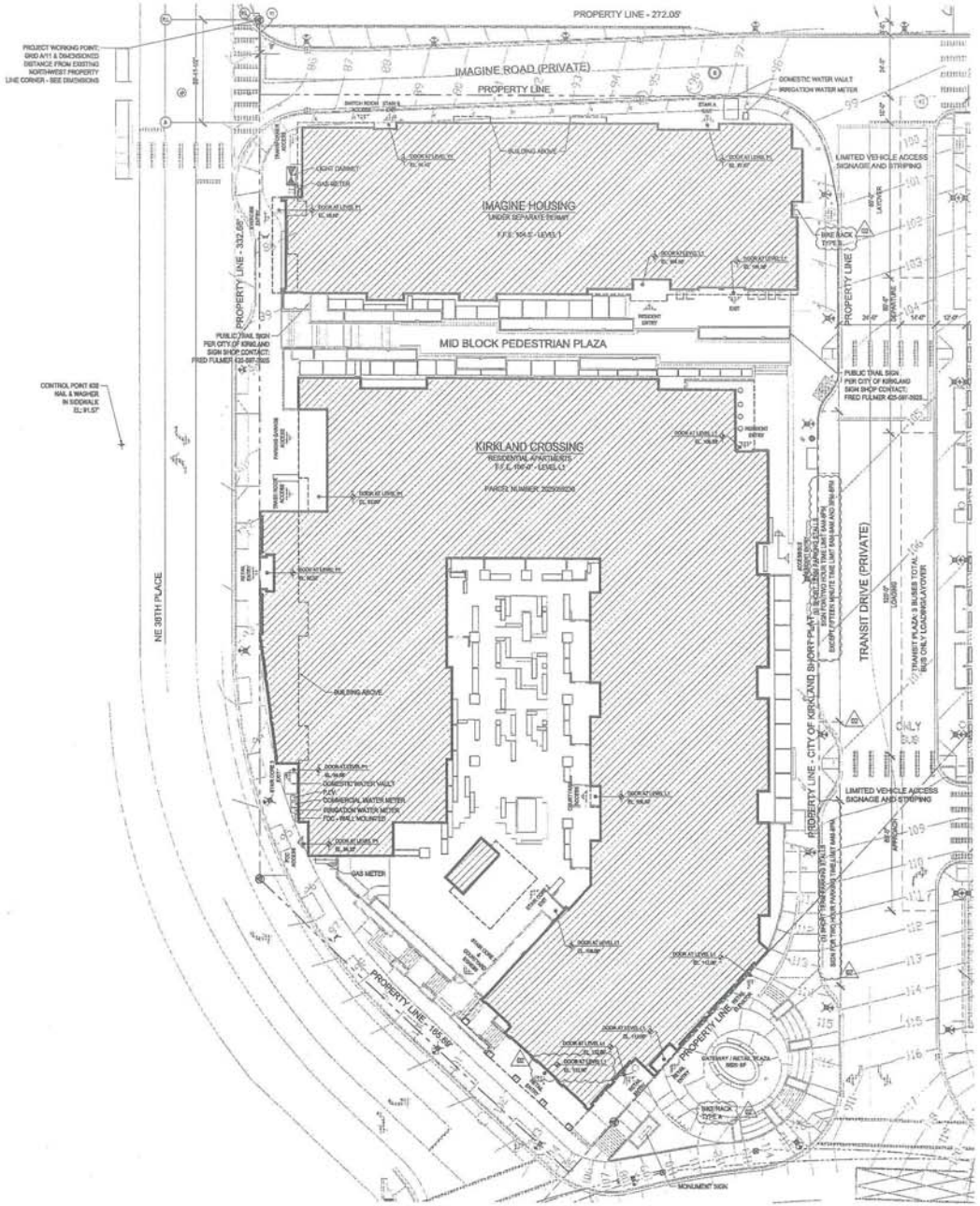
UNIT B, KTOD CONDOMINIUM, THE DECLARATION OF WHICH IS RECORDED UNDER KING COUNTY RECORDING NO. 2131105000955 AND THE SURVEY MAP AND PLANS OF WHICH IS RECORDED UNDER KING COUNTY RECORDING NO.2131105000954, KING COUNTY, WASHINGTON

EXHIBIT B

SITE AND UNIT PLANS

Attached

R-5059
EXHIBIT A



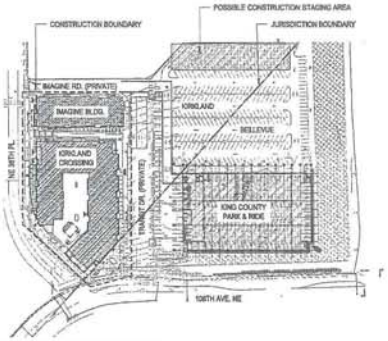
VICINITY MAP

LEGAL DESCRIPTION:

Lot 1 Metro Park and Ride Short Plat as Rec'd in Volume 280, Pages 282 Through 284 under Recording No 20120829900002, Records of King County, Washington.

1 VICINITY MAP
SCALE: NTS

TRUE NORTH



2 PROJECT SITE PLAN
SCALE: NTS

TRUE NORTH PLAN NORTH

3 MARKET HOUSING SITE PLAN - KIRKLAND
SCALE: 1/16" = 1'-0"

TRUE NORTH PLAN NORTH

GENERAL NOTES:
1. REFER TO CIVIL AND LANDSCAPE DRAWINGS FOR ADDITIONAL INFORMATION.
2. REFER TO SHEETS C2.0 AND C2.1 FOR LAND USE CODE INFORMATION.
3. REFER TO SHEETS A2.00 THROUGH A2.05 FOR BUILDING PLAN DIMENSIONS
4. FIELD VERIFY EXISTING CONDITIONS AT ALL BUILDING ENTRY POINTS PRIOR TO CONSTRUCTION.
5. LOWEST ELEVATION ON PROJECT IS AT LEVEL P3 - EL 82' - 0"

WEBER THOMPSON

226 Terry Ave N, Suite 200
Seattle WA 98109
p 206 344 5706
f 206 344 3707
www.weberthompson.com

PROJECT:
KIRKLAND CROSSING
3801 108TH AVE NE
KIRKLAND, WA 98033

CLIENT:
KIRKLAND PARK & RIDE LLC
11604 SE 6TH STREET, SUITE 200
BELLEVUE, WA 98005

ISSUE:
LAND USE PERMIT APPLICATION
100% SDC CIVIL APPROVAL
90% SDC CLIENT REVIEW
60% SDC CLIENT REVIEW
KIRKLAND BUILDING PERMIT
PERMIT RESUBMITTAL

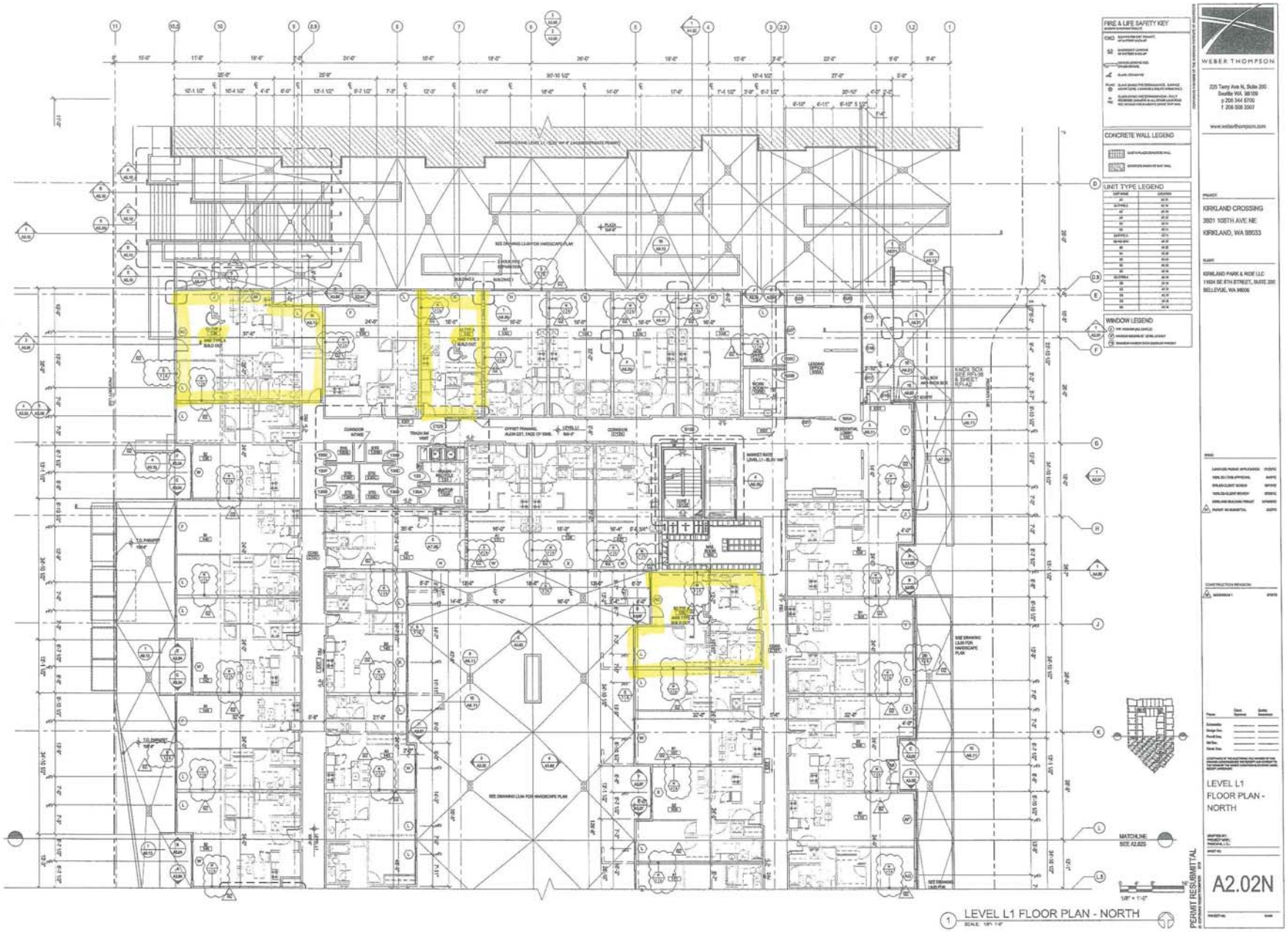
CONSTRUCTION REVISION
CONSTRUCTION REVISION

CAMPUS
SITE PLAN
KIRKLAND

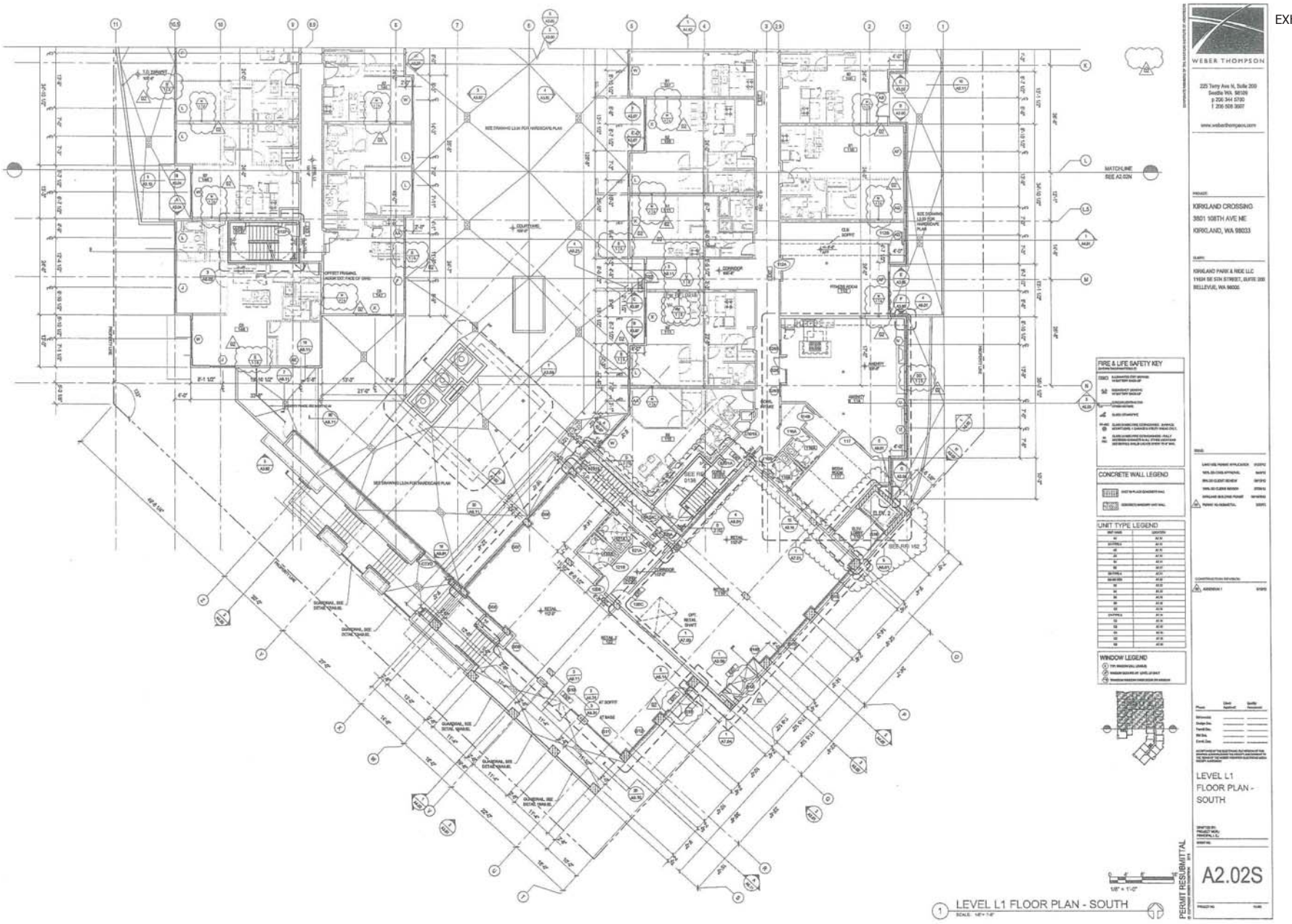
A1.00

PERMIT RESUBMITTAL

R-5059
EXHIBIT A



R-5059
EXHIBIT A



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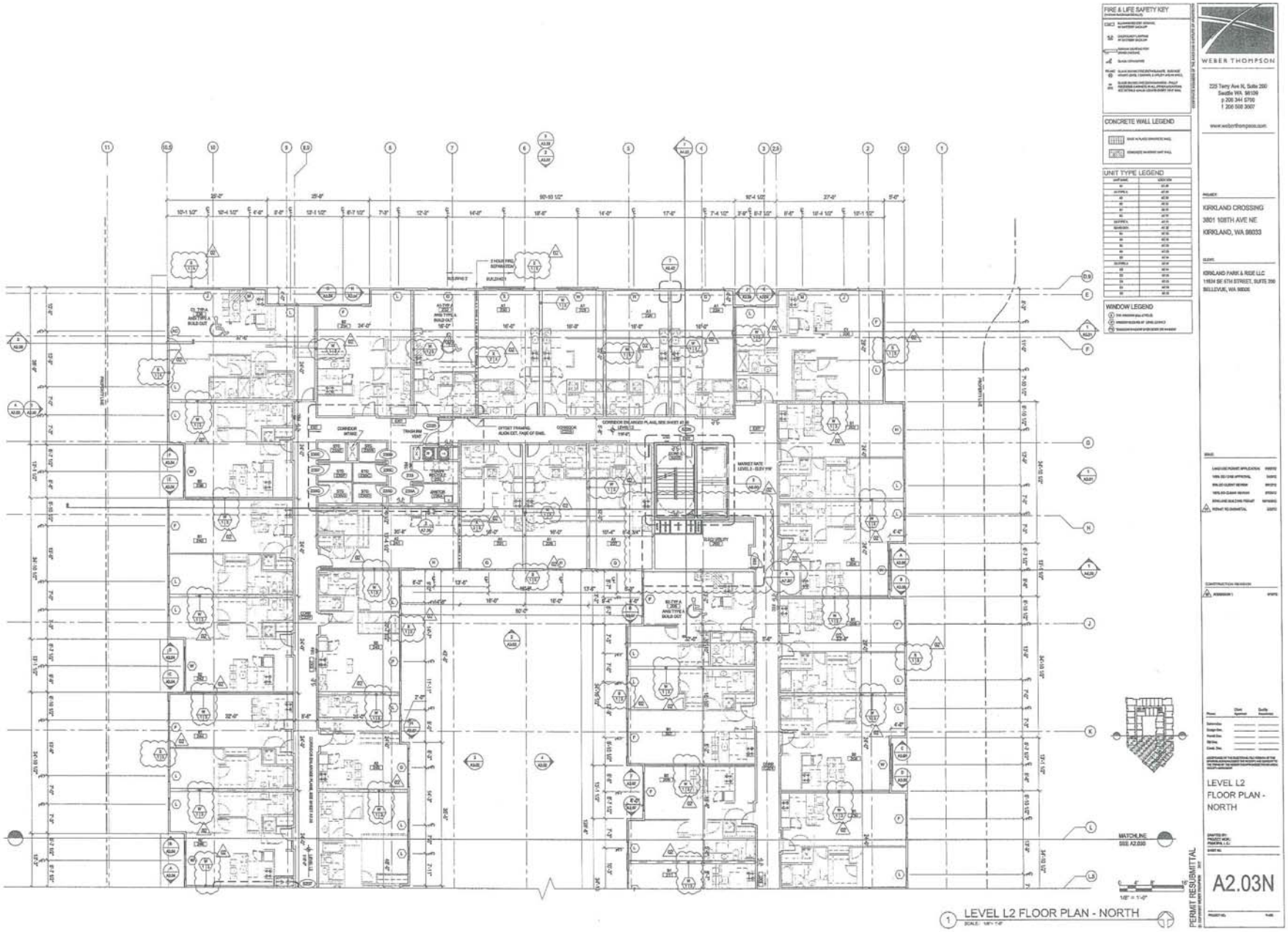

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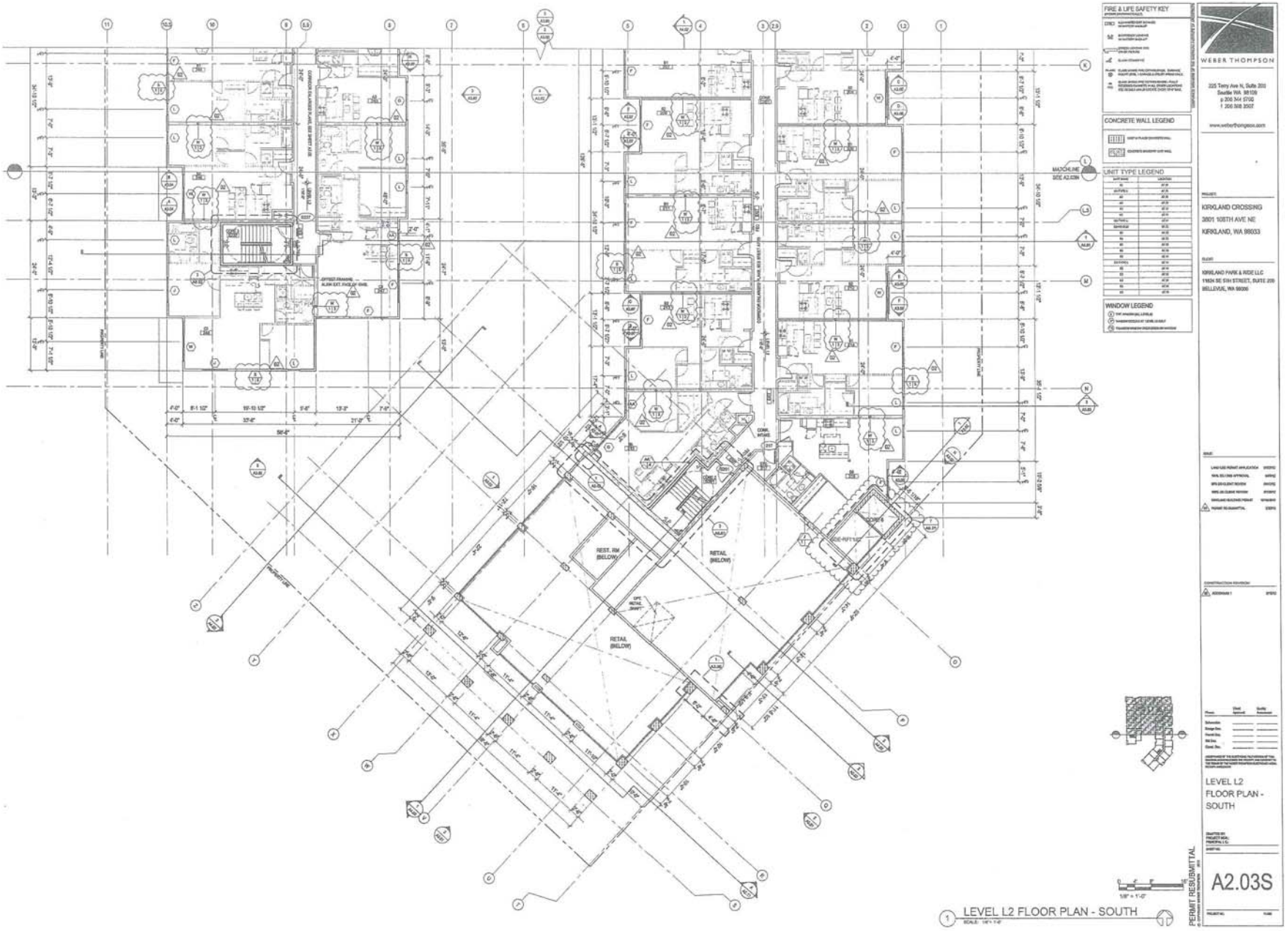

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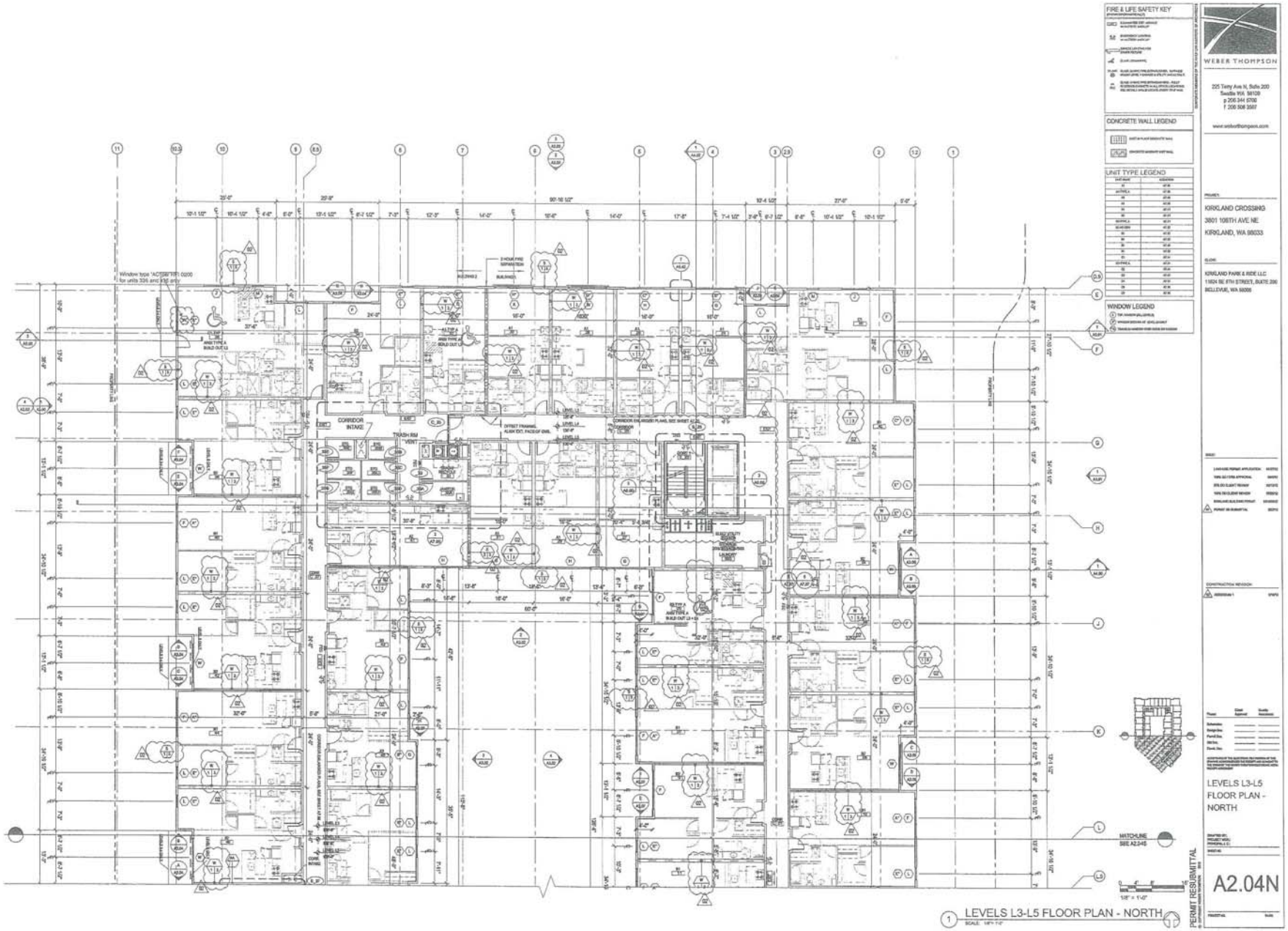
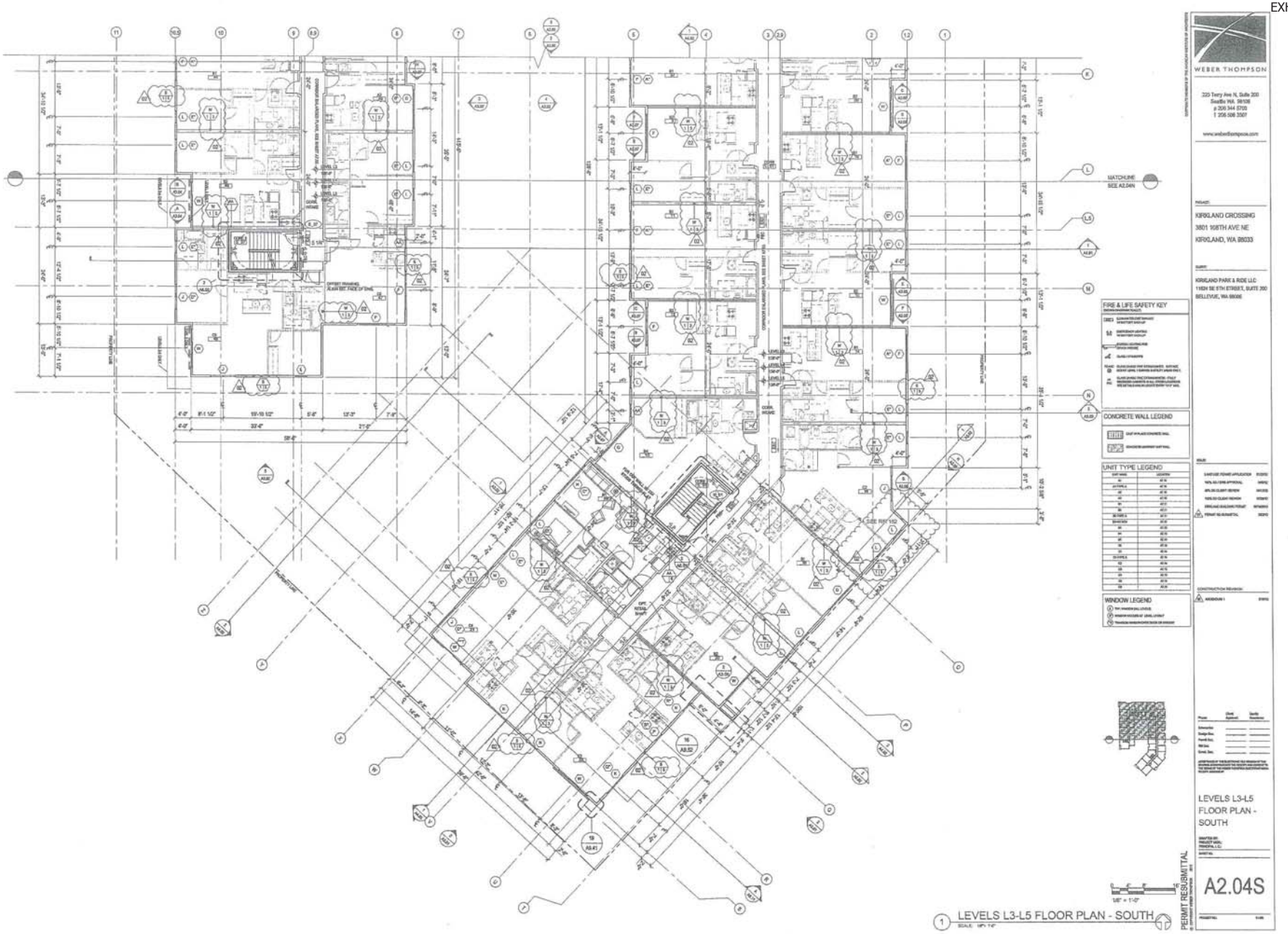
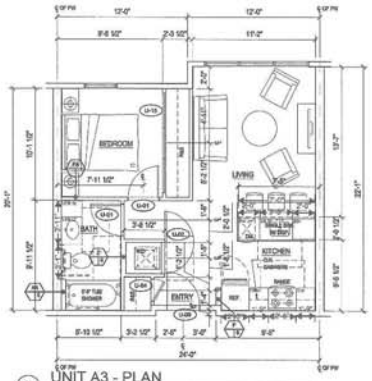


R-5059
EXHIBIT A

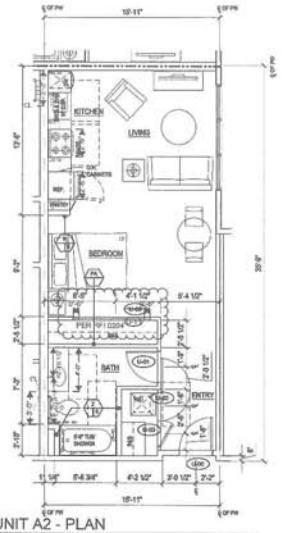


R-5059
EXHIBIT A

NOTE:
ALL INTERIOR PARTITIONS SHALL BE TYPE P/T
EXCEPT WHERE NOTED OTHERWISE

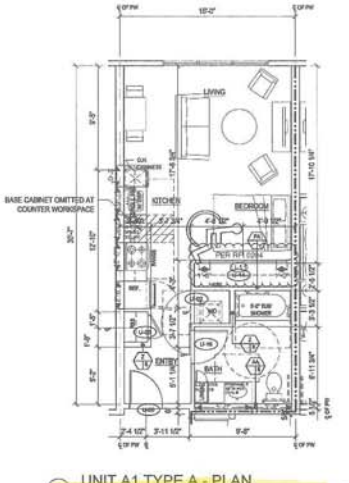


7 UNIT A3 - PLAN



5 UNIT A2 - PLAN

3 UNIT A1 - PLAN



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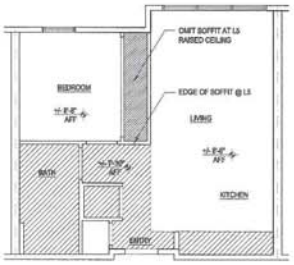
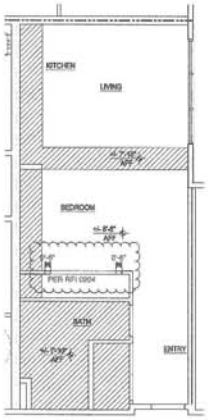


8 UNIT A3 - RCP



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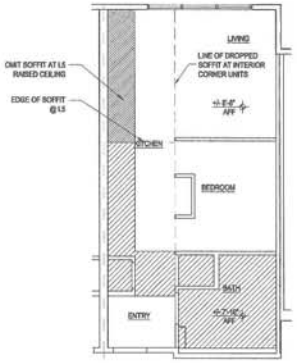

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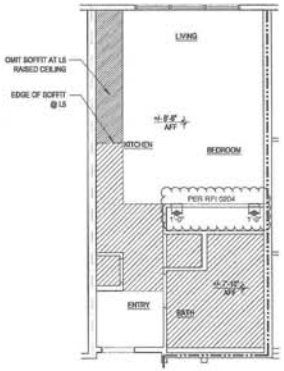


2 UNIT A1 TYPE A - RCP

B.O. CEILING HIGHT ABOVE FIN. FLOOR
DROPPED SOFFIT

WEBER THOMPSON

KIRKLAND CROSSING
3801 108TH AVE NE
KIRKLAND, WA 98033

KIRKLAND PARK & RIDE LLC

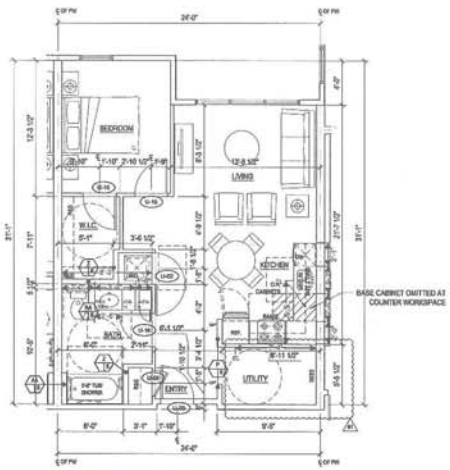
UNIT LAYOUT
STUDIOS

A7.10

PERMIT RESUBMITTAL

R-5059
EXHIBIT A

NOTE:
ALL INTERIOR PARTITIONS SHALL BE TYPE P-12
EXCEPT WHERE NOTED OTHERWISE



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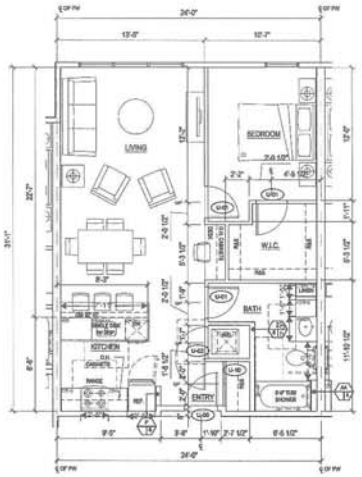
3 UNIT B2 - PLAN



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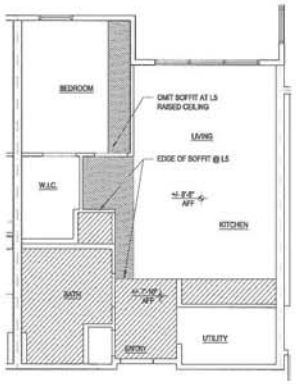

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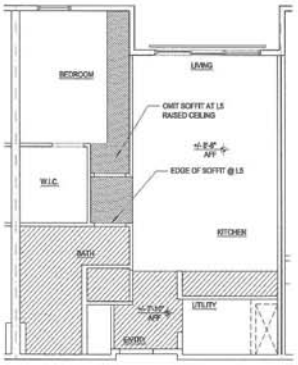

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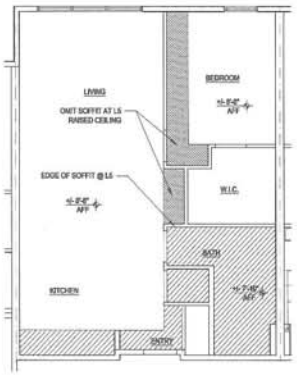


2 UNIT B1 - RCP

WEBER THOMPSON

KIRKLAND CROSSING
3801 108TH AVE NE
KIRKLAND, WA 98033

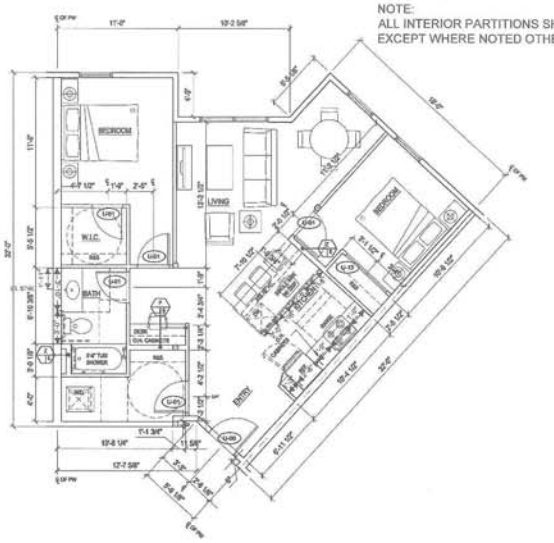
UNIT LAYOUT
1 BEDROOM

PERMIT RESUBMITTAL

A7.11

R-5059
EXHIBIT A

NOTE:
ALL INTERIOR PARTITIONS SHALL BE TYPE P EXCEPT WHERE NOTED OTHERWISE



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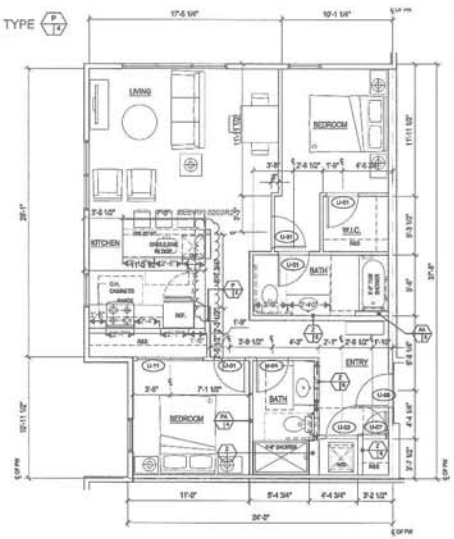

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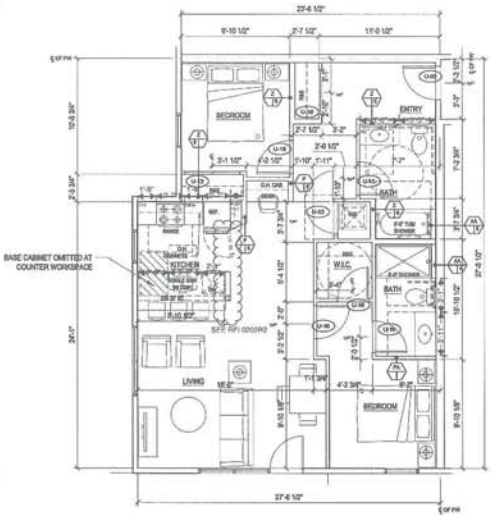

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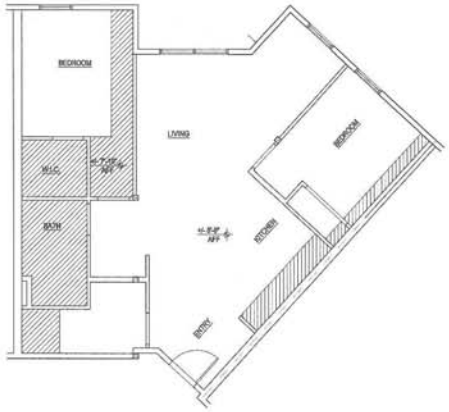
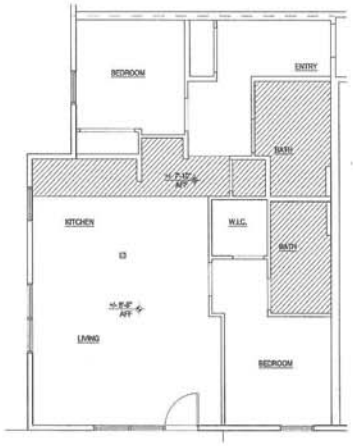


6 UNIT C2 - RCP

2 UNIT C1 - RCP



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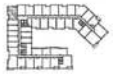


WEBER THOMPSON

225 Terry Ave N, Suite 200
Seattle WA 98109
p 206 344 5700
f 206 505 3007

www.weberthompson.com

PROJECT
KIRKLAND CROSSING
3801 106TH AVE NE
KIRKLAND, WA 98033

CLIENT
KIRKLAND PARK & RIDE LLC
11604 SE 5TH STREET, SUITE 200
BELLEVUE, WA 98005

UNIT LAYOUT
1 BEDROOM

A7.14

PERMIT RESUBMITTAL

EXHIBIT C

DESIGNATION OF AFFORDABLE UNITS

UNIT A

See Attached Figure

UNIT B

See Attached List

R-5059
EXHIBIT A

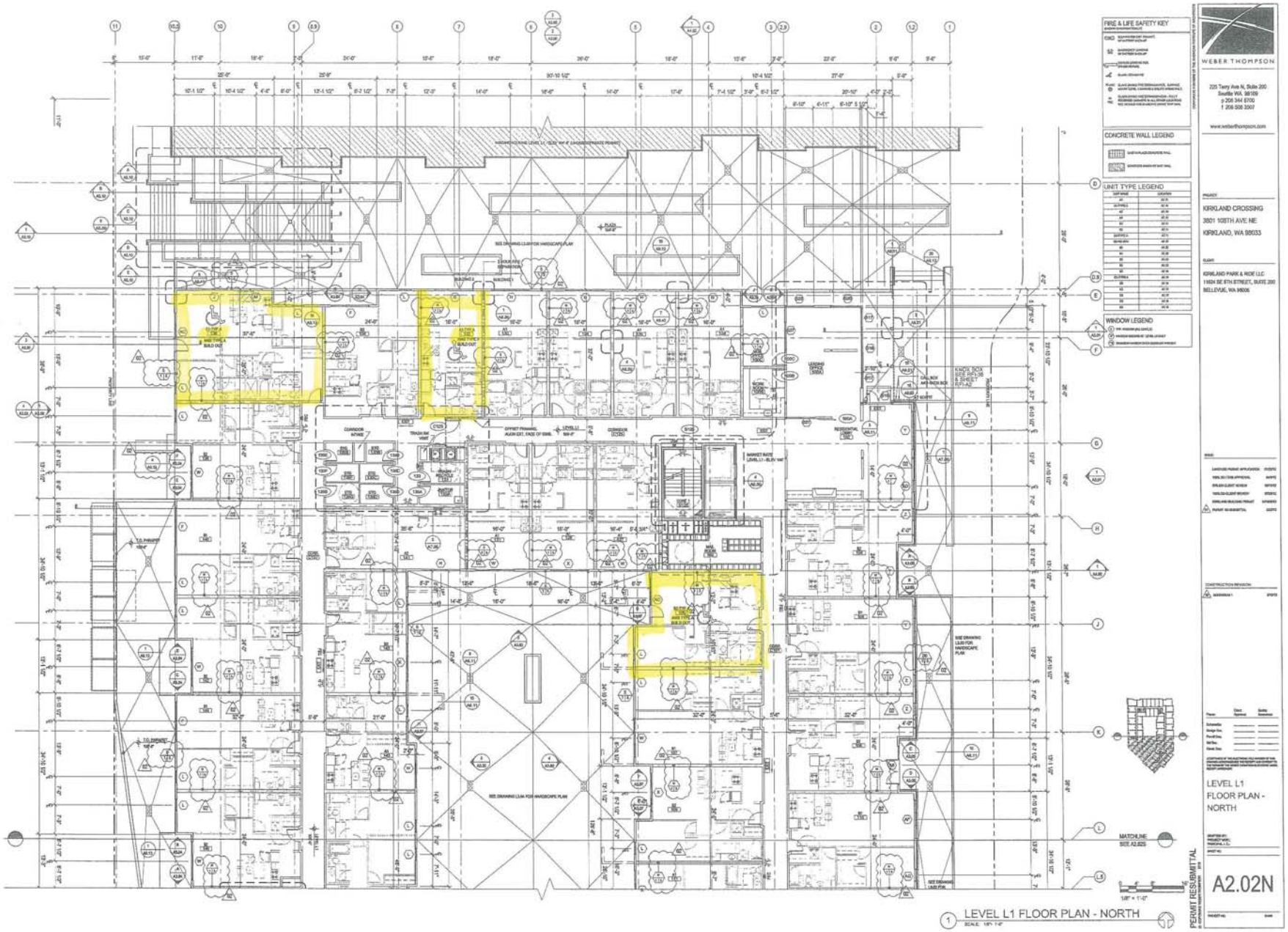


Exhibit C Designation of Affordable Units, Unit A and Unit B

KTOD LLC Unit Income Level Affordability

Unit #	Size	Household Income Restriction (% of Area Median Income)	LIHTC Income Affordability	MFTE Income Affordability
104	1 bedroom	30%	Extremely Low Income	Low Income
106	1 bedroom	40%	Very Low Income	Low Income
107	1 bedroom	30%	Extremely Low Income	Low Income
108	1 bedroom	60%	Low Income	Moderate Income
111	1 bedroom	40%	Very Low Income	Low Income
112	1 bedroom	30%	Extremely Low Income	Low Income
203	1 bedroom	40%	Very Low Income	Low Income
204	1 bedroom	30%	Extremely Low Income	Low Income
205	1 bedroom	40%	Very Low Income	Low Income
206	1 bedroom	60%	Low Income	Moderate Income
207	1 bedroom	40%	Very Low Income	Low Income
208	1 bedroom	30%	Extremely Low Income	Low Income
211	1 bedroom	60%	Low Income	Moderate Income
212	1 bedroom	60%	Low Income	Moderate Income
303	1 bedroom	30%	Extremely Low Income	Low Income
304	1 bedroom	60%	Low Income	Moderate Income
305	1 bedroom	60%	Low Income	Moderate Income
306	1 bedroom	60%	Low Income	Moderate Income
307	1 bedroom	60%	Low Income	Moderate Income
308	1 bedroom	30%	Extremely Low Income	Low Income
311	1 bedroom	40%	Very Low Income	Low Income
312	1 bedroom	60%	Low Income	Moderate Income
403	1 bedroom	60%	Low Income	Moderate Income
404	1 bedroom	60%	Low Income	Moderate Income
405	1 bedroom	40%	Very Low Income	Low Income
406	1 bedroom	60%	Low Income	Moderate Income
407	1 bedroom	30%	Extremely Low Income	Low Income
408	1 bedroom	60%	Low Income	Moderate Income
411	1 bedroom	40%	Very Low Income	Low Income
412	1 bedroom	60%	Low Income	Moderate Income
102	2 bedroom	30%	Extremely Low Income	Low Income
114	2 bedroom	30%	Extremely Low Income	Low Income
115	2 bedroom	30%	Extremely Low Income	Moderate Income
202	2 bedroom	30%	Extremely Low Income	Low Income
214	2 bedroom	30%	Extremely Low Income	Low Income
215	2 bedroom	30%	Extremely Low Income	Moderate Income
302	2 bedroom	30%	Extremely Low Income	Low Income

314	2 bedroom	30%	Extremely Low Income	Moderate Income
315	2 bedroom	30%	Extremely Low Income	Low Income
402	2 bedroom	30%	Extremely Low Income	Moderate Income
414	2 bedroom	30%	Extremely Low Income	Low Income
415	2 bedroom	30%	Extremely Low Income	Moderate Income
201	3 bedroom	30%	Extremely Low Income	Low Income
301	3 bedroom	30%	Extremely Low Income	Moderate Income
401	3 bedroom	30%	Extremely Low Income	Moderate Income
105	studio	30%	Extremely Low Income	Low Income
109	studio	40%	Very Low Income	Low Income
110	studio	30%	Extremely Low Income	Low Income
113	studio	40%	Very Low Income	Low Income
209	studio	30%	Extremely Low Income	Low Income
210	studio	40%	Very Low Income	Low Income
213	studio	30%	Extremely Low Income	Low Income
309	studio	40%	Very Low Income	Low Income
310	studio	30%	Extremely Low Income	Low Income
313	studio	40%	Very Low Income	Low Income
409	studio	40%	Very Low Income	Low Income
410	studio	30%	Extremely Low Income	Low Income
413	studio	40%	Very Low Income	Low Income

EXHIBIT D1

REGULATORY AGREEMENT AND AFFORDABILITY COVENANT

UNIT A

Attached

When Recorded Mail To:

City of Kirkland
123 Fifth Avenue
Kirkland, Washington 98033
ATTN: City Clerk
Planning Dep't Housing Planner

KIRKLAND PARK AND RIDE UNIT A

REGULATORY AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS

SECTION 1 — DEFINITIONS AND INTERPRETATION
SECTION 2 — RESIDENTIAL RENTAL PROPERTY
SECTION 3 — AFFORDABLE UNITS FOR ELIGIBLE HOUSEHOLDS
SECTION 4 — REPORTING REQUIREMENTS
SECTION 5 — SECTION 8 CERTIFICATE HOLDERS
SECTION 6 — LEASE PROVISIONS
SECTION 7 — SALE OR TRANSFER OF UNIT A
SECTION 8 — TERM
SECTION 9 — NO DISCRIMINATION
SECTION 10 — COVENANTS RUN WITH LAND
SECTION 11 — ENFORCEMENT
SECTION 12 — SUBORDINATION, TERMINATION, RIGHTS RESERVED BY HUD
SECTION 13 — ESTOPPEL CERTIFICATE
SECTION 14 — AGREEMENT TO RECORD
SECTION 15 — RELIANCE
SECTION 16 — GOVERNING LAW
SECTION 17 — NO CONFLICT WITH OTHER DOCUMENTS
SECTION 18 — AMENDMENTS
SECTION 19 — NOTICES
SECTION 20 — SEVERABILITY
SECTION 21 — CONSTRUCTION
SECTION 22 — TITLES AND HEADINGS

EXHIBITS

"A1" LEGAL DESCRIPTION OF PROPERTY
"A2" LEGAL DESCRIPTION OF UNIT A
"A3" LEGAL DESCRIPTION OF UNIT B
"B" DESIGNATION OF AFFORDABLE UNITS
"C" CERTIFICATE OF HOUSEHOLD ELIGIBILITY
"D" REGULATORY AGREEMENT - UNIT B
"E" ANNUAL PROJECT CERTIFICATION

REGULATORY AGREEMENT DECLARATION OF RESTRICTIVE COVENANTS

THIS REGULATORY AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS (the "Agreement") is made and entered into as of this _____ day of _____, 2014, by and between the CITY OF KIRKLAND, a Municipal Corporation of the State of Washington (the "City"); and Kirkland Crossings, L.L.C., LLC a Washington limited liability company (the "Unit A Owner").

WITNESSETH:

A. This Agreement is predicated upon the following facts:

1) Unit A Owner is the owner of Unit A of KTOD Condominium ("Unit A"). KTOD LLC, a Washington limited liability company ("Unit B Owner") is the owner of Unit B of KTOD Condominium ("Unit B"). The Condominium Declaration and Survey Map and Plans for KTOD Condominium are recorded under King County Recording Nos. 2131105000955 and 2131105000954,respectively. The legal description of Unit A of KTOD Condominium is set forth on Exhibit A2. KTOD Condominium is situated at 3801 108th Avenue NE in Kirkland, Washington (the "Property"). The legal description of the Property is set forth on Exhibit A1.

2) Unit A Owner and Unit B Owner intend to develop said Property by constructing and renting a total of two hundred forty-three (243) rental units (the "Overall Project") subject to City approval and such other approvals by State and local agencies, as required. Unit A Owner intends to construct and rent one hundred eighty-five (185) of the two hundred and forty three (243) housing units as another phase of the Overall Project ("Project-Phase A") and Unit B Owner intends to construct and rent fifty-eight (58) of the two hundred and forty three (243) housing units as one phase of the Overall Project ("Project-Phase B").

3) The Unit A Owner's proposed Project-Phase A in Unit A shall include three (3) affordable rental units for Moderate-Income Households. The Overall Project shall together have a total of sixty-one (61) affordable units. Unit B Owner's proposed Project-Phase B shall include 58 affordable rental units for Moderate- and Low- Income Households ("Eligible Households", as the term is defined below)

4) The City finds that the Project-Phase A will benefit the City by providing rental housing for Eligible Households.

5) The Unit A Owner has indicated its willingness to accept certain conditions affecting the use of Unit A. It is the purpose of this Agreement to set forth the conditions under which the City has approved Project-Phase A and to impose enforceable restrictions on the use and occupancy of the rental portion of the Project-Phase A.

6) This Agreement is entered into pursuant to Chapter 112 of the Kirkland Zoning Code, which implements the Affordable Housing policies of the City of Kirkland.

7) Unit A Owner has applied for a limited property tax exemption for twelve years as provided for in Chapter 84.14 RCW and Chapter 5.88 KMC for multi-family residential rental housing ("Multifamily Housing") in the Lakeview Residential Targeted Area, and the Director of Planning and Community Development has approved the application.

NOW, THEREFORE, for and in consideration of the mutual promises aforesaid and made and relied upon by the parties hereto, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Unit A Owner and the City agree as follows:

SECTION 1 — DEFINITIONS AND INTERPRETATION

Capitalized terms used herein shall have the following meanings unless the context in which they are used clearly requires otherwise.

"Affordable Rents" means a monthly housing expense, including if applicable a Utility Allowance and parking, which is no greater than thirty percent (30%) of the monthly median income for Eligible Households within the Seattle-Bellevue, WA HUD Metro FMR Area ("Seattle-Bellevue HMFA"), as shown in the following chart, as adjusted for Household Size. The maximum Affordable Rents shall be adjusted no more than once every twelve (12) months and such adjustment shall be by a factor equivalent to adjustments in the Seattle-Bellevue HMFA Median Income.

Affordable Rent Level	Applicable Median Income Level
Low-Income	50%
Moderate-Income	70%

"Affordable Units" mean the 61 units within Project-Phase A and Project-Phase B of the Overall Project as selected by the Unit A Owner or Unit B Owner and as approved by the City or its Designee, as set forth in Exhibit B pursuant to Section 3 of this Agreement, and reserved for occupancy by Eligible Households pursuant to Section 3, adjusted for household size.

"City" means the City of Kirkland.

"Completion Date" means the date of the issuance of the Occupancy Permit of the Project-Phase A in Unit A,

"Designee" means A Regional Coalition for Housing ("ARCH") or such other agency as may be designated by the City in writing to the Unit A Owner. The City shall notify the Unit A Owner of any determination not to utilize ARCH as its Designee for purposes of this designation.

"Eligible Household" means one or more adults and their dependents which adults certify that they meet the qualifications for eligibility set forth below in this definition, Section 3.F of this Agreement, and as set forth in the Certificate of Household Eligibility attached hereto as Exhibit C and incorporated by reference herein, and who certify that their Household Income does not exceed the applicable percent of the Median Income for the Seattle-Bellevue HMFA, as set forth in this definition and Section 3.F of this Agreement, adjusted for household size, as published by the United States Department of Housing and Urban Development ("HUD").

Income Level	Maximum Percent of Median Income at Occupancy
Low-Income	50%
Moderate-Income	70%

"Household Income" means all income from all household members over the age of 18 residing in the household. Income consists of those items listed in Exhibit C, Certificate of Household Eligibility (e.g. wages, interest income, etc.).

Income of dependents who reside within a household for less than four (4) months of the year will not be counted toward Household Income.

"Household Size" means the average household size assumed for purposes of calculating Affordable Rents as follows:

UNIT TYPE	AVERAGE HOUSEHOLD SIZE
Studio	1 Person
1 Bedroom	2 Persons
2 Bedroom	3 Persons
3 Bedroom	4 Persons

"Lender" means HUD/FHA, Veterans Administration ("VA"), Federal National Mortgage Association ("FNMA"), Federal Home Loan Mortgage Corporation ("FHLMC"), or another party acquiring such loan upon foreclosure of a deed of trust or mortgage ("Deed of Trust")insured, made or held by HUD/FHA, VA, FNMA, FHLMC; or an institutional third-party lender or investor holding a mortgage encumbering Unit A.

"Median Income" means the median income for the Seattle-Bellevue HMFA as most recently determined by the Secretary of Housing and Urban Development (the "Secretary") under Section 8(f)(3) of the United States Housing Act of 1937, as amended, or if programs under said Section 8(f)(3) are terminated, median income determined under the method used by the Secretary prior to such termination.

"Overall Project" means the combined two hundred and forty-three (243) housing units, including the building, structures and other improvements (to be constructed) on the Property, and all equipment, fixtures and other property owned by Unit A Owner or Unit B Owner and located on, or used in connection with, such buildings, structures and other improvements and all functionally related and subordinate facilities.

"Owner Representative" means the person or persons (who may be employees of the Unit A Owner) designated from time to time to act hereunder on behalf of the Unit A Owner in a written certification furnished to the City or its Designee, containing a specimen signature of such person or persons and signed by the Unit A Owner or on behalf of the Unit A Owner by a duly authorized representative of the Unit A Owner.

“Project-Phase A” means the one hundred and eighty-five (185) housing units including the building, structures and other improvements (to be constructed) in Unit A, and all equipment, fixtures and other property owned by Unit A Owner and located on, or used in connection with, such buildings, structures and other improvements and all functionally related and subordinate facilities.

“Project-Phase B" means the fifty-eight (58) housing units, including the building, structures and other improvements (to be constructed) in Unit B, and all equipment, fixtures and other property owned by the Unit B Owner and located on, or used in connection with, such buildings, structures and other improvements and all functionally related and subordinate facilities.

"Property" means the real property which will be devoted to the Overall Project as more particularly described in Exhibit A1 which is attached hereto, and incorporated by reference herein, and all rights and appurtenances thereunto appertaining.

"Qualified Project Period" means for the life of the Overall Project.

"Regulatory Agreement” or “Agreement" means this Regulatory Agreement and Declaration of Restrictive Covenants between the City and the Unit A Owner.

"Unit A" means Unit A of KTOD Condominium, which will be devoted to the Project-Phase A as more particularly described in Exhibit A2 which is attached hereto, and incorporated by reference herein, and all rights and appurtenances thereunto appertaining.

"Unit B" means Unit B of KTOD Condominium, which will be devoted to the Project-Phase B as more particularly described in Exhibit A3 which is attached hereto, and incorporated by reference herein, and all rights and appurtenances thereunto appertaining.

"Unit A Owner" means Kirkland Crossings, L.L.C., a Washington limited liability company,, and its successors and assigns, and any surviving, resulting or transferee entity.

"Unit B Owner" means KTOD LLC, a Washington limited liability company and its successors and assigns, and any surviving, resulting or transferee entity.

"Utility Allowance" means that portion of housing expenses for utilities. Therefore, Affordable Rents are calculated assuming payment of all utilities (not including phone, internet service, or cable or satellite television) by the Unit A Owner. In the event gas and/or electric utilities, used for purposes of heating, cooking and/or lighting, are paid directly by the tenant, then the monthly Affordable Rent will be reduced by the following allowance:

Studio	$39
One Bedroom	$59
Two Bedroom	$79
Three Bedroom	$99

The base year for the ARCH utility allowance figures is 2014. The allowance figures will be adjusted annually based on changes in the Consumer Price Index—U.S. Cities Average—All Urban Consumers. If water, garbage and/or sewage are paid for directly by the tenant, the affordable rent levels will be further reduced by the typical cost to the tenant of such utilities, or a set allowance established by the City or its Designee.

SECTION 2 — RESIDENTIAL RENTAL PROPERTY

A. General Description. Unit A will be acquired and constructed for purposes of providing multi-family rental housing, and neighborhood retail uses and the Unit A Owner shall own, manage and operate or cause the management and operation of Unit A to provide multiple-family rental housing comprising a building or structure or several inter-related buildings or structures, each consisting of more than one dwelling unit and neighborhood retail uses and facilities functionally related and subordinate thereto, and no other facilities. As used herein facilities functionally related and subordinate to Unit A shall include facilities for use by the tenants, including, for example, recreational facilities, parking areas, and other facilities which are reasonably required for Unit A, for example, heating and cooling equipment, trash disposal equipment or units of resident managers or maintenance personnel.

B. Similar Quality Construction. All of the dwelling units in Unit A shall be constructed of similar quality, and each dwelling unit in Unit A shall contain facilities for living, sleeping, eating, cooking and sanitation for a single person or a household which are complete, separate and distinct from other dwelling units in Unit A and will include a sleeping area, separate bathing facility, and a cooking range, refrigerator and sink.

C. Conversion to Condominium. In the event Unit A is proposed for conversion to condominium, owner-occupied, or non-rental residential use, the Unit A Owner must submit to the City for its approval a plan for preserving the Affordable Units. The City can consider options which would convert the Affordable Units to owner occupancy by Eligible Households. This section does not waive the Unit A Owner's obligations to comply with any other law or regulations pertaining to conversion to ownership use.

SECTION 3 — AFFORDABLE UNITS FOR ELIGIBLE HOUSEHOLDS

A. Number of Affordable Units. All of the Affordable Units in the Overall Project shall be leased or rented, or available for lease or rental, to the general public, and the Unit A Owner and Unit B Owner shall designate all of the Affordable Units, reserved for occupancy by Eligible Households, as follows:

Income Level	**Affordable Units**	
	Unit A	Phase B
Low-Income	0	37
Moderate-Income	3	21
Total	3	58

In addition to the 3 Affordable Units in Unit A, the Unit B Owner will provide 58 Affordable Units in Unit B pursuant to the terms of a Regulatory Agreement recorded against Unit B (Substantially in the form of Exhibit D). The Property Tax Exemption for Unit A and land use permits for Unit A and the Project-Phase B is dependent upon the Unit B Owner providing the 58 Affordable Units in Unit B pursuant to the terms of the Regulatory Agreement recorded against Unit B. The land use approval for Unit A is dependent upon the Unit B Owner continuing to provide the 58 Units. Any default under the Regulatory Agreement for Phase B will also result in a default under this Agreement.

A. Designation/Re-designation of Affordable Units. Prior to June 1, 2014, the Unit A Owner shall submit to the City or its Designee for the City's or its Designee's approval a certificate in writing of such designation of Affordable Units within Unit A. Within Unit A, units so designated shall have substantially the same equipment and amenities as other dwelling units in Unit A with the comparable number of bedrooms. Within Unit A, the Affordable Units shall be intermingled with all other dwelling units and shall be of a unit mix comparable to the overall mix of units in Unit A. The City or its Designee shall base its approval or disapproval of the proposed Affordable Units within Unit A upon the criteria set forth in this section.

The Unit A Owner, from time to time, may propose to change the particular units declared as Affordable Units provided that at all times at least 3 of the residential units are designated as Affordable Units, and provided that at all times the same unit mix is retained. The Unit A Owner shall notify the City or its Designee of the proposed change in writing for the City's or its Designee's approval. The City or its Designee will review the proposed changes and shall base its approval or disapproval of the proposed changes based upon the criteria set forth in this Section.

B. Affordable Units Rent Level. The monthly rent for the Affordable Units occupied by Eligible Households shall not exceed the applicable Affordable Rents, and for each specific tenant, shall be adjusted no more than once every twelve (12) months, and in no event within the first twelve (12) months of occupancy.

C. Renting Affordable Units to Eligible Households. During the Qualified Project Period, the Unit A Owner shall rent or lease the Affordable Units to Eligible Households and, if at any time the Unit A Owner is unable to rent or lease the Affordable Units, the Affordable Units shall remain vacant pending rental or lease to Eligible Households.

D. Equal Access to Common Facilities. Within Unit A, Tenants in the Affordable Units shall have equal access to enjoyment of all common facilities of Unit A.

E. Qualifying Eligible Household Income for Affordable Units at Initial Occupancy and Recertification. Qualifying

Eligible Household Income at time of occupancy may not exceed the applicable percent of Median Income set forth in the chart below, adjusted for Household Size. At time of annual recertification, a household will remain eligible for an Affordable Unit as long as Household Income does not exceed the Maximum Recertification Income set forth in the chart below, adjusted for Household Size. If at the time of recertification Household Income exceeds the Maximum Recertification Income limit for the income level initially qualified for by a household, then such household must within 90 days either pay market rent and the next available comparable market rate unit must be rented as an Affordable Unit; or vacate the unit, unless otherwise prohibited by law, to make it available for an Eligible Household.

Maximum Permitted Income Levels

Eligible Households	**Maximum Initial Income**	**Maximum Recertification Income**
Low-Income	50%	70%
Moderate Income	70%	90%

F. Household Size Limits for Affordable Units. The Unit A Owner shall utilize the following occupancy standards for Affordable Units:

Unit Size	Household Size
Studio	1-3 Persons
1 Bedroom	1-4 Persons
2 Bedroom	2-5 Persons
3 Bedroom	3-7 Persons

SECTION 4 — REPORTING REQUIREMENTS

A. Notice of Occupancy Permit. Within thirty (30) days of issuance of any final inspection, or if applicable occupancy permits for Project-Phase A, the Unit A Owner shall notify the City's Planning and Community Development Department [Attn: Housing Planner] or its Designee, of receipt of the occupancy permit for the Project-Phase A.

B. City Mailing List. The City maintains a mailing list of households interested in occupying Affordable Units. From time to time the City or its Designee will provide to the Unit A Owner the names of persons from the City’s mailing list. In determining which eligible applicants shall be rented Affordable Units, the Unit A Owner shall, subject to Section 4.C below,

reasonably consider persons on the City's mailing list, and when they were placed on the City's mailing list.

C. Completion of Certificate of Household Eligibility. Prior to allowing any household to occupy any Affordable Unit in Unit A, the Unit A Owner shall require the prospective tenant to complete a Certificate of Household Eligibility that shall be substantially in the form set forth in Exhibit C. The Unit A Owner shall also undertake a good faith effort to verify the applicant's Household Income, as reported on the completed Certificate. The Unit A Owner's obligation to verify the reported Household Income shall be limited to requesting copies of and reviewing the applicant's federal income tax returns, unless the Unit A Owner has actual knowledge, or reason to believe, that the information provided by the applicant is materially inaccurate. In the event federal income tax returns are not available, Household Income shall be verified by wage or salary statements, or other income records that the City or its Designee may consider appropriate.

D. Annual Recertification of Residents. On an annual basis, the Unit A Owner shall require all households occupying an Affordable Unit in Unit A to complete and return to the Unit A Owner an updated Certificate of Household Eligibility. The Unit A Owner shall undertake a good faith effort to verify the reported Household Income, as reported in the completed Certificate. The Unit A Owner's obligation to verify the Household Income shall be limited to obtaining a copy of and reviewing the tenant's federal income tax returns, unless the Unit A Owner has actual knowledge or reason to believe that the information provided by the household is materially inaccurate. In the event federal income tax returns are not available, Household Income shall be verified by wage or salary statements, or other income records the City or its Designee may consider appropriate.

Such certifications shall be filed with the City or its Designee, by attachment to the Annual Project Certification required pursuant to Subsection E and are subject to independent investigation and verification by the City or its Designee.

E. Annual Project Certification. After the Completion Date and until 90% of the rental units in Unit A are occupied, the Unit A Owner shall, on a quarterly basis, file with the City or its Designee an Annual Project Certification, in substantially the form of Exhibit E. Thereafter, during the

term of this Regulatory Agreement, such certification shall be filed annually on or before March 31st and shall set forth the required information for the preceding year.

F. Maintain Complete Records. The Unit A Owner shall maintain complete and accurate records for Unit A pertaining to the Affordable Units, and shall permit any duly authorized representative of the City, including, without limitation, its Designee to inspect the books and records of the Unit A Owner pertaining to the Affordable Units in Unit A, and if applicable, incomes of Eligible Households residing in Unit A. Failure to maintain such records or failure to allow examination by the City or any duly authorized representative shall constitute a default hereunder.

G. Form of Certification. Notwithstanding anything in this Section to the contrary, all documentation required by this Section shall be submitted on the forms designated herein as such forms may be modified by the City or its Designee from time to time. Changes to forms by the City or its Designee shall not significantly enlarge the Unit A Owner's obligations hereunder.

SECTION 5 — SECTION 8 CERTIFICATE HOLDERS

The Unit A Owner shall accept as tenants for Affordable Units, on the same basis as all other prospective households, households who are recipients of Federal certificates for rent subsidies pursuant to the existing program under Section 8 of the United States Housing Act of 1937, as amended. The Unit A Owner shall not apply, or permit the application of, management policies or lease provisions with respect to Unit A which have the effect of precluding occupancy of Units by holders of Section 8 certificates.

SECTION 6 — LEASE PROVISIONS

A. It is the Unit A Owner's responsibility to screen and select tenants for desirability and credit worthiness. Such selection is within the Unit A Owner's discretion. If written management policies exist, or exist in the future, with respect to Unit A, the City or its Designee may review such written policies and may require changes in such policies, if necessary, so that they comply with the requirements of this Agreement.

B. In the event income certifications are required pursuant to Section 4.C of this Agreement, all leases for

Eligible Households shall contain clauses wherein each individual lessee: (i) certifies the accuracy of the statements made in the Certificate of Household Eligibility, (ii) agrees that the household income and other eligibility requirements shall be deemed substantial and material obligations of the tenancy, and (iii) agrees that misrepresentation in the certification is a material breach of the lease, entitling the Unit A Owner to terminate the lease for the Affordable Unit.

SECTION 7 — SALE OR TRANSFER OF UNIT A

The Unit A Owner hereby covenants and agrees not to sell, transfer or otherwise dispose of Unit A or any portion thereof without first providing a written notice from the purchaser stating that the purchaser understands, and will comply with the Unit A Owner's duties and obligations under this Agreement. Such notice must be received by the City or its Designee at least 10 days prior to the close of escrow.

SECTION 8 — TERM

This Regulatory Agreement shall become effective upon its execution and delivery, and shall continue in full force and effect throughout the Qualified Project Period, unless sooner modified or terminated in accordance with Section 12 hereof.

SECTION 9 — NO DISCRIMINATION

The Unit A Owner shall not discriminate on the basis of race, creed, religion, color, sex, sexual orientation, age, national origin, marital status, or presence of any mental or physical handicap as set forth in RCW 49.60.030, as now existing and as may be amended, in the lease, use, or occupancy of Unit A or in connection with the employment or application for employment of persons for the operation and management of Unit A.

SECTION 10 — COVENANTS RUN WITH UNIT A

The City and Unit A Owner hereby declare their understanding and intent that the covenants, conditions and restrictions set forth herein directly benefit the land (i) by enhancing and increasing the enjoyment and use of Unit A by certain Eligible Households, and (ii) by furthering the public purposes of providing housing for Eligible Households.

The City and the Unit A Owner hereby declare that the covenants and conditions contained herein shall bind and the benefits shall inure to, respectively, the Unit A Owner and Unit A or any interest therein, and the City and its successors and assigns, all for the Qualified Project Period. Except as provided in Section 12 of this Regulatory Agreement, each and every contract, deed or other instrument hereafter executed conveying Unit A or any portion thereof or interest therein shall contain an express provision making such conveyance subject to the covenants and conditions of this Agreement, provided however, that any such contract, deed or other instrument shall conclusively be held to have been executed, delivered and accepted subject to such covenants and conditions, regardless of whether or not such covenants and conditions are set forth or incorporated by reference in such contract, deed or other instrument.

SECTION 11 — ENFORCEMENT

A. Enforcement Provisions. The Unit A Owner shall exercise reasonable diligence to comply with the requirements of this Agreement and shall correct any such noncompliance within sixty (60) days after such noncompliance is first discovered by the Unit A Owner or would have been discovered by the exercise of reasonable diligence, or within 60 days after the Unit A Owner receives notice of such noncompliance from the City or its Designee; provided however, that such period for correction may be extended by the City if the Unit A Owner is exercising due diligence to correct the noncompliance. If such noncompliance remains uncured after such period, then the Unit A Owner shall be in default and the City on its own behalf may take any one or more of the following steps:

1) By any suit, action or proceeding at law or in equity, require the Unit A Owner to perform its obligations under this Regulatory Agreement, or enjoin any acts or things which may be unlawful or in violation of the rights of the City hereunder; it being recognized that the beneficiaries of the Unit A Owner's obligations hereunder cannot be adequately compensated by monetary damages in the event of the Unit A Owner's default;

2) Have access to, and inspect, examine and make copies of, all of the books and records of the Unit A Owner pertaining to Unit A. Provided, however, the City or its Designee shall not divulge such information to any third party

unless required by law or unless the same is necessary to enforce the City's rights hereunder; and

3) Take such other action at law or in equity as may appear necessary or desirable to enforce the obligations, covenants, conditions and agreements of the Unit A Owner under this Regulatory Agreement.

4) The Unit A Owner hereby grants to the City or the Designee the option, upon Unit A Owner's default under this Regulatory Agreement, for the Qualified Project Period to lease up to 3 of the units in Unit A as mutually selected by the City or its Designee and the Unit A Owner for the purpose of subleasing such units to Eligible Households, but only to the extent necessary to comply with the provisions of this Agreement. The City or its Designee may lease from the Unit A Owner the units at the Affordable Rent level less a reasonable management fee to reimburse the City or its Designee for any expenses incurred in connection with such sublease. The City or its Designee may terminate its lease of the units in Unit A upon determination that the Unit A Owner is no longer in default pursuant to this Agreement.

B. Hold Harmless. The Unit A Owner hereby agrees to pay, indemnify and hold the City and its Designee and any other party authorized hereunder to enforce the terms of this Regulatory Agreement harmless from any and all costs, expenses and fees, including all attorneys' fees which may be incurred by the City or the Designee or any other party in enforcing or attempting to enforce this Regulatory Agreement following any default hereunder on the part of the Unit A Owner or its successors, whether the same shall be enforced by suit or otherwise; together with all costs, fees and expenses which may be incurred in connection with any amendment to this Regulatory Agreement or otherwise by the City at the request of the Unit A Owner.

C. No Third Party Beneficiaries. The provisions of this Agreement and of the documents to be executed and delivered in connection herewith are and will be for the benefit of the Unit A Owner, the City and its Designee only and are not for the benefit of any third party (including, without limitation, any tenants or tenant organizations), and accordingly, no third party shall have the right to enforce the provisions of this Agreement or of the documents to be executed and delivered in connection herewith.

SECTION 12 — SUBORDINATION, TERMINATION, RIGHTS RESERVED BY HUD

A. Notwithstanding any provision in this Agreement to the contrary, all of the provisions of this Agreement shall terminate and have no further force and effect upon the occurrence of one of the following events:

(1) Foreclosure of a HUD/FHA insured loan is initiated under which Unit A is held as a security.

(2) Title to Unit A is acquired by a Lender or HUD/FHA by deed in lieu of foreclosure of the Deed of Trust.

(3) Title to Unit A is acquired by HUD/FHA, Veterans Administration ("VA"), Federal National Mortgage Association ("FNMA"), Federal Home Loan Mortgage Corporation ("FHLMC") or another party upon foreclosure of a deed of trust or mortgage ("Deed of Trust") insured, made or held by HUD/FHA, VA, FNMA, FHLMC; or an institutional, third-party lender or investor (collectively, "Lender").

(4) The Deed of Trust, if insured by HUD/FHA, is assigned to HUD/FHA.

Notwithstanding anything in this Agreement to the contrary, enforcement of this Agreement shall not serve as a basis for (i) default under the Deed of Trust insured by HUD/FHA or any other Lender, or (ii) an acceleration of the loan secured by the Deed of Trust ("Loan"), or result in any claim against Unit A, the Loan proceeds, any reserve or deposit required by HUD/FHA or any other Lender in connection with the Loan transaction or the rents or other income from Unit A other than from available surplus cash as that term is defined by HUD/FHA or any other Lender.

B. Notwithstanding anything in this Agreement to the contrary:

(1) All of the provisions of this Agreement are subordinate and subject to the Deed of Trust, the Loan, and all documents relating to the Loan ("Loan Documents"), if any, as well as all applicable HUD/FHA mortgage insurance regulations, related HUD/FHA administrative requirements, Section 8 of the U.S. Housing Act of 1937, as amended and the regulations thereunder, as amended, and the rights of the Lender thereunder. In the event of any conflict between this Agreement and the

provisions of any applicable HUD/FHA mortgage insurance regulations, related HUD/FHA administrative requirements, Section 8 of the U.S. Housing Act of 1937, as amended, and the regulations thereunder, as amended the applicable HUD/FHA mortgage insurance regulations, related HUD/FHA administrative requirements, Section 8 of the U.S. Housing Act of 1937, as amended, and the regulations thereunder, as amended will control.

(2) Lender shall take no role in monitoring compliance with state and federal use and occupancy requirements; nor shall Lender be required to provide notice to third parties of actions under the Deed of Trust, if any.

(3) No amendment to this Agreement will be effective without the prior written consent of Lender, if any.

(4) The Unit A Owner, its successors or assigns, will take all steps necessary to comply with this Agreement; provided that the Unit A Owner, its successors or assigns, shall not be required to take action prohibited by, or to refrain from action required by Lender, pursuant to the National Housing Act (as amended), applicable HUD/FHA mortgage insurance regulations, related administrative requirements, Section 8 of the Housing Act of 1937, as amended, and the regulations thereunder, as amended, or the Loan and the Loan Documents.

SECTION 13 — ESTOPPEL CERTIFICATE

The City agrees, upon the request of the Unit A Owner or its successor in interest, to promptly execute and deliver to the Unit A Owner or its successor in interest or to any potential or actual purchaser, mortgagor or encumbrance of Unit A, a written certificate stating, if such is true, that the City has no knowledge of any violation or default by the Unit A Owner of any of the covenants or conditions of this Agreement, or if there are such violations or defaults, the nature of the same.

SECTION 14 — AGREEMENT TO RECORD

The Unit A Owner shall cause this Regulatory Agreement to be recorded in the real property records of King County, Washington. The Unit A Owner shall pay all fees and charges incurred in connection with such recording and shall provide the City or its Designee with a copy of the recorded document.

SECTION 15 — RELIANCE

The City and the Unit A Owner hereby recognize and agree that the representations and covenants set forth herein may be relied upon by City and the Unit A Owner. In performing its duties and obligations hereunder, the City may rely upon statements and certificates of the Unit A Owner and Eligible Households, and upon audits of the books and records of the Unit A Owner pertaining to occupancy of Unit A. In performing its duties hereunder, the Unit A Owner may rely on the Certificates of Tenant Eligibility unless the Unit A Owner has actual knowledge or reason to believe that such Certificates are inaccurate.

SECTION 16 — GOVERNING LAW

This Regulatory Agreement shall be governed by the laws of the State of Washington, except to the extent such laws conflict with the laws of the United States or the regulations of federally insured depository institutions, or would restrict activities otherwise permitted in relation to the operation of federally insured depository institutions.

SECTION 17 — NO CONFLICT WITH OTHER DOCUMENTS

The Unit A Owner warrants that it has not executed and will not execute, any other agreement with provisions contradictory to, or in opposition to, the provisions hereof, and that in any event the requirements of this Regulatory Agreement are paramount and controlling as to the rights and obligations herein set forth and supersede any other requirements in conflict herewith.

SECTION 18 — AMENDMENTS

This Regulatory Agreement shall be amended only by a written instrument executed by the parties hereto or their respective successors in title, and duly recorded in the real property records of King County, Washington. Amendments to Exhibit B shall be considered to be approved in writing when the revised Exhibit B is signed by the Unit A Owner and the City and/or its Designee without the need for a further written document attaching the revised exhibit and striking prior versions of the exhibit. In the event of conflict between versions of Exhibits B, the version maintained by the City or

its Designee as the then-current version, signed by Unit A Owner and City or its Designee, shall prevail.

SECTION 19 — NOTICE

Any notice or communication hereunder, except legal notices, shall be in writing and may be given by registered or certified mail. The notice or communication shall be deemed to have been given and received when deposited in the United States Mail, properly addressed with postage prepaid. If given otherwise, it shall be deemed to be given when delivered to and received by the party to whom addressed. Such notices and communications shall be given to the parties hereto at their following addresses:

If to the City: Planning Department-Housing Planner
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98073-9710

With a copy to the Designee
A Regional Coalition for Housing (ARCH)
16225 NE 87th Street, Suite A-3
Redmond, WA 98052
Attn: Housing Planner

If to the Unit A Owner: Kirkland Crossings, L.L.C
11624 SE 5th St, Suite 200
Bellevue, WA 98005
Attn: Derek Straight

If to the Unit B Owner: KTOD LLC
C/O RV Manager LLC
10604 NE 38th Place, Suite 215
Kirkland, WA 98033

Any party may change its address for notices upon ten (10) days prior written notice to the other parties. Legal counsel for a party may deliver notices on behalf of the represented party and such notice shall be deemed delivered by such party.

SECTION 20 — SEVERABILITY

If any provision of this Regulatory Agreement shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.

SECTION 21 — CONSTRUCTION

Unless the context clearly requires otherwise, words of the masculine, feminine or neuter gender shall be construed to include each other gender when appropriate and words of the singular number shall be construed to include the plural number, and vice versa, when appropriate. All the terms and provisions hereof shall be construed to effectuate the purposes set forth in this Agreement and to sustain the validity hereof.

SECTION 22 — TITLES AND HEADINGS

The titles and headings of the sections of this Agreement have been inserted for convenience of reference only, are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof or be considered or given any effect in the construing this document or any provision hereof or in ascertaining intent, if any question of intent shall arise.

IN WITNESS WHEREOF, the Unit A Owner and City have each executed the Regulatory Agreement and Declaration of Restrictive Covenants on the Date first above written.

Unit A Owner:

_____

Its:

City:

_____

Kurt Triplett
Its: City Manager

Approved as to Form:

_____

City Attorney

EXHIBIT D2

REGULATORY AGREEMENT AND AFFORDABILITY COVENANT
UNIT B

Attached

When Recorded Mail To:

City of Kirkland
123 Fifth Avenue
Kirkland, Washington 98033
ATTN: City Clerk
Planning Dep't Housing Planner

KIRKLAND PARK AND RIDE UNIT B

REGULATORY AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS

SECTION 1 — DEFINITIONS AND INTERPRETATION
SECTION 2 — RESIDENTIAL RENTAL PROPERTY
SECTION 3 — AFFORDABLE UNITS FOR ELIGIBLE HOUSEHOLDS
SECTION 4 — REPORTING REQUIREMENTS
SECTION 5 — SECTION 8 CERTIFICATE HOLDERS
SECTION 6 — LEASE PROVISIONS
SECTION 7 — SALE OR TRANSFER OF UNIT B
SECTION 8 — TERM
SECTION 9 — NO DISCRIMINATION
SECTION 10 — COVENANTS RUN WITH LAND
SECTION 11 — ENFORCEMENT
SECTION 12 — INTENTIONALLY LEFT BLANK
SECTION 13 — ESTOPPEL CERTIFICATE
SECTION 14 — AGREEMENT TO RECORD
SECTION 15 — RELIANCE
SECTION 16 — GOVERNING LAW
SECTION 17 — NO CONFLICT WITH OTHER DOCUMENTS
SECTION 18 — AMENDMENTS
SECTION 19 — NOTICES
SECTION 20 — SEVERABILITY
SECTION 21 — CONSTRUCTION
SECTION 22 — TITLES AND HEADINGS

EXHIBITS

"A1" LEGAL DESCRIPTION OF PROPERTY
"A2" LEGAL DESCRIPTION OF UNIT A
"A3" LEGAL DESCRIPTION OF UNIT B
"B" DESIGNATION OF AFFORDABLE UNITS
"C" CERTIFICATE OF HOUSEHOLD ELIGIBILITY
"D" REGULATORY AGREEMENT - UNIT A
"E" ANNUAL PROJECT CERTIFICATION

REGULATORY AGREEMENT DECLARATION OF RESTRICTIVE COVENANTS

THIS REGULATORY AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS (the "Agreement") is made and entered into as of this _____ day of _____, 2014, by and between the CITY OF KIRKLAND, a Municipal Corporation of the State of Washington (the "City"); and KTOD LLC, a Washington limited liability company (the "Unit B Owner").

WITNESSETH:

A. This Agreement is predicated upon the following facts:

1) Unit B Owner is the owner of Unit B of KTOD Condominium ("Unit B"). Kirkland Crossings, L.L.C., a Washington limited liability company ("Unit A Owner") is the owner of Unit A of KTOD Condominium ("Unit A"). The Condominium Declaration and Survey Map and Plans for KTOD Condominium are recorded under King County Recording Nos. 2131105000955 and 2131105000954, respectively. The legal description of Unit B of KTOD Condominium is set forth on Exhibit A3. KTOD Condominium is situated at 3801 108th Avenue NE in Kirkland, Washington (the "Property"). The legal description of the Property is set forth on Exhibit A1.

2) Unit A Owner and Unit B Owner intend to develop said Property by constructing and renting a total of two hundred forty-three (243) rental units (the "Overall Project") subject to City approval and such other approvals by State and local agencies, as required. Unit A Owner intends to construct and rent one hundred eighty-five (185) of the two hundred and forty three (243) housing units as another phase of the Project ("Project-Phase A") and Unit B Owner intends to construct and rent fifty-eight (58) of the two hundred and forty three (243) housing units as one phase of the Project ("Project-Phase B").

3) The Unit B Owner's proposed Project-Phase B in Unit B shall include fifty-eight (58) affordable rental units for Moderate- and Low-Income Households ("Eligible Households", as the term is defined below). Unit A Owner's proposed Project-Phase A shall include three (3) affordable rental units for Moderate Income Households. The Overall Project shall together have a total of sixty-one (61) affordable units.

4) The City finds that the Project-Phase B will benefit the City by providing rental housing for Eligible Households.

5) The Unit B Owner has indicated its willingness to accept certain conditions affecting the use of the Property. It is the purpose of this Agreement to set forth the conditions under which the City has approved Project-Phase B and to impose enforceable restrictions on the use and occupancy of the rental portion of the Project.

6) This Agreement is entered into pursuant to Chapter 112 of the Kirkland Zoning Code, which implements the Affordable Housing policies of the City of Kirkland and Chapters 27.04, 27.06 and 27.08 of the Kirkland Municipal Code, which implements the Transportation, Parks and School Impact Fee Exemptions for Low-Income Housing.

7) The Unit A Owner has applied for a limited property tax exemption for twelve years as provided for in Chapter 84.14 RCW and Chapter 5.88 KMC for multi-family residential rental housing ("Multifamily Housing") in the Lakeview Residential Targeted Area, and the Director of Planning and Community Development has approved the application.

NOW, THEREFORE, for and in consideration of the mutual promises aforesaid and made and relied upon by the parties hereto, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Unit B Owner and the City agree as follows:

SECTION 1 — DEFINITIONS AND INTERPRETATION

Capitalized terms used herein shall have the following meanings unless the context in which they are used clearly requires otherwise.

"Affordable Rents" means a monthly housing expense, including if applicable a Utility Allowance and parking, which is no greater than thirty percent (30%) of the monthly median income for Eligible Households within the Seattle-Bellevue, WA HUD Metro FMR Area ("Seattle-Bellevue HMFA"), as shown in the following chart, as adjusted for Household Size or for Section 8 Households, the applicable Section 8 rent level). The maximum Affordable Rents shall be adjusted no more than once every twelve (12) months and such adjustment shall be by a factor equivalent to adjustments in the Seattle-Bellevue HMFA Median Income.

Affordable Rent Level	Applicable Median Income Level
Low-Income	50%
Moderate-Income	70%

"Affordable Units" mean the fifty-eight (58) units within the Project-Phase B as selected by the Unit B Owner and as approved by the City or its Designee, as set forth in Exhibit B pursuant to Section 3 of this Agreement, and reserved for occupancy by Eligible Households pursuant to Section 3, adjusted for household size.

"City" means the City of Kirkland.

"Completion Date" means the date of the issuance of the Occupancy Permit of the Project-Phase B in Unit B.

"Designee" means A Regional Coalition for Housing ("ARCH") or such other agency as may be designated by the City in writing to the Unit B Owner. The City shall notify the Unit B Owner of any determination not to utilize ARCH as its Designee for purposes of this designation.

"Eligible Household" means one or more adults and their dependents who certify that they meet the qualifications for eligibility set forth below in this definition, Section 3.F of this Agreement, and as set forth in the Certificate of Household Eligibility attached hereto as Exhibit C and incorporated by reference herein, and who certify that their Household Income does not exceed the applicable percent of the Median Income for the Seattle-Bellevue HMFA, as set forth in this definition and Section 3.F of this Agreement, adjusted for household size, as published by the United States Department of Housing and Urban Development ("HUD").

Income Level	Maximum Percent of Median Income at Occupancy
Low-Income	50%
Moderate-Income	70%

"Household Income" means all income from all household members over the age of 18 residing in the household. Income consists of those items listed in Exhibit C, Certificate of

Household Eligibility (e.g. wages, interest income, etc.). Income of dependents who reside within a household for less than four (4) months of the year will not be counted toward Household Income.

"Household Size" means the average household size assumed for purposes of calculating Affordable Rents as follows:

UNIT TYPE	AVERAGE HOUSEHOLD SIZE
Studio	1 Person
1 Bedroom	2 Persons
2 Bedroom	3 Persons
3 Bedroom	4 Persons

"Lender" means HUD/FHA, Veterans Administration ("VA"), Federal National Mortgage Association ("FNMA"), Federal Home Loan Mortgage Corporation ("FHLMC"), or another party acquiring such loan upon foreclosure of a deed of trust or mortgage ("Deed of Trust")insured, made or held by HUD/FHA, VA, FNMA, FHLMC; or an institutional third-party lender or investor holding a mortgage encumbering Unit B.

"Median Income" means the median income for the Seattle-Bellevue HMFA as most recently determined by the Secretary of Housing and Urban Development (the "Secretary") under Section 8(f)(3) of the United States Housing Act of 1937, as amended, or if programs under said Section 8(f)(3) are terminated, median income determined under the method used by the Secretary prior to such termination.

"Overall Project" means the combined two hundred and forty-three (243) housing units, including the building, structures and other improvements (to be constructed) on the Property, and all equipment, fixtures and other property owned by Unit A Owner or Unit B Owner and located on, or used in connection with, such buildings, structures and other improvements and all functionally related and subordinate facilities.

"Owner Representative" means the person or persons (who may be employees of the Unit B Owner) designated from time to time to act hereunder on behalf of the Unit B Owner in a written certification furnished to the City or its Designee, containing a specimen signature of such person or persons and signed by the Unit B Owner or on behalf of the Unit B Owner by a duly authorized representative of the Unit B Owner.

“Project-Phase A” means the one hundred and eighty-five (185) housing units including the building, structures and other improvements (to be constructed) in Unit A, and all equipment, fixtures and other property owned by Unit A Owner and located on, or used in connection with, such buildings, structures and other improvements and all functionally related and subordinate facilities.

“Project-Phase B" means the fifty-eight (58) housing units, including the building, structures and other improvements (to be constructed) in Unit B, and all equipment, fixtures and other property owned by the Unit B Owner and located on, or used in connection with, such buildings, structures and other improvements and all functionally related and subordinate facilities.

"Property" means the real property which will be devoted to the Overall Project as more particularly described in Exhibit A1 which is attached hereto, and incorporated by reference herein, and all rights and appurtenances thereunto appertaining.

"Qualified Project Period" means for the life of the Overall Project.

"Regulatory Agreement” or “Agreement" means this Regulatory Agreement and Declaration of Restrictive Covenants between the City and the Unit B Owner.

“Section 8 Household” means one or more adults and their dependents who are eligible for and receiving Federal certificates for rent subsidies pursuant to the existing HUD program under Section 8.

"Unit A" means Unit A of KTOD Condominium, which will be devoted to the Project-Phase A as more particularly described in Exhibit A2 which is attached hereto, and incorporated by reference herein, and all rights and appurtenances thereunto appertaining.

"Unit B" means Unit B of KTOD Condominium, which will be devoted to the Project-Phase B as more particularly described in Exhibit A3 which is attached hereto, and incorporated by reference herein, and all rights and appurtenances thereunto appertaining.

"Unit A Owner" means Kirkland Crossings, L.L.C., a Washington limited liability company,, and its successors and assigns, and any surviving, resulting or transferee entity.

"Unit B Owner" means KTOD LLC, a Washington limited liability company and its successors and assigns, and any surviving, resulting or transferee entity.

"Utility Allowance" means that portion of housing expenses for utilities. Therefore, Affordable Rents are calculated assuming payment of all utilities (not including phone, internet service, or cable or satellite television) by the Unit B Owner. In the event gas and/or electric utilities, used for purposes of heating, cooking and/or lighting, are paid directly by the tenant, then the monthly Affordable Rent unless otherwise agreed to by the Unit B Owner and City or Designee Staff, will be reduced by one of the following methods: the King County Housing Authority utility allowance; actual utility costs or energy model; or by the ARCH utility allowance:

The ARCH utility allowance schedule at time of this Agreement is:

Studio	$39
One Bedroom	$59
Two Bedroom	$79
Three Bedroom	$99

The base year for the ARCH utility allowance figures is 2014. The allowance figures will be adjusted annually based on changes in the Consumer Price Index—U.S. Cities Average—All Urban Consumers. If water, garbage and/or sewage are paid for directly by the tenant, the affordable rent levels will be further reduced by the typical cost to the tenant of such utilities, or a set allowance established by the City or its Designee.

SECTION 2 — RESIDENTIAL RENTAL PROPERTY

A. General Description. Unit B will be acquired and constructed for purposes of providing multi-family rental housing, and the Unit B Owner shall own, manage and operate (or cause the management and operation of) Unit B to provide multiple-family rental housing comprising a building or structure or several inter-related buildings or structures, each consisting of more than one dwelling unit and facilities functionally related and subordinate thereto, and no other

facilities. As used herein facilities functionally related and subordinate to Unit B shall include facilities for use by the tenants, including, for example, recreational facilities, parking areas, and other facilities which are reasonably required for Unit B, for example, heating and cooling equipment, trash disposal equipment or units of resident managers or maintenance personnel.

B. Similar Quality Construction. All of the dwelling units in Unit B shall be constructed of similar quality, and each dwelling unit in Unit B shall contain facilities for living, sleeping, eating, cooking and sanitation for a single person or a household which are complete, separate and distinct from other dwelling units in Unit B and will include a sleeping area, separate bathing facility, and a cooking range, refrigerator and sink.

C. Conversion to Condominium. In the event Unit B is proposed for conversion to condominium, owner-occupied, or non-rental residential use, the Unit B Owner must submit to the City for its approval a plan for preserving the Affordable Units. The City can consider options which would convert the Affordable Units to owner occupancy by Eligible Households. This section does not waive the Unit B Owner's obligations to comply with any other law or regulations pertaining to conversion to ownership use.

SECTION 3 — AFFORDABLE UNITS FOR ELIGIBLE HOUSEHOLDS

A. Number of Affordable Units. All of the Affordable Units in Unit B shall be leased or rented, or available for lease or rental, to the general public, and the Unit B Owner shall designate all of the Affordable Units, reserved for occupancy by Eligible Households or Section 8 Households, as follows:

Affordable Units in Unit B *					
Income Level	**Number of Units by Bedroom Size**				
	Studio	1	2	3	Total
Low-Income	13	16	7	1	37
Moderate-Income		14	5	2	21
Total	13	30	12	3	58

B. In addition to the 58 Affordable Units in Unit B, the Unit A Owner will provide 3 Affordable Units in Unit A pursuant

to the terms of a Regulatory Agreement recorded against Unit A for the purposes of securing a property tax exemption for twelve years as provided for in Chapter 84.14 RCW and Chapter 5.88 KMC for multi-family residential rental housing. (Substantially in the form of Exhibit D) The Property Tax Exemption being received by the Unit A Owner for Unit A is dependent upon the Unit B Owner providing the 58 Affordable Units in Unit B pursuant to the terms of this Agreement.

C. Designation/Re-designation of Affordable Units. Prior to June 1, 2014, the Unit B Owner shall submit to the City or its Designee for the City's or its Designee's approval a certificate in writing of such designation of Affordable Units within Unit B. Within Unit B, an Affordable Unit designated for Eligible Households shall have substantially the same equipment and amenities as any other Affordable Unit in the Project-Phase B with the comparable number of rooms. The Administering Agency or its Designee shall base its approval or disapproval of the proposed Affordable Units upon the criteria set forth in this section.

The Unit B Owner, from time to time, may propose to change the affordability levels of particular units declared as Affordable Units provided that at all times the Unit B Owner maintains the same number of units at the affordability levels set forth in paragraph 'A' of this section, and provided that at all times the same unit mix is retained. The Owner shall notify the Administering Agency or its Designee of the proposed change in writing for the Administering Agency or its Designee's approval. The Administering Agency or its Designee will review the proposed changes and shall base its approval or disapproval of the proposed changes based upon the criteria set forth in this section.

D. Affordable Units Rent Level. The monthly rent for the Affordable Units occupied by Eligible Households or Section 8 Households shall not exceed the applicable Affordable Rents, and for each specific tenant, shall be adjusted no more than once every twelve (12) months, and in no event within the first twelve (12) months of occupancy.

E. Renting Affordable Units to Eligible Households. During the Qualified Project Period, the Unit B Owner shall rent or lease the Affordable Units to Section 8 or Eligible Households and, if at any time the Unit B Owner is unable to rent or lease the Affordable Units, the Affordable Units shall

remain vacant pending rental or lease to Section 8 or Eligible Households.

F. Equal Access to Common Facilities. Tenants in the Affordable Units in Unit B shall have equal access to enjoyment of all common facilities of Unit B.

G. Qualifying Eligible Household Income for Affordable Units at Initial Occupancy and Recertification. Unless a household is a Section 8 Household, and subject to the provisions of Internal Revenue Code Section 42 and the regulations promulgated thereunder, Qualifying Eligible Household Income at time of occupancy may not exceed the applicable percent of Median Income set forth in the chart below, adjusted for Household Size. At time of annual recertification, a household will remain eligible for an Affordable Unit as long as Household Income does not exceed the Maximum Recertification Income set forth in the chart below, adjusted for Household Size or the household continues to receive Section 8 assistance. Unless otherwise prohibited by binding restrictions imposed by Project-Phase B financing, such as the provisions of Internal Revenue Code Section 42 or the regulations promulgated thereunder or other applicable law or ordinance, in the event, if at the time of recertification Household Income exceeds the Maximum Recertification Income limit for the income level initially qualified for by a household and does not receive Section 8 assistance, then such household must within 90 days either pay rent affordable to the next highest affordability level qualified for and the next available comparable Affordable Unit must be rented as a Low Income Unit; or vacate the unit to make it available for a qualified Eligible or Section 8 Household; or vacate the unit, unless otherwise prohibited by law, to make it available for an Eligible Household.

Maximum Permitted Income Levels

Eligible Households	Maximum Initial Income	Maximum Recertification Income
Low-Income	50%	70%
Moderate Income	70%	90%

H. Household Size Limits for Affordable Units. The Unit B Owner shall utilize the following occupancy standards for Affordable Units:

Unit Size	Household Size
Studio	1-2 Persons
1 Bedroom	1-3 Persons
2 Bedroom	2-5 Persons
3 Bedroom	3-7 Persons

SECTION 4 — REPORTING REQUIREMENTS

A. Notice of Occupancy Permit. Within thirty (30) days of issuance of any final inspection, or, if applicable, occupancy permits for Unit B, the Unit B Owner shall notify the City's Planning and Community Development Department [Attn: Housing Planner] or its Designee, of receipt of the occupancy permit for Unit B.

B. City Mailing List. The City maintains a mailing list of households interested in occupying Affordable Units. From time to time the City or its Designee will provide to the Unit B Owner the names of persons from the City's mailing list. In determining which eligible applicants shall be rented Affordable Units, the Unit B Owner shall, subject to Section 4.C below, reasonably consider persons on the City's mailing list, and when they were placed on the City's mailing list.

C. Completion of Certificate of Household Eligibility. Prior to allowing any household to occupy any Affordable Unit in Unit B, the Unit B Owner shall require the prospective tenant to complete a Certificate of Household Eligibility that shall be substantially in the form set forth in Exhibit C. The Unit B Owner shall also undertake a good faith effort to verify the applicant's Household Income, as reported on the completed Certificate. The Unit B Owner's obligation to verify the reported Household Income shall be limited to requesting copies of and reviewing the applicant's federal income tax returns, unless the Unit B Owner has actual knowledge, or reason to believe, that the information provided by the applicant is materially inaccurate. In the event federal income tax returns are not available, Household Income shall be verified by wage or salary statements, or other income records that the City or its Designee may consider appropriate. In the event a household is receiving Section 8 assistance, the requirements of this Section 4.C and Section 4.D of this Agreement can be met through providing documentation associated with complying with the Section 8 program.

D. Annual Recertification of Residents. On an annual basis, the Unit B Owner shall require all households occupying an Affordable Unit in Unit B to complete and return to the Unit B Owner an updated Certificate of Household Eligibility. The Unit B Owner shall undertake a good faith effort to verify the reported Household Income, as reported in the completed Certificate. The Unit B Owner's obligation to verify the Household Income shall be limited to obtaining a copy of and reviewing the tenant's federal income tax returns, unless the Unit B Owner has actual knowledge or reason to believe that the information provided by the household is materially inaccurate. In the event federal income tax returns are not available, Household Income shall be verified by wage or salary statements, or other income records the City or its Designee may consider appropriate.

Such certifications shall be filed with the City or its Designee, by attachment to the Annual Project Certification required pursuant to Subsection E and are subject to independent investigation and verification by the City or its Designee.

E. Annual Project Certification. After the Completion Date and until 90% of the rental units are occupied in Unit B, the Unit B Owner shall, on a quarterly basis, file with the City or its Designee an Annual Project Certification, in substantially the form of Exhibit E. Thereafter, during the term of this Regulatory Agreement, such certification shall be filed annually on or before June 30th and shall set forth the required information for the preceding year.

F. Maintain Complete Records. The Unit B Owner shall maintain complete and accurate records pertaining to the Affordable Units in Unit B, and shall permit any duly authorized representative of the City, including, without limitation, its Designee to inspect the books and records of the Unit B Owner pertaining to the Affordable Units in Unit B, and if applicable, incomes of Eligible Households residing in Unit B. Failure to maintain such records or failure to allow examination by the City or any duly authorized representative shall constitute a default hereunder.

G. Form of Certification. Notwithstanding anything in this Section to the contrary, all documentation required by this Section shall be submitted on the forms designated herein as such forms may be modified by the City or its Designee from time

to time. Changes to forms by the City or its Designee shall not significantly enlarge the Unit B Owner's obligations hereunder.

SECTION 5 — SECTION 8 CERTIFICATE HOLDERS

Unit B Owner shall accept as tenants for Affordable Units, on the same basis as all other prospective households, households who are recipients of Federal certificates for rent subsidies pursuant to the existing program under Section 8 of the United States Housing Act of 1937, as amended. The Unit B Owner shall not apply, or permit the application of, management policies or lease provisions with respect to Unit B which have the effect of precluding occupancy of Units by holders of Section 8 certificates.

SECTION 6 — LEASE PROVISIONS

A. It is the Unit B Owner's responsibility to screen and select tenants for desirability and credit worthiness. Such selection is within the Unit B Owner's discretion. If written management policies exist, or exist in the future, with respect to Unit B, the City or its Designee may review such written policies and may require changes in such policies, if necessary, so that they comply with the requirements of this Agreement.

B. All leases for Eligible Households shall contain clauses wherein each individual lessee: (i) certifies the accuracy of the statements made in the Certificate of Household Eligibility, (ii) agrees that the household income and other eligibility requirements shall be deemed substantial and material obligations of the tenancy, and (iii) agrees that misrepresentation in the certification is a material breach of the lease, entitling the Unit B Owner to terminate the lease for the Affordable Unit.

SECTION 7 — SALE OR TRANSFER OF UNIT B

The Unit B Owner hereby covenants and agrees not to sell, transfer or otherwise dispose of Unit B or any portion of Unit B without first providing a written notice from the purchaser stating that the purchaser understands, and will comply with the Unit B Owner's duties and obligations under this Agreement. Such notice must be received by the City or its Designee at least 10 days prior to the close of escrow.

SECTION 8 — TERM

This Regulatory Agreement shall become effective upon its execution and delivery, and shall continue in full force and effect throughout the Qualified Project Period.

SECTION 9 — NO DISCRIMINATION

The Unit B Owner shall not discriminate on the basis of race, creed, religion, color, sex, sexual orientation, age, national origin, marital status, or presence of any mental or physical handicap as set forth in RCW 49.60.030, as now existing and as may be amended, in the lease, use, or occupancy of Unit B or in connection with the employment or application for employment of persons for the operation and management of Unit B.

SECTION 10 — COVENANTS RUN WITH UNIT B

The City and Unit B Owner hereby declare their understanding and intent that the covenants, conditions and restrictions set forth herein directly benefit Unit B (i) by enhancing and increasing the enjoyment and use of Unit B by certain Eligible Households, and (ii) by furthering the public purposes of providing housing for Eligible Households.

The City and the Unit B Owner hereby declare that the covenants and conditions contained herein shall bind and the benefits shall inure to, respectively, the Unit B Owner and Unit B or any interest therein, and the City and its successors and assigns, all for the Qualified Project Period. .Except as provided in Section 12 of this Regulatory Agreement, each and every contract, deed or other instrument hereafter executed conveying Unit B or any portion thereof or interest therein shall contain an express provision making such conveyance of Unit B subject to the covenants and conditions of this Agreement, provided however, that any such contract, deed or other instrument shall conclusively be held to have been executed, delivered and accepted subject to such covenants and conditions, regardless of whether or not such covenants and conditions are set forth or incorporated by reference in such contract, deed or other instrument.

SECTION 11 — ENFORCEMENT

A. Enforcement Provisions. The Unit B Owner shall exercise reasonable diligence to comply with the requirements of this Agreement and shall correct any such noncompliance within sixty (60) days after such noncompliance is first discovered by the Unit B Owner or would have been discovered by the exercise of reasonable diligence, or within 60 days after the Unit B Owner receives notice of such noncompliance from the City or its Designee; provided however, that such period for correction may be extended by the City if the Unit B Owner is exercising due diligence to correct the noncompliance. The City or its Designee shall send any notice of non-compliance to Unit A Owner concurrently with the sending of such notice to Unit B Owner. If such noncompliance remains uncured after such period, then the Unit B Owner shall be in default and the City on its own behalf may take any one or more of the following steps:

1) By any suit, action or proceeding at law or in equity, require the Unit B Owner to perform its obligations under this Regulatory Agreement, or enjoin any acts or things which may be unlawful or in violation of the rights of the City hereunder; it being recognized that the beneficiaries of the Unit B Owner's obligations hereunder cannot be adequately compensated by monetary damages in the event of the Unit B Owner's default;

2) Have access to, and inspect, examine and make copies of, all of the books and records of the Unit B Owner pertaining to Unit B. Provided, however, the City or its Designee shall not divulge such information to any third party unless required by law or unless the same is necessary to enforce the City's rights hereunder; and

3) Take such other action at law or in equity as may appear necessary or desirable to enforce the obligations, covenants, conditions and agreements of the Unit B Owner under this Regulatory Agreement.

4) The Unit B Owner hereby grants to the City or the Designee the option, upon Unit B Owner's default under this Regulatory Agreement, for the Qualified Project Period to lease up to 58 of the units in Unit B as mutually selected by the City or its Designee and the Unit B Owner for the purpose of subleasing such units to Eligible Households, but only to the extent necessary to comply with the provisions of this

Agreement. The City or its Designee may lease from the Unit B Owner the units at the Affordable Rent level less a reasonable management fee to reimburse the City or its Designee for any expenses incurred in connection with such sublease. The City or its Designee may terminate its lease of the units in Unit B upon determination that the Unit B Owner is no longer in default pursuant to this Agreement.

B. Hold Harmless. The Unit B Owner hereby agrees to pay, indemnify and hold the City and its Designee and any other party authorized hereunder to enforce the terms of this Regulatory Agreement harmless from any and all costs, expenses and fees, including all attorneys' fees which may be incurred by the City or the Designee or any other party in enforcing or attempting to enforce this Regulatory Agreement following any default hereunder on the part of the Unit B Owner or its successors, whether the same shall be enforced by suit or otherwise; together with all costs, fees and expenses which may be incurred in connection with any amendment to this Regulatory Agreement or otherwise by the City at the request of the Unit B Owner.

C. No Third Party Beneficiaries. The provisions of this Agreement and of the documents to be executed and delivered in connection herewith are and will be for the benefit of the Unit B Owner, the City and its Designee only and are not for the benefit of any third party (including, without limitation, any tenants or tenant organizations), and accordingly, no third party shall have the right to enforce the provisions of this Agreement or of the documents to be executed and delivered in connection herewith.

SECTION 12 — THIS SECTION INTENTIONALLY LEFT BLANK

SECTION 13 — ESTOPPEL CERTIFICATE

The City agrees, upon the request of either the Unit B Owner, Unit A Owner, or their respective successors in interest, to promptly execute and deliver to the Unit B Owner or its successor in interest or to any potential or actual purchaser, mortgagor or encumbrance of Unit B, or the Unit A Owner or its successor in interest or to any potential or actual purchaser, mortgagor or encumbrance of Unit A if the Unit A Owner if the requesting party, a written certificate stating, if such is true, that the City has no knowledge of any violation or default by the Unit B Owner of any of the covenants or conditions of

this Agreement, or if there are such violations or defaults, the nature of the same.

SECTION 14 — AGREEMENT TO RECORD

The Unit B Owner shall cause this Regulatory Agreement to be recorded in the real property records of King County, Washington. The Unit B Owner shall pay all fees and charges incurred in connection with such recording and shall provide the City or its Designee with a copy of the recorded document.

SECTION 15 — RELIANCE

The City and the Unit B Owner hereby recognize and agree that the representations and covenants set forth herein may be relied upon by City and the Unit B Owner. In performing its duties and obligations hereunder, the City may rely upon statements and certificates of the Unit B Owner and Eligible Households, and upon audits of the books and records of the Unit B Owner pertaining to occupancy of Unit B. In performing its duties hereunder, the Unit B Owner may rely on the Certificates of Tenant Eligibility unless the Unit B Owner has actual knowledge or reason to believe that such Certificates are inaccurate.

SECTION 16 — GOVERNING LAW

This Regulatory Agreement shall be governed by the laws of the State of Washington, except to the extent such laws conflict with the laws of the United States or the regulations of federally insured depository institutions, or would restrict activities otherwise permitted in relation to the operation of federally insured depository institutions.

SECTION 17 — NO CONFLICT WITH OTHER DOCUMENTS

The Unit B Owner warrants that it has not executed and will not execute, any other agreement with provisions contradictory to, or in opposition to, the provisions hereof, and that in any event the requirements of this Regulatory Agreement are paramount and controlling as to the rights and obligations herein set forth and supersede any other requirements in conflict herewith.

SECTION 18 — AMENDMENTS

This Regulatory Agreement shall be amended only by a written instrument executed by the parties hereto or their respective successors in title, and duly recorded in the real property records of King County, Washington. Amendments to Exhibit B shall be considered to be approved in writing when the revised Exhibit B is signed by the Unit B Owner and the City and/or its Designee without the need for a further written document attaching the revised exhibit and striking prior versions of the exhibit. In the event of conflict between versions of Exhibits B, the version maintained by the City or its Designee as the then-current version, signed by Unit B Owner and City or its Designee, shall prevail.

SECTION 19 — NOTICE

Any notice or communication hereunder, except legal notices, shall be in writing and may be given by registered or certified mail. The notice or communication shall be deemed to have been given and received when deposited in the United States Mail, properly addressed with postage prepaid. If given otherwise, it shall be deemed to be given when delivered to and received by the party to whom addressed. Such notices and communications shall be given to the parties hereto at their following addresses:

If to the City: Planning Department-Housing Planner
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98073-9710

With a copy to the Designee
A Regional Coalition for Housing (ARCH)
16225 NE 87th Street, Suite A-3
Redmond, WA 98052
Attn: Housing Planner

If to the Unit B Owner:
KTOD LLC
C/O RV Manager LLC
10604 NE 38th Place, Suite 215
Kirkland, WA 98033

With a copy to Investor Member:
RJ HOF 26-KTOD L.L.C.

c/o Raymond James Tax Credit Funds, Inc.
880 Carillon Parkway
St. Petersburg, Florida 33716
Facsimile No.: 727-567-8455
Attention: Steve Kropf, President

If to the Unit A Owner:
Kirkland Crossings, L.L.C
11624 SE 5th St, Suite 200
Bellevue, WA 98005
Attn: Derek Straight

Any party may change its address for notices upon ten (10) days prior written notice to the other parties. Legal counsel for a party may deliver notices on behalf of the represented party and such notice shall be deemed delivered by such party.

SECTION 20 — FEE WAIVER REQUIREMENTS

Pursuant to Chapters 27.04, 27.06, and 27.08 of the Kirkland Municipal Code the Unit B Owner received fee waivers in the approximate amount of $186,377 for City Parks and Transportation Impact fees and $20,068 for school impact fees as consideration for the provision of affordable units in Unit B. In the event at any time during the term of this Agreement, the Affordable Units are not provided pursuant to the provisions of this Agreement, the City retains the right to require the Unit B Owner to pay to the City all fees that were waived at the rate prevailing at the time the City determines Unit B is no longer conforming to the affordability requirements of this Agreement. This provision shall survive termination of the Agreement prior to expiration of the Qualified Project Period.

SECTION 21 — SEVERABILITY

If any provision of this Regulatory Agreement shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.

SECTION 22 — CONSTRUCTION

Unless the context clearly requires otherwise, words of the masculine, feminine or neuter gender shall be construed to include each other gender when appropriate and words of the singular number shall be construed to include the plural number, and vice versa, when appropriate. All the terms and provisions

hereof shall be construed to effectuate the purposes set forth in this Agreement and to sustain the validity hereof.

SECTION 23 — TITLES AND HEADINGS

The titles and headings of the sections of this Agreement have been inserted for convenience of reference only, are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof or be considered or given any effect in the construing this document or any provision hereof or in ascertaining intent, if any question of intent shall arise.

IN WITNESS WHEREOF, the Unit B Owner and City have each executed the Regulatory Agreement and Declaration of Restrictive Covenants on the Date first above written.

Owner Unit B:
KTOD LLC, a
Washington limited liability company

_____
By: RV Manager LLC,
A Washington limited liability company,
its Managing Member
By: Red Vines 1,
a Washington nonprofit corporation,
its Sole Member and Manager

By: Ann Levine, Executive Director

City:

_____
Kurt Triplett
Its: City Manager

Approved as to Form:

_____
City Attorney

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 R. Shields, AICP Planning Director
Nancy C. Cox, AICP Development Review Manager

Date: June 5, 2014

Subject: Roster of Process IVA Miscellaneous Zoning Code Amendments

RECOMMENDATION

Approve by motion the roster of Process IVA Miscellaneous Zoning Code amendments (see Attachment 1). Approval will allow public comment on the proposed code changes. Final proposed amendments will be submitted for Council adoption later this year.

BACKGROUND DISCUSSION

Process

The Planning Director periodically presents a roster of proposed amendments for review and decision under Process IVA (Chapter 161 KZC as amended). Pursuant to Zoning Code Section 161.25, process IVA amendments are limited to "minor…amendments that promote clarity, eliminate redundancy or…correct inconsistencies." The City Council may by motion:

- Approve the entire proposed Process IVA roster;
- Ask for more discussion about the suitability of a subject for Process IVA; or
- Remove a subject from the Process IVA roster.

Following City Council action on the roster, a public notice is distributed providing at least a 30 day public comment period prior to review by the Planning Director. The Director considers all of the public comments and makes a recommendation to the City Council. The City Council considers enactment by ordinance.

The Houghton Community Council (HCC) will review the roster at a study session and decide if it wants a separate public hearing. The Community Council's recommendation will be forwarded to the Planning Director and City Council along with all public comments. The HCC has disapproval jurisdiction over the amendments.

Specific proposed amendments

Process IVA is only suitable for amendments that are not controversial and do not need extensive policy study. Staff has selected the amendments shown in the roster from our larger code amendment list with these criteria in mind. Most of the amendments are proposed as a result of an omission from a previous code amendment process or as a code clarification. Amendments are shown in the attachment as strike-outs and

underlined text. In addition at the very end of the attachment some amendments are also shown in red text to highlight what is being altered, since the underlying images were pdf files.

The most extensive change in this roster has to do with recently adopted horizontal façade amendments. O-4437 changed the horizontal facade regulation in the following ways:

1. Reduced the distance of the transition area between the low density zone from 100 to 30 feet;
2. Allowed portions of a structure less than 15 feet high within the 20 foot separation between the 50 foot maximum wall segments;
3. Exempted all properties that are separated by right-of-way, other than alleys, from this regulation;
4. Created a modification process;
5. Relocated and consolidated the regulations in a new section of the zoning code – Section 115.136;
6. Revised the definition of adjoining;
7. Eliminated the term horizontal façade; and
8. Revised the plate to illustrate these regulations.

The changes **now** propose to restore what was inadvertently left out of O-4437 and should have been carried over from the original horizontal façade regulations. The following summarizes what was lost in the consolidation in KZC 115.136 and is necessary to administer this regulation:

1. Application of these regulations is limited to those zones where the Use Zone Charts establish size limitations.
2. Size limitation regulations may apply to parcels within low density zones.
3. A complete list of zone specific exceptions.
4. A proposed change to Section 2.a.2 clarifies that both alleys **and** access easements and tracts less than or equal to 21 feet in width separating the protected parcel from the subject property, do not qualify as an exemption to these regulations, as do other rights-of-way.

ATTACHMENTS

1. Roster

cc: File CAM13-02129

Attachment 1

ROSTER OF PROCESS IVA MISCELLANEOUS ZONING CODE AMENDMENTS

File CAM13-02129

#	CODE SECTION	REASON	DRAFT AMENDMENT
1	5.10.20 Definitions Adjoining	Codify interpretation 14-3	Property that touches or is directly across a street, other than a principal or minor arterial, from the subject property. For the purposes of applying the regulations that limit the height adjoining a low density zone, the regulations shall only apply within an area of 100 feet of and parallel to the boundary line of a low density zone (as shown on Plate 18). <u>In cases where the zoning boundary is drawn at the centerline of the right-of-way, the 100-foot area considered to be adjoining shall be determined by measuring from the perimeter property lines of the low density zone.</u>
2	5.10.520 Definitions Medium Density Zones	Omission; TL 11 left out of definition	5.10.520 Medium Density Zones The following zones: RM 5.0; RMA 5.0; RM 3.6; RMA 3.6; WD I; WD III; TL 9B; <u>TL 11;</u> PLA 2, 3B; PLA 6F, H, K; PLA 7C; PLA 9; PLA 15B; and PLA 17.
3	5.10 Definitions	TOD shown on Zoning Map but not defined in Zoning Code	<u>5.10.930.5 Transit-Oriented Development (TOD) – Area where a higher intensity mix of uses is allowed, together with transit facilities, in order to support the increased use of transit and reduce reliance on roads and single-occupant vehicles.</u>
4	5.10 Definitions	YBD-1 not defined	<u>5.10.930.6 Transit-Oriented Development (TOD) Zone – The following zone: YBD-1.</u>
5	60.82 PLA 6F Height column	Code clean-up; there is no RSX zone adjoining PLA 6F	60.82.010, .020, 030, .040, 050, .060, .070, .080, and .090 If adjoining a low density zone ~~other than RSX~~, then 25' above average building elevation. Otherwise 30' above average building elevation.
6	60.182.010 PLA 16 Detached Dwelling Unit	Code clean-up; incorrect code reference	Special Regulation 4. Residential lots must contain a minimum area of 10,000 permeable square feet, which shall comply with KZC ~~115.20(5)(d)~~ <u>115.20.5</u> for keeping of horses.

Attachment 1

ROSTER OF PROCESS IVA MISCELLANEOUS ZONING CODE AMENDMENTS

7	60.182.010 PLA 16 Detached Dwelling Unit	Code clean-up; incorrect code reference	Special Regulation 5. If a Master Plan is approved for the property, this use may have a lot size of less than 35,000 sq. ft. and must meet the following standards: a. The property must contain at least 16 contiguous acres. b. Residential lots must contain a minimum area of 14,500 sq.ft. capable of being used as a horse paddock area, which shall comply with KZC ~~115.20(5)(d)~~ 115.20.5 for keeping of horses. c. Etc.
8	95.52 Tree Management and Required Landscaping	Clarification; prohibited vegetation need not be retained	95.52 Prohibited Vegetation Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City or required to be retained.
9	110.40 Collector Streets	New National guidelines from AASHTO	110.40 Collector Streets d. Parking lane widths are ~~six~~7.5 ft. minimum.
10	115.20 Animals	Code clean-up; Section format confusing and hard to follow; redo section headings and reorganize ; compare with previous versions to find omissions	115.20 Animals (complete section follows)

Attachment 1

ROSTER OF PROCESS IVA MISCELLANEOUS ZONING CODE AMENDMENTS

11	115.136 Size Limitations for Structures Abutting Low Density Zones and Uses	Omissions from recent amendments to horizontal façade regulations adopted by O-4437 on March 18, 2014	115.136 Size Limitations for Structures Abutting or Within Low Density Zones and Abutting Low Density Uses in PLA 17 (complete section follows)
12	150.20 Process IIA	Code clean-up; citation does not exist	150.20 Compliance with SEPA The State Environmental Policies Act (Chapter 43.21 RCW) applies to some of the decisions that will be made using this chapter. The Planning Official shall evaluate each application and, where applicable, comply with SEPA and with state regulations and City ordinances issued under the authority of SEPA. See ~~KMC 24.02.105~~ KMC 24.02.230 regarding consolidation of certain appeals hearings under SEPA with the hearing required under this chapter.
13	152.20 Process IIB	Code clean-up; citation does not exist	152.20 Compliance with SEPA The State Environmental Policies Act (Chapter 43.21 RCW) applies to some of the decisions that will be made using this chapter. The Planning Official shall evaluate each application and, where applicable, comply with SEPA and with state regulations and City ordinances issued under the authority of SEPA. See ~~KMC 24.02.105~~ KMC 24.02.230 regarding consolidation of certain appeals hearings under SEPA with the hearing required under this chapter.

Attachment 1

ROSTER OF PROCESS IVA MISCELLANEOUS ZONING CODE AMENDMENTS

14	161.40.2.a Process IVA Minor Code Amendments"	Clarification; list serve required to be established (Note: it is already established)	161.40.2.e The notice will be posted on the City's website and the City will provide the public with a means to register to receive all such notices on a timely basis via email or equivalent means of electronic communication.
15	Chapter 180 Plate 38: Measuring Size Limitations for Structures Abutting Low Density Zones and Low Density Uses in the PLA 17 Zone	Omissions from recent amendments to horizontal façade regulations adopted in O-4427 on March 18, 2014	Chapter 180, Plate 38: Measuring Size Limitations for Structures Abutting or Within Low Density Zones & Abutting Low Density Uses in the PLA 17 Zone (new plate to replace existing follows roster)

6-4-14

Attachment 1

ROSTER OF PROCESS IVA MISCELLANEOUS ZONING CODE AMENDMENTS

Roster #10

115.20 Animals in Residential Zones

1. General – This section establishes special regulations that govern the keeping of animals as an accessory use in zones where a dwelling unit is permitted~~.~~, except fowl which are only allowed in low density zones.

~~2.~~a. In addition to the maximum number of adult animals permitted, offspring from one (1) female are permitted at any given time until those offspring are able to survive independently.

~~3.~~b. Animal Waste – Measures must be taken to properly dispose of animal waste.

~~4.~~c. Other Regulations – Nothing in this section eliminates the need to comply with King County animal control regulations, state law regulating the keeping of animals, and any other ordinance of the City of Kirkland regulating the keeping of animals.
~~5. Minimum Requirements – The applicant shall comply with the following requirements regarding the keeping of animals in any zone where a dwelling unit is permitted:~~

~~a.~~2. Household Pets

~~1)~~a. Types – The following animals will be regulated as household pets: Dogs, cats, rabbits, gerbils, guinea pigs, hamsters, mice, cage birds, nonvenomous reptiles and amphibians, and any other animals normally associated with a dwelling unit, and which are generally housed within the dwelling unit.
~~a) Three (3) dogs or less per dwelling unit.~~
~~b) Three (3) cats or less per dwelling unit.~~
~~c) A total of four (4) dogs and cats per dwelling unit.~~
~~d) Four (4) rabbits or less per dwelling unit.~~
~~e) Gerbils.~~
~~f) Guinea pigs.~~
~~g) Hamsters.~~
~~h) Mice.~~
~~i) Cage birds.~~
~~j) Nonvenomous reptiles and amphibians.~~

~~k) Other animals normally associated with a dwelling unit, and which are generally housed within the dwelling unit.~~

~~2)~~b. Required Review Process – None.

~~3)~~c. Maximum Number of Adult Animals per Dwelling Unit
~~a)~~1) Three (3) dogs ~~or less per dwelling unit.~~
~~b)~~2) Three (3) cats ~~or less per dwelling unit.~~
~~c)~~3) A total of four (4) dogs and cats ~~per dwelling unit.~~
~~d)~~4) Four (4) rabbits ~~or less per dwelling unit.~~
~~e)~~5) Other: No maximum.

~~4)~~d. Minimum Lot Size – None.

~~5)~~e. Minimum Setback – Structures and pens must be at least five (5) feet from each property line.

~~6)~~f. Special Regulations
~~a)~~1) Dogs, cats, and rabbits may be housed either inside or outside the dwelling unit.
~~b)~~2) Other household pets must be housed within the dwelling unit. If housed outside of the dwelling unit they will be regulated as small domestic animals.

~~b.~~3. Small Domestic Animals
~~1) The following animals will be regulated as small domestic animals:~~
~~a) More than three (3) dogs per dwelling unit.~~
~~b) More than three (3) cats per dwelling unit.~~
~~c) More than a total of four (4) dogs and cats per dwelling unit.~~
~~d) More than four (4) rabbits per dwelling unit.~~

~~e)~~a. Fowl.
~~2)~~1) Permitted Locations – Low density zones.
~~3)~~2) Required Review Process – None.
~~4)~~3) Maximum Number of Adult Animals per Lot
a) On lots with an area of less than 35,000 square feet:
i) Three (3) fowl, regardless of lot size.

ii) One (1) additional chicken for each 1,000 square feet of lot area above 5,000 square feet, up to a maximum of 20 chickens.
iii) Roosters are prohibited except for those in RSA zones existing prior to August 15, 2012.
b) On lots with an area of 35,000 square feet or more: 20, plus one (1) additional for each 500 square feet of lot area above 35,000 square feet.
~~5)~~4) Minimum Setback
a) Structures shall not be located in required yards except as allowed by KZC 115.115 and except for the following:
i) Mobile structures (chicken tractors) may be anywhere within a fenced yard.
ii) Structures may be located within five (5) feet of any property line; provided, that the property adjacent to the proposed location of the structure is either:
A) Occupied primarily by a nonresidential use such as a church, school or park; or
B) A permanently dedicated easement or tract that is at least 10 feet in width.
b) Structures larger than 100 square feet shall be at least 40 feet from each property line.
~~6)~~5) Special Regulations
a) Must provide a suitable structure or pen to house the animals.
b) Must maintain structures and pens in a clean condition.
c) Fowl may forage or roam freely anywhere within a fenced yard, but adequate measures must be taken to provide safety for the fowl and prevent them from straying onto adjacent property.

b. Other small domestic animals – Small domestic animals exceeding the numbers specified in 115.20 2.c *(note: this section was part of a chart that was inadvertently deleted when O-4370 was adopted in 2012)*
1) Required Review Process – None.
2) Maximum Number of Adult Animals – 20 per 35,000 sq. ft. of lot area and 1 per each additional 500 sq. ft. of lot area.
3) Minimum Lot Size – 35,000 sq. ft. per dwelling unit.
4) Minimum setback – Structures and pens used to house animals must be at least 40’ from each property line.
5) Special Regulations
a) The City may limit the number of animals allowed to less than the maximum considering:
i) Proximity to dwelling units both on and off the subject property; and
ii) Lot size and isolation; and
iii) Compatibility with surrounding uses; and
iv) Potential noise impacts.

b) The applicant must provide a suitable structure or pen to house the animals, and must maintain that structure or pen in a clean condition.

~~c.~~4. Bees

~~1)~~a. Required Review Process – None.

~~2)~~b. Maximum Number ~~of Bees per Dwelling Unit~~
~~a)~~1) Lots containing 15,000 square feet or less – maximum of two (2) hives.
~~b)~~2) Lots containing more than 15,000 square feet ~~and~~but less than 35,000 square feet – maximum of five (5) hives.
~~c)~~3) Lots containing 35,000 square feet or more – maximum of 15 hives.

~~3)~~c. Minimum Lot Size – 7,200 square feet.

~~4)~~d. Minimum Setback – Hive must be at least 25 feet from any property line. See also special regulation in subsection ~~(5)(c)(5)(e)~~e.5) of this section.

~~5)~~e. Special Regulations
~~a)~~1) Colonies must be in movable frame hives.
~~b)~~2) Adequate space must be maintained in the hive to prevent overcrowding and swarming.
~~c)~~3) Colonies must be requeened following any swarming or aggressive behavior.
~~d)~~4) All colonies must be registered with the Washington State Department of Agriculture~~, Plant Services Division, 406 General Administration Building, Olympia, WA 98504, prior to April of each year~~.
~~e)~~5) Hives may be located closer than 25 feet to any property line if:
~~i)~~a) Situated eight (8) feet or more above adjacent ground level; or
~~ii)~~b) Situated less than six (6) feet above adjacent ground level and behind a solid fence or hedge six (6) feet in height parallel to any property line within 25 feet of the hive and extending at least 20 feet beyond the hive in both directions.
~~f)~~6) Bees living in trees, buildings, or any other space except in movable frame hives; abandoned colonies or diseased bees shall constitute a public nuisance.

~~d.~~5. Horses

~~1)~~a. Required Review Process

~~a)~~1) PLA 16 zone, if part of a recorded master plan: none.
~~b)~~2) All other zones, including in PLA 16 on lots which are not part of a recorded master plan:
~~i)~~a) On lots 35,000 square feet or greater: none.
~~ii)~~b) On lots less than 35,000 square feet the City may approve up to two (2) horses, using Process I, Chapter 145 KZC, pursuant to subsection 5.b.2)b) of this section.~~based on the following criteria:~~
~~A) Proximity to dwelling units both on and off the subject property; and~~
~~B) Lot size and isolation; and~~
~~C) Compatibility with surrounding uses; and~~
~~D) Potential noise impacts.~~

~~2)~~b. Maximum Number of Adult Horses
~~a)~~1) PLA 16 zone, if part of a recorded master plan: two (2) horses.
~~b)~~2) RS 35 and RSX 35 zones within the Bridle Trails neighborhood north and northeast of Bridle Trails State Park or residential lots in PLA 16 zone which are not part of a recorded master plan:
~~i)~~a) On lots of at least 35,000 square feet: two (2) horses per 35,000 square feet of lot area and up to two (2) additional horses may be kept on a residential lot, providing that an additional 3,000 square feet of paddock area is available for each additional horse. (See subsection ~~(5)(d)(5)~~5.e of this section for minimum paddock standards.)
~~ii)~~b) On lots less than 35,000 square feet the City may approve up to two (2) horses using Process I, Chapter 145 KZC; ~~pursuant to subsection (5)(d)(1)(b)(ii) of this section.~~based on the following criteria:
i) Proximity to dwelling units both on and off the subject property; and
ii) Lot size and isolation; and
iii) Compatibility with surrounding uses; and
iv) Potential noise impacts.
~~c)~~3) All other zones:
~~i)~~a) Two (2) horses per 35,000 square feet of lot area and one (1) horse per each additional 17,500 square feet of lot area.
~~ii)~~b) If lot size is less than 35,000 square feet, the City may approve up to two (2) horses using Process I, Chapter 145 KZC; pursuant to subsection (5)(d)(1)(b)(ii) of this section.
~~d) In addition to the maximum number of adult horses permitted, offspring from one (1) female are permitted at any given time until those offspring are able to survive independently.~~

~~3)~~c. Minimum Lot Size
~~a)~~1) PLA 16 zone, if part of a recorded master plan: 26,000 square feet.

~~b)~~2) All other zones, including in PLA 16 on lots which are not part of a recorded master plan:
~~i)~~a) 35,000 square feet.
~~ii)~~b) May be less than 35,000 square feet if approved through Chapter 145 KZC, Process I~~, pursuant to subsection (5)(d)(1)(b)(ii) of this section~~.

~~4)~~d. Barn Size and Setback
~~a)~~1) The applicant must provide a suitable barn to house the horses, and must maintain it in a clean condition.
~~b)~~2) RS 35 and RSX 35 zones within the Bridle Trails neighborhood north and northeast of Bridle Trails State Park or residential lots in PLA 16 zone, which are not part of a recorded master plan:
~~i)~~a) Size – Barns within the designated paddock area may not exceed 1,200 square feet in footprint, excluding covered overhangs, and must be designed solely for housing of animals and storage of tack, feed, shavings or ancillary equipment.
~~ii)~~b) Setbacks – Barns to house horses must be a minimum of 40 feet from habitable dwellings, both on and off the subject property.
~~c)~~3) All other zones, including in PLA 16 on lots that are part of a recorded master plan:
~~i)~~a) Size – Barns must not exceed 1,200 square feet, plus 10 percent of the lot area that exceeds 7,200 square feet and must meet all other requirements of KZC 115.08, Accessory Structure.
~~ii)~~b) Setbacks – Barns to house horses must be a minimum of 40 feet from each property line. The City may permit barns to extend into the property line in common with the abutting property; provided, that:
~~A)~~i) An abutting property owner files a signed and notarized statement with the City in support of the request; and
~~B)~~ii) The barn complies with all other regulations pertaining to setbacks in that zone.

~~5)~~e. Paddock Size and Setbacks
~~a)~~1) RS 35 and RSX 35 zones within the Bridle Trails neighborhood north and northeast of Bridle Trails State Park or residential lots in PLA 16 zone which are not part of a recorded master plan:
~~i)~~a) Size – Each residential lot must contain an area of at least 10,000 permeable square feet for the purpose of accommodating two (2) horses, capable of being used for or easily converted to a paddock area and barn, and meeting the following standards:
~~A)~~i) The paddock must have a minimum width of 40 feet and configured in a contiguous and usable manner to accommodate the feed, storage and manure pile. “Configured in a contiguous and usable manner” shall mean an area, uninterrupted by non-paddock area, having a shape as close to square or rectangular as possible. While the minimum width allowed is 40 feet, the majority of the area must have a width of at least 80 feet.

~~B)~~ii) The Planning Official is authorized to approve minor deviations from the required dimensions and/or shape of the paddock area due to pre-existing improvements and/or size, shape, or topography of the property.
~~ii)~~b) Setbacks
~~A)~~i) The paddock areas must be five (5) feet from each property line which abuts a school use or a residential zone other than RS 35, RSX 35 or PLA 16, including part of a recorded master plan, otherwise there is no setback.
~~B)~~ii) The paddock areas must be 10 feet from habitable dwellings and five (5) feet from significant improvements outside the paddock area, such as swimming pools, sports courts, decks and patios, both on and off the subject property.
~~iii)~~c) Additional Paddock Requirements
~~A)~~i) The area used or reserved for paddock area must be pervious and exclusive of any structures or improvements (except barns) such as storage sheds, residential units, carports, decks, patios, swimming pools, ponds, sports courts, rockeries, or paving, but may contain easily removed features such as children's play equipment, landscaping, trellises, and flagpoles, as long as such features are not embedded in concrete or otherwise permanently mounted. The area shall not be located over a septic tank, drain field, or reserve drain field. Paddock areas shall not be located on steep slopes (over 15 percent grade) or in areas regulated under Chapter 90 KZC, Drainage Basins.
~~B)~~ii) Direct access to the paddock area must be available to deliver feed and pick up manure from an alley, an easement or an adjacent right-of-way across a side yard of the lot. The access route shall have a minimum unobstructed width of 15 feet and a grade no greater than 12 percent, except that for the first 15 feet in back of the existing or future curb line the grade shall not exceed six (6) percent. Any portion of an access route located within an adjacent equestrian trail easement shall not be paved, but may be surfaced with gravel up to 5/8-inch size.
~~b)~~2) All other zones, including in PLA 16 on lots which are part of a recorded master plan:
~~i)~~a) Size – Each lot must contain an area of at least 14,500 square feet capable of being used as a horse paddock area and configured to meet the following standards:
~~A)~~i) The paddock must be designed in a contiguous and usable manner to accommodate the feed storage and manure pile for two (2) horses. This area must be exclusive of any structures, including storage sheds, barns, residential units and carports.
~~B)~~ii) Direct access to this area must be available for trucks to deliver feed and pick up manure from an alley, easement, or an adjacent right-of-way across a side yard of the lot.
~~ii)~~b) Setbacks – Paddocks must be a minimum of 20 feet from each property line. The City may permit horse paddocks to extend into the property line in common with the abutting property; provided, that:
~~A)~~i) An abutting property owner files a signed and notarized statement with the City in support of the request; and
~~B)~~ii) The paddock complies with all other regulations pertaining to setback in that zone.

~~6)~~f. Outdoor Manure Piles

~~a)~~1) PLA 16 zone: No outdoor manure pile may be placed closer than 65 feet to any adjacent residential structure.
~~b)~~2) All other zones: No outdoor manure pile may be placed closer than a point equidistant to any adjacent residential structure.

~~e.~~6. Large Domestic Animals

~~1)~~a. Types - The following animals will be regulated as large domestic animals: cattle, sheep, pigs, goats, and other grazing or foraging animals.
~~a) Cattle.~~
~~b) Sheep.~~
~~c) Pigs.~~
~~d) Goats.~~
~~e) Other grazing or foraging animals.~~

~~2)~~b. Required Review Process
~~a)~~1) On lots 35,000 square feet and greater: none.
~~b)~~2) If the lot size is less than 35,000 square feet the City will decide on the permitted number of large domestic animals using Process I, Chapter 145 KZC; based on the following criteria:
~~i)~~a) Proximity to dwelling units both on and off the subject property; and
~~ii)~~b) Lot size and isolation; and
~~iii)~~c) Compatibility with surrounding uses; and
~~iv)~~d) Potential noise impacts.

~~3)~~c. Maximum Number of Adult Animals
~~a)~~1) Two (2) per 35,000 square feet of lot area and one (1) per each additional 17,500 square feet of lot area.
~~B~~2) The City may limit the number of animals allowed to less than the maximum pursuant to the criteria in 6.b.2).
~~b) In addition to the maximum number of adult animals permitted, offspring from one (1) female are permitted at any given time until those offspring are able to survive independently.~~

~~4)~~d. Minimum Lot Size
~~a)~~1) 35,000 square feet.

~~b)~~2) May be less than 35,000 square feet if approved through Chapter 145 KZC, Process I~~, pursuant to subsection (5)(e)(2)(b) of this section~~.

~~5)~~e. Structures, Barn and Pen Size and Setback
~~a)~~1) The applicant must provide a suitable barn or pen to house the animals, and must maintain that barn or pen in a clean condition.
~~b)~~2) Size – Barns must not exceed 1,200 square feet, plus 10 percent of the lot area that exceeds 7,200 square feet and must meet all other requirements of KZC 115.08, Accessory Structure.
~~c)~~3) Setbacks – Barns and pens used to house animals must be a minimum of 40 feet from each property line. The City may permit barns and pens to extend into the property line in common with the abutting property; provided, that:
~~i)~~a) An abutting property owner files a signed and notarized statement in support of the request; and
~~ii)~~b) The barn or pen complies with all other regulations pertaining to setback in that zone.

~~6)~~f. Roaming and Grazing Areas – Roaming and grazing areas must be at least 20 feet from each property line. The City may permit barns and pens to extend into the property line in common with the abutting property; provided, that an abutting property owner files a signed and notarized statement in support of the request.

~~7)~~g. Outdoor Manure Piles
~~a)~~1) PLA 16 zone: No outdoor manure pile may be placed closer than 65 feet to any adjacent residential structure.
~~b)~~2) All other zones: No outdoor manure pile may be placed closer than a point equidistant to any adjacent residential structure.

~~6.~~7. Bonds – The City may require a bond under Chapter 175 KZC to ensure that the subject property is maintained in a clean condition.

Attachment 1

ROSTER OF PROCESS IVA MISCELLANEOUS ZONING CODE AMENDMENTS

Roster #11 and #15

115.136 Size Limitations for Structures Abutting or Within Low Density Zones and Abutting Low Density Uses in PLA 17

1. ~~.Size Limits—~~On properties located in ~~other than low density~~ zones where the Use Zone Charts establish structure size limitations, any portion of a structure greater than 15 feet in height ~~and located within 30 feet of either a low density zone or a parcel within the PLA 17 zone containing a low density use~~ shall be no greater than 50 feet in length~~,~~. ~~as measured parallel to the property line separating the subject property from the abutting low density zone or use. In applying this regulation, the 30-foot area shall be measured from the perimeter property lines of the properties in low density zones where the zoning boundary is located in a right-of-way. Structures or portions thereof shall be treated as a single structure if any portions of the structures, other than those elements listed in subsection (2)(b) of this section, are located within 20 feet of each other. See Plate 38 in Chapter 180 KZC.~~ Except as identified in subsection 2, below, these limitations apply within 30 feet of:

a. a parcel in a low density zone, where the subject property is not in a low density zone.

b. a parcel within a low density zone containing a detached dwelling unit, where the subject property is in a low density zone.

c. a parcel within the PLA 17 zone containing a low density use:

d. a parcel within PLA 3C containing an attached dwelling unit, where the subject property is in PLA 3C.

The length shall be measured parallel to the property line separating the subject property from the abutting low density zone or use. See Plate 38 in Chapter 180 KZC. The 30-foot area shall be measured from the perimeter property lines of the protected parcel where the zoning boundary is located in a right-of-way. Structures or portions thereof shall be treated as a single structure if any portions of the structures, other than those elements listed in subsection (2)(b) of this section, are located within 20 feet of each other.

2. Exceptions

a. The above size limits do not apply to:

Attachment 1

ROSTER OF PROCESS IVA MISCELLANEOUS ZONING CODE AMENDMENTS

1) Structures within 30 feet of a parcel containing an institutional use;

2) Structures separated from the protected parcel ~~a low density zone~~ by another developed parcel or right-of-way, ~~except~~ other than alleys~~; and~~ ,or access easement/tract less than or equal to 21 feet in width, and

3) "Detached Dwelling Unit(s)", and

~~3)~~ 4) Detached dwelling units approved and constructed as "Detached, Attached, or Stacked Dwelling Unit" uses that are separated from each other by at least 10 feet; and

5) "Attached Dwelling Units" uses in PLA 3C, and

6) "Attached or Stacked Dwelling Units" uses in PLA 15B, and

7) "Detached, Attached, or Stacked Dwelling Units" uses in PLA 6G, and

8) "Mini-School or Mini-Day Care Center" uses in all low density zones and in RH 5A, RH 5B, RH 5C, PLA 14, PLA 15B and PLA 17 zones, and

9) "Public College or University" uses in PLA 14, and

10) "Private College and Related Facilities" uses in PLA 1, and

11) "Professional Football, Baseball, or Soccer Practice or Play Facility" uses in PLA 1, and

12) "Commercial Equestrian Facility or Commercial Recreation Area" uses in PLA 16, and

13) "Hazardous Waste Treatment and Storage Facilities" uses in LIT zones.

b. The following elements of a structure are not subject to the 20-foot separation established in subsection (1) of this section:

1) Any elements no higher than 18 inches above finished grade;

2) Chimneys, bay windows, greenhouse windows, eaves, cornices, awnings and canopies that extend no more than 18 inches from the wall of a structure;

3) Stairs that extend no more than five (5) feet from the wall of a structure; and

4) Porches that extend no more than five (5) feet from the wall of a structure if:

a) The porch is no higher than one (1) story and the finished floor of the porch is no more than four (4) feet above finished grade;

b) Three (3) sides of the porch are open, other than solid walls or railings up to a height of 42 inches;

c) No deck, balcony or living area is on the roof of the porch;

d) The length of the porch does not exceed 50 percent of the wall of the structure to which it is attached; and

e) Porch eaves may extend an additional 18 inches from the edge of the porch.

3. Modifications – The City may approve modifications from the dimensional standards specified in subsection (1) of this section if it determines that either:

a. The topography, vegetation or improvements on either the subject property or abutting property adequately obscure the visibility of the structure from the abutting property; or

b. The design of the structure moderates its apparent size as well as or better than strict adherence to the dimensions specified in subsection (1) of this section,

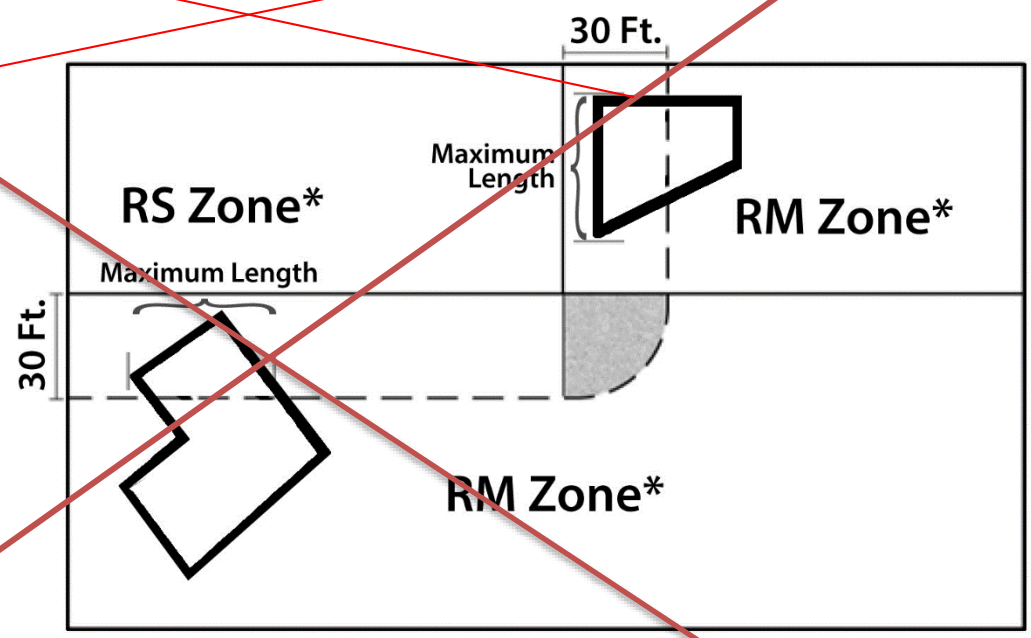
The decision on the modification shall be made by the Planning Director and appeals shall be in accordance with the appeal provisions of Process I, Chapter 145 KZC; provided, that if the development requires a decision through design review, Process I, Process IIA or Process IIB, the decision on the modification and appeals thereof shall be made using the required review process for the development.

Attachment 1

ROSTER OF PROCESS IVA MISCELLANEOUS ZONING CODE AMENDMENTS

Delete:

Plate 38 Measuring Size Limitations for Structures Abutting Low Density Zones and Low Density Uses in the PLA 17 Zone



= Area not to be considered abutting property

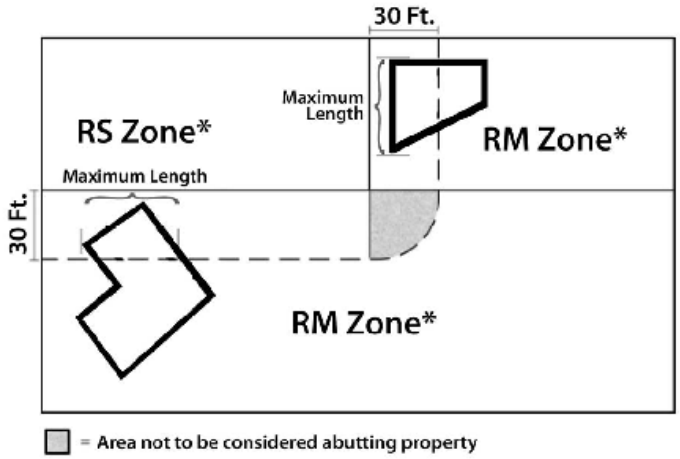
* Used for example only. Size limitations required for zones and uses other than low density (See KZC 115.136).

Replace with: (see next page)

Attachment 1

ROSTER OF PROCESS IVA MISCELLANEOUS ZONING CODE AMENDMENTS

Plate 38: Measuring Size Limitations for Structures Abutting or Within Low Density Zones & Abutting Low Density Uses in the PLA17 zone.



*** Used for example only. Size limitation~~s~~ require~~d~~ments for zones and uses are specified in ~~other than low density (See~~ KZC section 115.136~~)~~.**

CITY OF KIRKLAND
Department of Planning and Community Development
123 Fifth Avenue, Kirkland, WA 98033 425-587-3235
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Dawn Nelson, Planning Supervisor

Date: June 3, 2014

Subject: ARCH 2014 HOUSING TRUST FUND RECOMMENDATION, FILE PLN14-00001

RECOMMENDATION

Staff recommends that the City Council adopts the enclosed resolution and approves the recommendation and conditions of approval of the ARCH Executive Board to allocate Kirkland funds as part of an out of cycle ARCH Housing Trust Fund award for:

- $44,193 to the King County Housing Authority Bellevue Manor and Patricia Manor preservation projects.

BACKGROUND DISCUSSION

As in previous funding rounds, general funds set aside by the Council for low and moderate income housing development projects are administered through the ARCH Housing Trust Fund. They have one formal application process each year in the fall. Funding requests for preservation projects, such as that made by KCHA, may be made at any time because maintaining federal assistance to serve the needs of the lowest income residents of the community has been an ongoing priority of ARCH.

KCHA is requesting funds to renovate two properties built between 1977 and 1980 that it recently acquired from a private owner. The previous owner's original contract for federal assistance had expired and the owner had the option to end the contract and convert the properties to market rate housing. Acquisition of the two properties, located in downtown Bellevue and downtown Redmond, by the KCHA preserves the federal assistance to the tenants. Based on the federal assistance, residents pay 30% of their monthly gross income as rent. The difference between that and fair market rent is paid through the federal assistance program. The two projects together provide 105 units of affordable housing for seniors living independently. Ten percent of the units may be made available to persons with disabilities regardless of age.

The ARCH Executive Board has recommended that funds from Kirkland and 12 other ARCH cities, plus CDBG funds, be used for this project. The total amount of Kirkland funds being committed is $44,193, less than our unallocated balance from previous years of just over $50,000. In addition, the City's budgeted set aside for 2014 is $300,000. These funds will be available for other preservation projects that might request funding from ARCH outside the normal trust fund cycle or for next fall's trust fund round.

A summary of the Executive Board recommendation is included in Exhibit A to the attached Resolution. In addition to the funding rationale, this includes proposed conditions to be incorporated into the funding agreement. Additional information about the project and its financing is included as Attachment 1 to this memo. ARCH staff will be available to answer questions at the June 17th City Council meeting.

Cc: Arthur Sullivan, ARCH, 16225 NE 87th Street, Suite A-3, Redmond, Washington 98052

ARCH HOUSING TRUST FUND (HTF) APPLICATIONS
Out of Cycle 2014

Applicant	Funds Requested (Grant/Loan) / Recommendation	Housing Type/ # of units/ bdrms	Income Served	Project Location	Duration of benefit	Total cost per unit	HTF cost per affordable unit	Project completion
King County Housing Authority Bellevue Manor and Patricia Harris Manor	Recommendation: $1,334,749 o $1,000,000 City funds /Bellevue CDBG (deferred loan) o $334,749 KC / Redmond CDBG Funds	Preservation of 2 federally assisted senior rental properties 105 + 2 Mgr Units	105 @ 60% Project Based Section 8 Supported	143 Bellevue Way SE Bellevue 16304 NE 81st St Redmond	50 Years	$171,429/ affordable unit	$12,712	Spring 2015

2014 OUT OF CYCLE HOUSING TRUST FUND:
PROPOSED FUNDING SOURCES

SOURCE		KCHA Senior Preservation
Sub-Regional CDBG		$ 259,749
Bellevue		
	CDBG	$ 157,902
	General Fund	$ 746,256
Issaquah		
	General Fund	$ 18,291
Kirkland		
	General Fund	$ 44,193
Mercer Is.		
	General Fund	$ 3,022
Redmond		
	General Fund	
	CDBG	$ 75,000
Newcastle		
	General Fund	$ 4,058
Kenmore		
	General Fund	$ 17,069
Woodinville		
	General Fund	$ 1,904
Sammamish		
	General Fund	$ 2,272
Clyde Hill		
	General Fund	$ 2,265
Medina		
	General Fund	$ 1,801
Yarrow Point		
	General Fund	$ 588
Hunts Point		
	General Fund	$ 378
TOTAL		$ 1,334,749
	CDBG	$ 492,651
	General Fund	$ 842,098

ARCH HOUSING TRUST FUND, Out of Cycle 2014

Leveraging Funds - -

	King County Housing Authority Bell. Manor & Patricia Harris
City Land and Fee waiver	
New ARCH Request	$1,334,749
ARCH TOTAL	$ 1,334,749
King County	
Prior KC Commitment	
HOF/HOME/CDBG	$665,251
2060/2163	
Veterans/Human Services	
Other	
KC TOTAL	$ 665,251
Prior WA Commitment	
WA HAP	
WA HTF	
WA HFC (Equity Fund)	
WSHFC Washington Works	
WA TOTAL	$ -
Federal/HUD	
Section 811	
McKinney	
Other (VA Per Diem)	
FEDERAL TOTAL	$ -
Tax Credits	
Prior Tax Credit Commitment	
TCAP	
Bonds	
Bank Loans	$5,800,000
Deferred Developer Fee	
Private	
Other	$10,200,000
TOTAL COST	$ 18,000,000

ECONOMIC SUMMARY: KCHA PRESERVATION OF SENIOR APARTMENTS

1. Applicant/Description: KCHA proposes renovation of 105 units of affordable senior rental housing, plus 2 manager units, in two properties acquired by KCHA to preserve existing affordable units with expiring contracts

2. Project Location: 143 Bellevue Way SE, Bellevue
16304 NE 81st St., Redmond

3. Financing Information:

Funding Source	Funding Amount	Commitment
ARCH	$1,334,749	Applied for Jan 2014
King County	$665,251	Committed Fall 2013
Commercial Loan	$5,800,000	Committed
Organization Operations	$10,200,000	Committed
TOTAL	$18,000,000	Total

4. Development Budget:

ITEM	TOTAL	PER UNIT	HTF
Acquisition	$16,000,000	$152,381	
Construction	$1,728,686	$16,464	$1,063,435
Design	$233,372	$2,223	$233,372
Consultants	$30,442	$290	$30,442
Developer fee	$0	$0	
Finance costs	$0	$0	
Reserves	$0	$0	
Permits/Fees/Other	$7,500	$71	$7,500
TOTAL	$18,000,000	$171,429	$1,334,749

5. Debt Service Coverage: Deferred loan. Repayment year 21 out of available cash flow.

6. Security for City Funds:

- A recorded covenant to ensure affordability and use for targeted population for 50 years.
- A promissory note with KCHA but not secured by a deed of trust due to structure of KCHA corporate loan used to acquire the properties.

7. Rental Subsidy: Project-based Section 8

FIGURE 24

EAST KING COUNTY: HUD SECTION 8 - PROJECT BASED HOUSING

PROJECT NAME	CITY	TOTAL UNITS	SECTION 8 UNITS	POPULATION SERVED	EXPIRATION YEAR (1)	PRIVATE OWNER	Preservation
Hidden Village	Bellevue	78	60	Fam/Individuals	**1996**		X
Newport Apts	Bellevue	23	16	Fam/Individuals	**1997**		X
Spiritwood Manor	Bellevue	130	119	Fam/Individuals	**1997**		X
Bellevue Manor	Bellevue	65	65	Elderly/Disable	**2008**		X
Eastwood Square	Bellevue	48	48	Fam/Individuals	**2000**	X	X
Wildwood Court	Bellevue	36	36	Fam/Individuals	**2002**		X
Champion House	Bellevue	8	8	DD	**2003**		
Elbert House	Bellevue	50	49	Elderly/Disable	**2003**		
Halcyon Group Home	Bellevue	8	8	DD	**2007**		
UCP Eastside Homes	Bellevue	9	9	DD	**2016**		
Heritage Park Apts	Bothell	77	36	Fam/Individuals	**2001**	X	X
Alpine Ridge	Bothell	42	19	Fam/Individuals	**2001**	X	X
Northwood	Bothell	34	34	Elderly/Disable	**2003**		
Northlake House	Bothell	38	38	Elderly/Disable	**2011**		
Issaquah Gardens	Issaquah	21	21	Elderly/Disable	**1996**	X	
Residence East	Issaquah	9	8	DD	**2003**		
Mine Hill	Issaquah	27	27	Fam/Individuals	**2008**		X
Hutchinson House	Issaquah	90	90	Elderly/Disable	**2002**		
Juniperwood Apts	Issaquah	20	20	CMI	**2012**		
Juanita View	Kirkland	94	60	Fam/Individuals	**1996**		
Kirkland Heights	Kirkland	180	107	Fam/Individuals	**1996**		
Kirkland Plaza	Kirkland	24	24	Elderly/Disable	**1997**		X
Westwood Square	Kirkland	70	14	Fam/Individuals	**2003**	X	
Ellsworth House	Mercer Is.	59	59	Elderly/Disable	**1997**		X
Parkway	Redmond	41	41	Fam/Individuals	**2000**		X
Patricia Harris Manor	Redmond	40	40	Elderly/Disable	**2010**		X
Willowmoor Manor	Redmond	80	16	Fam/Individuals	**2002**	Converted 2006	
Emma McRedmond Manor	Redmond	32	32	Elderly/Disable	**2008**		

	TOTAL	1433	1104	(35: Privately owned/ 590:Preserved / 463 Non profit owned / 16 converted)

NOTE: Shaded rows indicates Project Based, Section 8 Housing that is privately owned.

(1) Year that original HUD contract expires

data/housingdata/kcha/section 8 expiring use

FIGURE 1
ARCH: EAST KING COUNTY TRUST FUND SUMMARY
LIST OF CONTRACTED PROJECTS FUNDED (1993 - Fall 2013)

Project	Location	Owner	Units/Beds	Funding	Pct of Total Allocation	Distribution Target
1. Family Housing						
Andrews Heights Apartments	Bellevue	Imagine Housing	24	$400,000		
Garden Grove Apartments	Bellevue	DASH	18	$180,000		
Overlake Townhomes	Bellevue	Habitat of EKC	10	$120,000		
Glendale Apartments	Bellevue	DASH	82	$300,000		
Wildwood Apartments	Bellevue	DASH	36	$270,000		
Somerset Gardents (Kona)	Bellevue	KC Housing Authority	198	$700,000		
Pacific Inn	Bellevue *	Pacific Inn Assoc. *	118	$600,000		
Eastwood Square	Bellevue	Park Villa LLC	48	$600,000		
Chalet Apts	Bellevue	Imagine Housing	14	$163,333		
Andrew's Glen	Bellevue	Imagine Housing	10 /11	$387,500		
Bellevue Apartments	Bellevue ***	LIHI ***	45	$800,000		
YWCA Family Apartments	K.C. (Bellevue Sphere)	YWCA	12	$100,000		
Highland Gardens (Klahanie)	K.C. (Issaquah Sphere)	Imagine Housing	54	$291,281		
Crestline Apartments	K.C. (Kirkland Sphere)	Shelter Resources	22	$195,000		
Parkway Apartments	Redmond	KC Housing Authority	41	$100,000		
Habitat - Patterson	Redmond **	Habitat of EKC **	24	$446,629		
Avon Villa Mobile Home Park	Redmond **	MHCP **	93	$525,000		
Terrace Hills	Redmond	Imagine Housing	18	$442,000		
Village at Overlake Station	Redmond **	KC Housing Authority **	308	$1,645,375		
Summerwood	Redmond	DASH	166	$1,187,265		
Coal Creek Terrace	Newcastle **	Habitat of EKC **	12	$240,837		
RoseCrest (Talus)	Issaquah **	Imagine Housing **	40	$918,846		
Mine Hill	Issaquah	Imagine Housing	28	$450,000		
Clark Street	Issaquah	Imagine Housing	30	$355,000		
Lauren Heights (Iss Highlands)	Issaquah **	Imagine Housing/SRI **	45	$657,343		
Habitat Issaquah Highlands	Issaquah **	Habitat of EKC **	10	$318,914		
Issaquah Family Village I	Issaquah **	YWCA **	87	$4,382,584		
Issaquah Family Village II	Issaquah **	YWCA **	47	$2,760,000		
Greenbrier Family Apts	Woodinville **	DASH **	50	$286,892		
Plum Court	Kirkland	DASH	61 /66	$1,000,000		
Francis Village	Kirkland	Imagine Housing	15	$375,000		
South Kirkland Park n Ride	Kirkland **	Imagine Housing **	46	$901,395		
Copper Lantern	Kenmore **	LIHI **	33	$452,321		
Habitat Sammamish	Sammamish ** ***	Habitat of KC ***	10	$853,000		
Homeowner Downpayment Loan	Various	KC/WSHFC/ARCH	87 est	$615,000		
SUB-TOTAL			**1,942**	**$24,020,516**	56.3% (56%)	
2. Senior Housing						
Cambridge Court	Bellevue	Resurrection Housing	20	$160,000		
Ashwood Court	Bellevue *	DASH/Shelter Resources *	50	$1,070,000		
Evergreen Court (Assisted Living)	Bellevue	DASH/Shelter Resources	64 /84	$2,480,000		
Vasa Creek	K.C. (Bellevue Sphere)	Shelter Resources	50	$190,000		
Riverside Landing	Bothell **	Shelter Resources	50	$225,000		
Kirkland Plaza	Kirkland	Imagine Housing	24	$610,000		
Totem Lake Phase 2	Kirkland ***	Imagine Housing ***	80	$736,842		
Heron Landing	Kenmore	DASH/Shelter Resources	50	$65,000		
Ellsworth House Apts	Mercer Island	Imagine Housing	59	$900,000		
Providence Senior Housing	Redmond **	Providence **	74	$2,239,000		
Greenbrier Sr Apts	Woodinville **	DASH/Shelter Resources **	50	$196,192		
SUB-TOTAL			**571**	**$8,872,034**	20.8% (19%)	

FIGURE 1
ARCH: EAST KING COUNTY TRUST FUND SUMMARY
LIST OF CONTRACTED PROJECTS FUNDED (1993 - Fall 2013)

Project	Location		Owner	Units/Beds		Funding	Pct of Total Allocation	Distribution Target
3. Homeless/Transitional Housing								
Hopelink Place	Bellevue	**	Hopelink **	20		$500,000		
Chalet	Bellevue		Imagine Housing	4		$46,667		
Kensington Square	Bellevue		Housing at Crossroads	6		$250,000		
Andrew's Glen	Bellevue		Imagine Housing	30		$1,162,500		
Bellevue Apartments	Bellevue	***	LIHI ***	12		$200,000		
Sophia Place	Bellevue		Sophia Way	20		$250,000		
Dixie Price Transitional Housing	Redmond		Hopelink	4		$71,750		
Avondale Park	Redmond		Hopelink (EHA)	18		$280,000		
Avondale Park Redevelopment	Redmond	**	Hopelink (EHA) **	60		$1,502,469		
Petter Court	Kirkland		KITH	4		$100,000		
Francis Village	Kirkland		Imagine Housing	45		$1,125,000		
South Kirkland Park n Ride	Kirkland	***	Imagine Housing ***	12		$225,349		
Totem Lake Phase 2	Kirkland		Imagine Housing	15		$138,158		
Rose Crest (Talus)	Issaquah	**	Imagine Housing **	10		$229,712		
Lauren Heights (Iss Highlands)	Issaquah	**	SRI **	5		$73,038		
Issaquah Family Village I	Issaquah	**	YWCA **	10		$503,745		
SUB-TOTAL				**257**		**$6,658,387**	15.6%	(13%)
4. Special Needs Housing								
My Friends Place	K.C.		EDVP	6	Beds	$65,000		
Stillwater	Redmond		Eastside Mental Health	19	Beds	$187,787		
Foster Care Home	Kirkland		Friends of Youth	4	Beds	$35,000		
FOY New Ground	Kirkland		Friends of Youth	6	Units	$250,000		
DD Group Home 7	Kirkland		Community Living	5	Beds	$100,000		
Youth Haven	Kirkland		Friends of Youth	10	Beds	$332,133		
FOY Transitional Housing	Kirkland	**	Friends of Youth **	10	Beds	$252,624		
FOY Extended Foster Care	Kirland	**	Friends of Youth **	10	Beds	$112,624		
DD Group Home 4	Redmond		Community Living	5	Beds	$111,261		
DD Group Homes 5 & 6	Redmond/KC (Bothell)		Community Living	10	Beds	$250,000		
United Cerebral Palsy	Bellevue/Redmond		UCP	9	Beds	$25,000		
DD Group Home	Bellevue		Residence East	5	Beds	$40,000		
AIDS Housing	Bellevue/Kirkland		AIDS Housing of WA	10	Units	$130,000		
Harrington House	Bellevue		AHA/CCS	8	Beds	$290,209		
DD Group Home 3	Bellevue		Community Living	5	Beds	$21,000		
Parkview DD Condos III	Bellevue		Parkview	4		$200,000		
IERR DD Home	Issaquah		IERR	6	Beds	$50,209		
FFC DD Homes	NE KC		FFC	8	Beds	$300,000		
Oxford House	Bothell		Oxford/Compass Ctr.	8	Beds	$80,000		
Parkview DD Homes VI	Bothell/Bellevue		Parkview	6	Beds	$150,000		
FFC DD Home II	TBD		FFC	4	Beds	$168,737		
SUB-TOTAL				**158**	**Beds/Units**	**$3,151,584**	7.4%	(12%)
TOTAL				**2,928**		**$42,702,521**	**100.0%**	
						10%		

* Funded through Bellevue Downtown Program
** Also, includes in-kind contributions (e.g. land, fee waivers, infrastructure improvements)
*** Amount of Fee Waiver still to be finalized

RESOLUTION R-5060

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE DULY-APPOINTED ADMINISTERING AGENCY FOR A REGIONAL COALITION FOR HOUSING (ARCH) TO EXECUTE ALL DOCUMENTS NECESSARY TO ENTER INTO AN AGREEMENT FOR THE FUNDING OF AFFORDABLE HOUSING PROJECTS, AS RECOMMENDED BY THE ARCH EXECUTIVE BOARD, UTILIZING FUNDS FROM THE CITY'S HOUSING TRUST FUND.

WHEREAS, A Regional Coalition for Housing (ARCH) was created by interlocal agreement to help coordinate the efforts of Eastside cities to provide affordable housing; and

WHEREAS, the ARCH Executive Board has recommended that the City of Kirkland participate in the funding of a certain affordable housing project hereinafter described; and

WHEREAS, the ARCH Executive Board has developed a number of recommended conditions to ensure that the City's affordable housing funds are used for their intended purpose and that projects maintain their affordability over time; and

WHEREAS, the City Council approved Resolution R-4804 on March 2, 2010, approving the Amended and Restated Interlocal Agreement for ARCH; and

WHEREAS, the City Council desires to use $44,193 from City funds as designated below to finance the project recommended by the ARCH Executive Board;

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

Section 1. The City Council authorizes the duly-appointed administering agency of ARCH, pursuant to the Amended and Restated Interlocal Agreement for ARCH, to execute all documents and take all necessary actions to enter into an Agreement on behalf of the City with King County Housing Authority in an amount not to exceed $44,193.

Section 2. The Agreement entered into pursuant to Section 1 of the Resolution shall be funded in an amount not to exceed $44,193. Such Agreement shall include terms and conditions to ensure that the City's funds are used for their intended purpose and that the project maintains its affordability over time. In determining what conditions should be included in the Agreement, the duly-appointed administering agency of ARCH shall be guided by the recommendations set forth in the ARCH Executive Board's memorandum as of April 29, 2014, a copy of which is attached hereto as Exhibit A.

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

A Regional Coalition for Housing

Together Center Campus
16225 NE 87th Street, Suite A-3 ♦ Redmond, Washington 98052
(425) 861-3677 ♦Fax: (425) 861-4553 ♦ WEBSITE: www.archhousing.org

MEMORANDUM

TO: City of Bellevue Council Members
City of Clyde Hill Council Members
Town of Hunts Point Council Members
City of Issaquah Council Members
City of Kenmore Council Members
City of Kirkland Council Members
City of Medina Council Members
City of Mercer Island Council Members
City of Newcastle Council Members
City of Redmond Council Members
City of Sammamish Council Members
City of Woodinville Council Members
Town of Yarrow Point Council Members

FROM: Lyman Howard, Chair, and ARCH Executive Board

DATE: April 29, 2014

RE: Out of Cycle 2014 Housing Trust Fund (HTF) Recommendation

The ARCH Executive Board (EB) has completed its review of the King County Housing Authority (KCHA) application to the Trust Fund for funding renovations to two recently acquired federally assisted preservation properties. The EB recommends funding for these projects. Recommendations total $1,334,749 as summarized in the attached table, Proposed Funding Sources. The actual amount will depend on final action by the City Councils.

Following is a summary of the application, the EB recommendation and rationale, and proposed contract conditions for the proposal. Also enclosed is an economic summary for the project recommended for funding, leveraging chart, project summary table, and a summary of funded projects to date.

KCHA Bellevue Manor and Patricia Harris Manor

Funding Request: $1,400,000 unspecified
105 Units, plus two unrestricted manager's units

EB Recommendation: $1,334,749
$1,000,000 City general funds and Bellevue CDBG (deferred loan)
$ 334,749 King County and Redmond consortium CDBG Funds
See attached Funding Chart for distribution of City Funds

Project Summary:

KCHA is proposing renovations of two recently acquired three story projects totaling 105 affordable senior units located in downtown Bellevue and downtown Redmond. Both properties are within walking distance of shopping, public transportation, employment and services.

The properties were built by a private developer between 1977 and 1980 and are supported by Federal rental assistance. The previous owner's original contract for federal assistance has expired and the owner had the option to opt out of the contract and convert the property to market rate housing. Preserving privately owned, federally assisted housing has been an ongoing priority use of the ARCH Trust Fund.

The residential projects are designed to serve seniors living independently, aged 55 or over and 10 percent of the units may be available to disabled persons without age restriction. Because of the federal assistance, residents pay 30% of their monthly gross income as rent. Federal rental assistance makes up the difference between what the residents can afford and a fair market rent.

Funding will be used for rehabilitation costs such as site repairs, windows, flooring, water heaters, plumbing fixtures, cabinets, fire alarm systems, etc.

Funding Rationale:
The EB supported the intent of this application for the following reasons:

- Preserves existing federally assisted affordable housing which assists households with very low incomes.
- Preservation of privately owned, federally assisted housing has been an ongoing top priority of ARCH Trust Funds. Completion of this project will mean that of 641 privately owned, federally assisted, privately owned affordable housing units in East King County, 590 will have been preserved long term for federal assistance.
- Experienced applicant
- Applicant owns the site and is well located near transit, shopping and services.
- City funds will be highly leveraged because the Agency is using a creative financing structure that results in KCHA internally financing $10 million of the acquisition cost. This results in a relatively small amount of ARCH funding per unit. In addition the financing structure results in repayment of $600,000 to Bellevue for two other projects funded in the past that can be reused for this project.

Proposed Conditions:

Special Conditions:

1. The funding commitment shall continue for twelve (12) months from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to City staff no later than sixty (60) days prior to the expiration date. City staff will consider an extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion.

2. Funds shall be used by KCHA toward design, construction management, construction and permitting/impact fees. Funds may not be used for any other purpose unless city staff has given written authorization for the alternate use.

3. Terms for making funds available will account for various factors, including terms from other fund sources and available cash flow. Final terms shall be determined prior to release of funds and must be approved by City Staff. Based on the preliminary development budget, it is anticipated that loan payments on City general revenues and Bellevue CDBG will be based on a set repayment schedule, with repayment starting in year 21 with 0% interest in years 1 through 20, and 1% interest thereafter with a 20 year amortization period. There will be separate loans for each property. The King County subregional CDBG and Redmond CDBG funds shall be administered by King County and with terms comparable to other funds made available by the County for the project. The City terms will also include a provision for the Agency to a deferment of a payment if certain conditions are met (e.g. low cash flow due to unexpected costs). Any requested deferment of loan payment is subject to approval by City Staff, and any deferred payment would be repaid from future cash flow or at the end of the amortization period.

4. Submit for review and approval a management plan for each property. The plan for Patricia Harris should include how the office building will be used and managed. Each plan shall address how parking will be managed on an ongoing basis including monitoring/controlling use by non-residents. Each plan shall also include management procedures to address tenant needs; services provided for or required of tenants; management and operation of the premises; community and neighbor relations procedures; a summary of ARCH's affordability requirements as well as annual monitoring procedure requirements.

5. A covenant is recorded ensuring affordability for at least 50 years, with affordability as shown in the following tables. During this time, the project shall maintain Section 8 federal funding so long as it is available and the contract rents, less normal operating costs, are sufficient to cover debt service. If Section 8 federal funding is no longer available, or no longer feasible for reasons stated above, then all of the units shall be at 60% of median income. Affordability levels will be defined using the requirements for tax credits, and utility costs will be based on King County Housing Authority allowances, unless otherwise approved by City Staff.

BELLEVUE MANOR Percent of Median		Number of Bedrooms		Number of Units
Section 8 or 60%		**1**		**65**
Mgr Units		**1**		**1**
TOTAL				**66**

PATRICIA HARRIS MANOR Percent of Median		Number of Bedrooms		Number of Units
Section 8 or 60%		1		40
Mgr Units		1		1
TOTAL				41

Standard Conditions

1. The Applicant shall provide revised development and operating budgets based upon actual funding commitments, which must be approved by city staff. If the Applicant is unable to adhere to the budgets, City or Administering Agency must be immediately notified and (a) new budget(s) shall be submitted by the Applicant for the City's approval. The City shall not unreasonably withhold its approval to (a) revised budget(s), so long as such new budget(s) does not materially adversely change the Project. This shall be a continuing obligation of the Applicant. Failure to adhere to the budgets, either original or as amended may result in withdrawal of the City's commitment of funds.

2. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements. CDBG funds may not be used to repay (bridge) acquisition finance costs.

3. The Applicant shall maintain documentation of any necessary land use approvals and permits required by the city where the homes are located.

4. Submit monitoring reports quarterly through completion of the project, and annually thereafter. Submit a final budget upon project completion. If applicable, submit initial tenant information as required by City or Administering Agency.

Council Meeting: 06/17/2014
Agenda: Other Business
Item #: 8. h. (4).

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
Neil Kruse, Acting Financial Planning Manager

Date: June 5, 2014

Subject: **PRELIMINARY UPDATE OF THE 2013-18 CAPITAL IMPROVEMENT PROGRAM FOR THE PERIOD OF 2014-2018**

RECOMMENDATION:

City Council reviews and accepts the proposed updates to the 2013-18 Capital Improvement Program (CIP). Final changes to the CIP will be brought forward for Council adoption in December. This is an intermediate update covering the time period of 2014-2018. A full CIP process will be conducted in 2015 after several of the major master planning processes are completed.

BACKGROUND DISCUSSION:

The purpose of this CIP review is to acknowledge changes made since the update approved in December 2013 and to identify any further changes needed to bring the CIP up-to-date. The proposed changes are primarily related to the following categories:

- Updates and potential changes related to work program items,
- Updates to project timing and cost for prior Council approvals, and
- Recognizing any major changes in funding sources (new, increases, decreases).

Revised CIP Summary Tables (Attachment A) include projects that were previously funded but do not require any funding modifications in the current 6-year CIP, which are listed at the top of each sheet. As in the past, previously funded projects requiring modifications to budget or timing are included in the lower part of the funded project summary tables.

Revenue Status

No changes to revenue assumptions have been made at this point, with the exception of recognizing grants that have been awarded since the CIP Update was adopted in December 2013. As discussed in the CIP Update process in 2013, two major CIP-related revenues are coming in above budget as noted below, but additional revenue has not been programmed to date. These revenues are being held aside in anticipation of the needs that will be identified through the Comprehensive Plan process and other master planning processes currently under way and expected to be completed by the end of 2014. The additional revenues are also being set aside in reserves to potentially fund City match and/or backfill for any external funding that may not materialize. The positive revenue trends for key capital project funding-related revenue include:

- The strong recovery in the real estate market is evident in the performance of **Real Estate Excise Tax (REET)** revenue. Revenue received in 2013 exceeded budget by $3.2 million

(evenly divided between REET 1 and REET 2). Performance in 2014 through April remains above budget expectations, but has slowed compared to last year (down 17.7 percent). No additional use of this source is planned in the update to the CIP, other than previously authorized uses approved by Council.

- **Impact Fees** are budgeted conservatively because of the drop in development activity during the recession. The turnaround in development activity is apparent in this revenue as well. At the end of 2013, transportation impact fees were almost $1 million ahead of budget and park impact fees were ahead about $465,000. Revenue through April also exceeds budget expectations, but is down compared to the same period last year. Transportation Impact fees are down 5.1 percent and Park Impact fees are down 32.3 percent compared to the same period last year. As with REET, no additional use of this source has been planned in the CIP update, with the exception of funding the 6th St/Kirkland Way Traffic Signal associated with the Google campus expansion. Impact fees can only be used for eligible capacity projects. Park Impact fees are currently only used for debt service payments.

- The **King County Park Levy** was renewed last year. The City also received about $180,000 of revenue in 2013 from the previous levy. At the last CIP Update in December, the City Manager recommended holding this funding for opportunities for either the CKC or Totem Lake Park. Since that time, the City acquired property for the expansion of Totem Lake Park (Yuppie Pawn Shop), which Council approved in February. The funding plan for this purchase included using the remaining balance of $180,000 from 2013 levy and funding from the General Capital Contingency reserve as a loan, in the amount of $820,000. The intent is to use the King County Park Levy proceeds (approximately $200,000 per year) to replenish the amount used from the General Capital contingency between 2014 and 2017. The 2018 revenue is currently not programmed.

Project Highlights

TRANSPORTATION

Funded Projects

- **Cross Kirkland Corridor Trail (Interim)** (NM 0024 000) – Total project cost increased from $3,600,000 to $4,141,400 due to recognizing the cost of rail removal, which was completely offset by salvage revenue.

- **Rose Hill Business District (NE 85th St.) Sidewalks** (NM 0051) – Project cost increased from $7,857,500 to $8,075,000 due to construction bids coming in higher than original estimates, which is funded from an additional grant award. More detail is provided in the award of bid memo in the current June 17 Council meeting agenda packet.

- **Park Lane Pedestrian Corridor Enhancements** (NM 0064 001) – Project total cost increased from $2,238,900 to $2,328,900. Council received an update on this project at the January 7th Council meeting and approved funding recommendations, which included the reduction of the Transportation Alternatives Program (TAP) grant from $1,180,000 to $857,000. The grant reduction and project cost increase of $90,000 was funded from $160,000 from unspent past years' annual street preservation and sidewalk maintenance program projects and $253,000 from the Surface Water Construction reserve.

- **6th Street South Sidewalk** (NM 0082 000) – Project cost increased from $412,500 to $437,600 and timing changed from 2014 to 2015 to coordinate with adjacent related projects. This project is funded from external developer contributions.

- **South Kirkland Transit Oriented Development /Cross Kirkland Corridor Multi-Modal Connection Phase 1** (NM 0084) – Project was changed to reflect a single phase to complete

all aspects. Additional funding from King County of $150,000 is added to reflect revised scope and timing of project changed from 2014 to 2015. Total project cost is $1,450,000. The extent of costs ineligible for grant reimbursement is under review to determine whether any supplemental City funding is needed.

- **6th Street South/Kirkland Way Traffic Signal** (TR 0065) – Project cost increased from $992,000 to $1,092,000 and timing changed from 2014 to 2015 to coordinate with adjacent related projects. This project is funded from impact fees.

- **6th Street South/9th Avenue South Traffic Signal** (TR 0115) – Project removed from CIP; signal will be installed by developer per revised development agreement.

- The City recently received notice of the successful award of a grant related to the **100th Avenue Corridor** project for design. This project will require some City grant match. Staff will return to Council at a later date when more information is available.

Unfunded Projects

- **South Kirkland TOD/CKC Multi-Modal Connection Phase II** (NM 0085) – This project has been deleted ($939,000) since the project will be completed in one phase (CNM 0084 - above).

- **Cross Kirkland Corridor Non-Motorized Improvements** (NM 0086 000) – New unfunded project added to take advantage of possible grant opportunities for long-range implementation of the CKC Master Plan ($90,000,000).

- **Citywide School Walk Route Enhancements** (NM 0087 000) – New unfunded project to take advantage of grant opportunities ($16,300,000). This unfunded project is in addition to the currently funded investment in safe school walk routes.

- **NE 124th Street Sidewalk** (NM 0088 000) – New unfunded project to provide sidewalk connection to existing sidewalks in Totem Lake west of I-405 ($326,700).

- **Lakefront Pedestrian & Bicycle Improvements** (NM 0089 000) – New unfunded project to take advantage of grant opportunities for enhancement of non-motorized facilities on the City's lakefront ($1,000,000).

- **Juanita Drive "Quick Wins"** (NM 0090 000) – New unfunded project to take advantage of grant opportunities for various improvements to Juanita Drive identified in the Juanita Corridor Master Plan ($1,350,000).

- **Totem Lake Non-Motorized Bridge** (NM 0091 000) – New unfunded project to take advantage of grant opportunities for design/engineering for a non-motorized bridge connection to the Cross Kirkland Corridor identified in the Totem Lake Master Plan ($1,067,000).

WATER/SEWER UTILITY

Funded Project

- **7th Avenue S. Sewermain Replacement** (SS 0064) – Project cost reduced from $930,500 to $897,800 due to revised cost estimate.

Unfunded Project

- **116th Avenue NE/NE 70th-NE 80th Street Watermain Replacement** (WA 0113) – Project moved to unfunded as a result of reprioritized needs in the area. This project was funded in a previous CIP, and was identified as an "active project" in the last update.

SURFACE WATER

Funded Projects

- **Billy Creek Ravine Stabilization Phase II** (SD 0078) – Project cost changed from $67,400 to $87,600 due to revised cost estimates.

PARKS

Funded Projects

- **Yuppie Pawn Shop Acquisition** (PK 0131 008) – New project added to reflect property purchase as approved by Council in February 2014 ($2,340,000).

- **Neighborhood Land Acquisition** (PK 0133 300) – Levy-funded project reduced from $2,350,000 to $1,500,000 to reflect the use of 2013-2014 funds to purchase property adjacent to Juanita Heights Park ($240,000) and Yuppie Pawn Shop Acquisition ($610,000).

Unfunded Projects

As a housekeeping item, the projects that previously had been identified as unfunded due to re-purposing for the Cross Kirkland Corridor purchase have been deleted as they have been incorporated in other funded projects due to the 2012 Parks Levy and other funding or have been combined into another unfunded project as described below. The net reduction to the unfunded Parks CIP is $1,539,300. Changes to Park projects are as follows:

- **Forbes Lake Park Development** (PK 0056) – Project expected to be completed within remaining project budget. The current work plan includes almost $600,000 of park improvements.

- **South Juanita Park Site Development** (PK 0053) – Project incorporated into unfunded McAuliffe Park project (PK 0108).

- **Waverly Beach Park Renovation** (PK 0087) – Project balance available was approximately $240,000 and combined with Waverly Beach Park Renovation project funded by the park levy (CPK 0087 100).

- **Skate Park** (PK 0111) – Project elements incorporated into future unfunded Juanita Beach Park Development (PK 0119 200).

- **Spinney Homestead Park Renovation** (PK 0113) – Balance available was $50,000 and project consolidated into funded Spinney Homestead Park Renovation funded by the park levy (PK 0113 100).

- **Community Recreation Facility Planning** (PK 0122) – This was funded by a mid-biennial service package in the operating fund, which recently received additional funding to complete the study of two sites.

PUBLIC SAFETY

Modified Projects

- The Police Equipment Replacement (PS 1000) was reduced by $4,300 to reflect updated equipment costs.

GENERAL GOVERNMENT – TECHNOLOGY

Funded Projects

- **Copier Replacements** (IT 0500) – Project cost increased from $80,300 to $136,700 due to revised equipment list.

- **Maintenance Management System** (IT 0702) – Project cost increased from $177,600 to $222,600 to reflect additional consultant costs related to identifying the appropriate solution for replacement of this system.

- **Recreation Registration System Replacement** (IT 0802) – Project moved from unfunded to funded in 2016 because the current system will no longer be supported as of 2017 ($83,000).

Unfunded Projects

- **Standard Reporting Tool** (IT 0602) – Project cost increased from $83,200 to $379,700 in order to conduct a thorough analysis of need and reporting solutions across multiple city-wide functions. Project remains unfunded.

GENERAL GOVERNMENT – FACILITIES

Modified Projects

- Facility life cycle projects were modified to reflect revised cost estimates, increasing by $16,400 over the 6-year CIP period.

The table that follows summarizes the currently identified 2013-18 CIP, both the funded 6-year program and the longer term needs that are unfunded. The funded has increased by $1,859,500 and the unfunded has increased by $107,514,900 from the 2013-18 CIP Update adopted in December 2013.

2014 Update to 2013-2018 Capital Improvement Program

	6-year Funded CIP	Unfunded CIP	Total CIP
Transportation	67,357,300	368,010,600	435,367,900
Parks	13,994,000	97,425,000	111,419,000
Public Safety	2,821,600	119,100	2,940,700
General Government			
Technology	6,236,300	1,417,400	7,653,700
Facilities	48,383,400	0	48,383,400
Subtotal	**138,792,600**	**466,972,100**	**605,764,700**
Surface Water Mgmt	14,733,500	5,844,200	20,577,700
Water/Sewer	28,593,900	71,491,000	100,084,900
Utilities Subtotal	**43,327,400**	**77,335,200**	**120,662,600**
Grand Total Revised CIP	**182,120,000**	**544,307,300**	**726,427,300**
Adopted 2013-18 CIP	**180,260,500**	**436,789,400**	**617,049,900**
Difference	**1,859,500**	**107,517,900**	**109,377,400**

NEXT STEPS:

Changes will continue to be identified through the budget process and as new information becomes available on projects. Issues that are currently under review are:

- Remaining funding for the KJC Firing Range, given King County's decision not to contract for a block of range time
- Fire Station consolidation/replacement
- Downtown Parking
- City Hall Renovation Plan
- Maintenance Center needs
- Transportation Grant match funding
- Sinking Fund refinements, including incorporation of the KJC and Intelligent Transportation System (ITS)
- Major Systems Replacement

Based on Council acceptance after review of the 2013-18 CIP update on June 17, staff will make the changes. If any subsequent changes are made prior to the end of the year, staff will bring back a revised 2013-18 CIP update for Council's further consideration at a future meeting. The final 2013-18 CIP update will be brought back to the Council for formal adoption in December with the adoption of the 2015-2016 Budget.

City of Kirkland
2014 Update to 2013-2018 Capital Improvement Program

TRANSPORTATION PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2013	2014	2015	2016	2017	2018	2013-2018 Total	Funding Sources: Current Revenue	Reserve	Debt	External/ Pending Source
Prior Year Active Projects:													
*NM 0034 001**	*Peter Kirk Elementary Sidewalk Phase II*	*438,000*											
NM 0059	*6th Street Sidewalk*	*265,000*											
NM 0065	*Central Way Pedestrian Enhancements*	*441,000*											
*NM 0068**	*Lakeview School Walk Route Enhancements*	*374,300*											
NM 0069	100th Ave NE Bike Lanes	274,000											-
TR 0070	*NE 124th & 124th Ave Intersection Improvements*	*1,857,873*											
TR 0102	*GTEC*	*743,000*											
TR 0111 000	*Kirkland ITS Implementation Phase I*	*2,081,000*											
Subtotal Prior Year Active Projects with no new funding planned		*6,474,173*											
Current 2013-2018 CIP:													
ST0006	Annual Street Preservation Program		1,750,000	1,750,000	1,750,000	1,750,000	1,750,000	1,750,000	10,500,000	10,500,000			
ST 0006 002~	Annual Street Preservation Program-One-time Project		42,500	158,000	1,268,500				1,469,000				1,469,000
ST 0006 003*	Street Levy Street Preservation		1,959,000	2,574,000	2,300,000	2,300,000	2,300,000	2,300,000	13,733,000	13,733,000			
ST 0055+	98th Avenue Bridge		390,000	1,025,000					1,415,000		15,000		1,400,000
ST 0057 001*	NE 120th Street Roadway Extension (East Section)	2,867,000	556,300	3,085,800					3,642,100	839,300	800		2,802,000
ST 0075~	NE 85th Street Utility Conversion	1,916,800	774,700						774,700	9,200	765,500		
ST 0080	Annual Striping Program		300,000	350,000	350,000	350,000	350,000	350,000	2,050,000	2,050,000			
ST 0082	Juanita Drive Corridor Study		200,000	80,000					280,000	280,000			
ST 0083*	100th Ave NE Corridor Study		70,000						70,000	20,000	50,000		
ST 8888	Annual Concurrency Street Improvements				482,400	480,000	215,000	852,500	2,029,900	1,823,400	206,500		
ST 9999	Regional Inter-Agency Coordination		82,000	82,000	82,000	82,000	82,000	82,000	492,000	492,000			
NM 0006 100	Street Levy-Safe School Walk Routes				150,000	150,000	150,000	150,000	600,000	600,000			
NM 0006 200	Street Levy-Pedestrian Safety		590,000		150,000	150,000	150,000	150,000	1,190,000	1,190,000			
NM 0012	Crosswalk Upgrade Program		70,000		70,000		70,000		210,000	210,000			
NM 0024 000	Cross Kirkland Corridor Trail (Interim)	203,000	2,158,000	1,780,400					3,938,400	276,800	79,200		3,582,400
NM 0024 101*	Cross Kirkland Corridor Master Plan		350,000	150,000					500,000	252,200	247,800		
NM 0051~	Rose Hill Business District Sidewalks	3,715,500	1,156,800	3,202,700					4,359,500				4,359,500
NM 0053+	NE 112th Street Sidewalk		291,700						291,700	35,600	169,800		86,300
NM 0057	Annual Sidewalk Maintenance Program		209,000	200,000	200,000	200,000	200,000	200,000	1,209,000	909,000	300,000		
NM 0064 001	Park Lane Pedestrian Corridor Enhancements Phase II		350,000	1,978,900					2,328,900	572,900	160,000		1,596,000
NM 0073	JFK Non-Motorized Program		75,000	75,000					150,000	30,000	120,000		
NM 0082+	6th Street S. Sidewalk		73,000	364,600					437,600				437,600
NM 0084	South Kirkland TOD/CKC Multi-Modal Connection		-	246,000	1,204,000				1,450,000				1,450,000
NM 8888*	Annual Non-Motorized Program				208,300	605,000	1,043,000	1,043,500	2,899,800	1,660,000	1,239,800		
TR 0004 002	Peter Kirk Restroom Renovation	12,600	127,400						127,400		5,300		122,100
TR 0065+	6th Street/Kirkland Way Traffic Signal			246,200	845,800				1,092,000	1,092,000			-
TR 0078~*	NE 85th St/132nd Ave NE Intersection Improvements	1,182,500	42,000	925,400					967,400				967,400
TR 0080~*	NE 85th St/124th Ave NE Intersection Improvements	767,600	31,300	1,223,400					1,254,700				1,254,700
TR 0083	100th Ave NE/NE 132nd Street Intersection Improvements		350,000	350,000	2,501,000				3,201,000	700,000			2,501,000
TR 0111 003*	Kirkland ITS Implementation Phase IIC		453,000	2,498,000					2,951,000	240,000	509,900		2,201,100
TR 0113*	Citywide Safety & Traffic Flow Improvements		150,600	193,300					343,900		49,500		294,400
TR 8888	Annual Concurrency Traffic Improvements				475,000	543,000	381,300		1,399,300	1,169,300	230,000		
Total Funded Transportation Projects		**17,139,173**	**12,602,300**	**22,538,700**	**12,037,000**	**6,610,000**	**6,691,300**	**6,878,000**	**67,357,300**	**38,684,700**	**4,149,100**	**-**	**24,523,500**

Other Funding Sources Used

Notes
* = Modification in timing and/or cost (see Memo for greater detail)
~ = Projects with pending funding sources to be determined
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^ = Annual Program Project Candidates
Shaded year(s) = Previous timing
Bold italics = New projects

TRANSPORTATION PROJECTS

Unfunded Projects:

Project Number	Project Title	Total
ST 0056	132nd Avenue NE Roadway Improvements	25,170,000
ST 0059^	124th Ave NE Roadway Improvements (North Section)	10,000,000
ST 0060	118th Avenue NE Roadway Extension	6,440,000
ST 0061	119th Avenue NE Roadway Extension	5,640,000
ST 0062	NE 130th Street Roadway Extension	10,000,000
ST 0063^	120th Avenue NE Roadway Improvements	8,988,500
ST 0064	124th Ave NE Roadway Widening Imprv (So. Sect'n)	30,349,000
ST 0070	120th Ave NE/Totem Lake Plaza Roadway Imprvmnts	3,000,000
ST 0072	NE 120th St Roadway Improvements (West Section)	5,870,000
ST 0073	120th Avenue NE Roadway Extension	16,392,000
ST 0077	NE 132nd St Rdwy Imprv.-Phase I (West Section)	1,348,000
ST 0078	NE 132nd St Rdwy Imprv-Phase II (Mid Section)	316,000
ST 0079	NE 132nd St Rdwy Imprv-Phase III (East Section)	1,119,000
ST 0081	Totem Lake Area Development Opportunity Program	500,000
ST 0083 101	100th Ave NE Roadway Improvements	9,500,000
ST 0084	Finn Hill Emergency Vehicle Access Improvement Study	150,000
ST 0086	Finn Hill Emergency Vehicle Access Connection	900,000
NM 0001	116th Ave NE (So. Sect.) Non-Motorz'd Facil-Phase II	3,378,000
NM 0007	NE 52nd Street Sidewalk	1,068,600
NM 0024 201	Cross Kirkland Corridor Opportunity Fund	500,000
NM 0026	NE 90th Street Sidewalk (Phase II)	2,584,200
NM 0030	NE 90th Street/I-405 Pedestrian/Bicycle Overpass	3,740,700
NM 0031	Crestwoods Park/BNSFR Ped/Bike Facility	2,505,000
NM 0032^	93rd Avenue Sidewalk	1,047,900
NM 0036^	NE 100th Street Bikelane	1,644,300
NM 0037	130th Avenue NE Sidewalk	833,600
NM 0041	Forbes Valley Pedestrian Facility	1,996,600
NM 0043^	NE 126th St Nonmotorized Facilities	4,277,200
NM 0045	NE 95th Street Sidewalk (Highlands)	571,500
NM 0046^	18th Avenue SW Sidewalk	2,255,000
NM 0047	116th Avenue NE Sidewalk (South Rose Hill)	422,100
NM 0048	NE 60th Street Sidewalk	4,979,800
NM 0049^	112th Ave NE Sidewalk	527,600
NM 0050^	NE 80th Street Sidewalk	859,700
NM 0054	13th Avenue Sidewalk	446,700
NM 0055^	122nd Ave NE Sidewalk	866,700
NM 0056	NE 90th Street Sidewalk (Phase I)	1,165,700
NM 0058	111th Avenue Non-Motorized/Emergency Access Connection	2,000,000
NM 0061	NE 104th Street Sidewalk	1,085,000
NM 0062	19th Avenue Sidewalk	814,200
NM 0063	Kirkland Way Sidewalk	414,500
NM 0071	NE 132nd Street Sidewalk Improvement	363,000
NM 0072	NE 132nd Street Sidewalk at Finn Hill Middle School	693,000
NM 0074	90th Ave NE Sidewalk	353,400
NM 0075	84th Ave NE Sidewalk	4,052,800
NM 0076	NE 140th St Sidewalk - Muir Elem Walk Rt Enhan. Phase 1	1,131,000
NM 0077	NE 140th St Sidewalk - Keller Elem Walk Rt Enhan. - N	1,185,000
NM 0078	NE 140th St Sidewalk - Keller Elem Walk Rt Enhan. - S	747,000
NM 0079	NE 140th St Sidewalk - Muir Elem Walk Rt Enhan. Phase 2	648,000
NM 0080	Juanita-Kingsgate Pedestrian Bridge at I-405	4,500,000
NM 0081	CKC to Redmond Central Connector	3,656,000
NM 0086	***Cross Kirkland Corridor Non-motorized Improvements***	***90,000,000***
NM 0087	***Citywide School Walkroute Enhancements***	***16,300,000***
NM 0088	***NE 124th Street Sidewalk***	***326,700***
NM 0089	***Lakefront Pedestrian & Bicycle Improvements***	***1,000,000***
NM 0090	***Juanita Drive "Quick Wins"***	***1,350,000***
NM 0091	***Totem Lake Non-motorized Bridge***	***1,067,000***
Subtotal Unfunded ST and NM Projects		**303,040,000**

Project Number	Project Title	Total
TR 0056#	NE 85th Street HOV Queue Bypass	841,000
TR 0057	NE 124th Street HOV Queue Bypass	1,722,000
TR 0067	Kirkland Way/CKC Bridge Abutment/Intersection Imprv	6,917,000
TR 0068	Lake Washington Boulevard HOV Queue Bypass	6,580,000
TR 0072	NE 116th Street Eastbound HOV Queue Bypass	7,337,000
TR 0073	NE 70th Street Eastbound HOV Queue Bypass	1,702,000
TR 0074	NE 85th Street Westbound HOV Queue Bypass	1,775,000
TR 0075	NE 124th Street Westbound HOV Queue Bypass	1,275,000
TR 0082#	Central Way/Park Place Center Traffic Signal	200,000
TR 0084	100th Ave NE/NE 124th St Intersection Improvements	2,230,000
TR 0086^	NE 70th St/132nd Ave NE Intersection Improvements	4,590,600
TR 0088^	NE 85th St/120th Ave NE Intersection Improvements	5,272,300
TR 0089	NE 85th St/132nd Ave NE Intersection Imp (Phase II)	1,825,700
TR 0090#	Lake Washington Blvd/NE 38th Place Intersection Imp	500,000
TR 0091^	NE 124th St/124th Ave NE Intersection Improvements	3,503,300
TR 0092	NE 116th St/124th Ave NE N-bound Dual Lft Turn Lanes	1,717,000
TR 0093	NE 132nd St/Juanita H.S. Access Rd Intersect'n Imp	916,000
TR 0094	NE 132nd St/108th Avenue NE Intersect'n Imp	618,000
TR 0095	NE 132nd St/Fire Stn Access Dr Intersect'n Imp	366,000
TR 0096#	NE 132nd St/124th Ave NE Intersect'n Imp	5,713,000
TR 0097	NE 132nd St/132nd Ave NE Intersect'n Imp	889,000
TR 0098#	NE 132nd St/ 116th Way NE (I-405) Intersect'n Imp	300,000
TR 0099	120th Ave/Totem Lake Way Intersection Improvements	2,845,500
TR 0100 100	6th Street & Central Way Intersection Imprvmnts Phase 2	1,866,800
TR 0103#	Central Way/4th Street Intersection Improvements	31,000
TR 0104#	6th Street/4th Ave Intersection Improvements	580,000
TR 0105#	Central Way/5th Street Intersection Improvements	564,000
TR 0106#	6th Street/7th Avenue Intersection Improvements	89,400
TR 0107#	Market Street/15th Avenue Intersection Improvements	564,000
TR 0108#	NE 85th Street/124th Ave NE Intersection Improvements	889,000
TR 0109#	Totem Lake Plaza/Totem Lake Blvd Intersection Imprv.	1,500,000
TR 0110#	Totem Lake Plaza/120th Ave NE Intersection Imprv.	1,500,000
TR 0111 001	Kirkland ITS Implementation Phase II	1,189,000
TR 0111 002	Kirkland ITS Implementation Phase IIB	2,644,000
TR 0114	Slater Avenue NE Traffic Calming - Phase I	247,000
Subtotal Unfunded TR Projects		**71,299,600**
Total Unfunded Transportation (ST, NM, and TR) Projects		**374,339,600**
Funding Available from Annual Programs for Candidate Projects		***6,329,000***
Net Unfunded Transportation Projects		**368,010,600**

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Shaded year(s) = Previous timing
Bold italics = New projects
\# = Projects to be funded with development-related revenues

City of Kirkland
2014 Update to 2013-2018 Capital Improvement Program

SURFACE WATER MANAGEMENT UTILITY PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2013	2014	2015	2016	2017	2018	2013-2018 Total	Funding Source: Current Revenue	Reserve	Debt	External Source
Prior Year Active Projects:													
SD 0025	*NE 85th Street Detention*	*621,800*											
*SD 0065***	*Cochran Spr/Yarrow Pt Flood Control*	*205,800*											
Subtotal Prior Year Active Projects with no new funding planned		827,600											
Current 2013-18 CIP:													
SD 0047	Annual Replacement of Aging/Failing Infrastructure		200,000	200,000	200,000	200,000	200,000	200,000	1,200,000	1,200,000			
SD 0048	Cochran Springs / Lake Washington Blvd Crossing Enh.	180,000		340,000	667,100	450,000			1,457,100	1,457,100			
SD 0051	Forbes Creek/KC Metro Access Road Culvert Enh.	232,200					688,000	370,700	1,058,700	1,058,700			
SD 0053	Forbes Creek/Coors Pond Channel Grade Controls	260,200						164,700	164,700	164,700			
SD 0058	Surface Water Sediment Pond Reclamation Phase II	115,400			497,600	238,000			735,600	735,600			
SD 0059	Totem Lake Boulevard Flood Control Measures	585,400	302,800	1,048,000					1,350,800	1,014,800			336,000
SD 0067	NE 129th Place/Juanita Creek Rockery Repair	115,500			223,300				223,300	223,300			
SD 0075**	Totem Lake Twin 42 Inch Culvert Replacement	922,000	3,494,000						3,494,000	1,253,200	2,240,800		
SD 0076#	NE 141st Street/111th Avenue NE Culvert Repair		181,500						181,500		181,500		
SD 0077#	Goat Hill Storm Drainage Repair			153,700					153,700	153,700			
SD 0078#*	Billy Creek Ravine Stabilization Phase II			87,600					87,600	34,500	53,100		
SD 0079**	Public Safety Building Stormwater Quality Demonstration		160,000						160,000		160,000		
SD 0081	Neighborhood Drainage Assistance Program (NDA)		50,000		50,000		50,000		150,000		150,000		
SD 0082	Kirkland Decant Facility Expansion		75,000	1,193,000					1,268,000		317,100		950,900
SD 0083	7th Avenue S Storm Main Replacement			240,000					240,000		240,000		
SD 0085	Cross Kirkland Corridor (CKC) Storm Water Retrofit			120,000					120,000		-		120,000
SD 8888	Annual Streambank Stabilization Program		217,900			350,000	350,000	425,000	1,342,900	1,125,000	217,900		
SD 9999	Annual Surface Water Infrastructure Replacement Program		218,000			350,000	350,000	427,600	1,345,600	1,127,600	218,000		
Total Funded Surface Water Management Utility Projects		**3,238,300**	**4,899,200**	**3,382,300**	**1,638,000**	**1,588,000**	**1,638,000**	**1,588,000**	**14,733,500**	**9,548,200**	**3,778,400**	**0**	**1,406,900**

SURFACE WATER MANAGEMENT UTILITY PROJECTS

Unfunded Projects:

Project Number	Project Title	Total
SD 0045^	Carillon Woods Erosion Control Measures	549,600
SD 0046#	Regional Detention in Forbes and Juanita Creek Basins	2,810,200
SD 0049#	Forbes Creek/108th Avenue NE Fish Passage Improvements	332,900
SD 0050#	NE 95th Street/126th Avenue NE Flood Control Measures	55,900
SD 0052^	Forbes Creek/Slater Avenue Embankment Stabilization	139,700
SD 0054#	Forbes Creek/BNSFRR Fish Passage Improvements	424,200
SD 0055	Forbes Creek / 98th Avenue NE Riparian Plantings	75,500
SD 0056^	Forbes Creek Ponds Fish Passage/Riparian Plantings	213,000
SD 0061^	Everest Park Stream Channel/Riparian Enhancments	1,095,500
SD 0062^	Stream Flood Control Measures at Kirkland Post Office	345,400
SD 0063^	Everest Creek-Slater Avenue at Alexander Street	830,300
SD 0068	128th Ave NE/NE 60th Street To NE 64th St Drainage Imp.	270,300
SD 0070	Juanita Creek Watershed Enhancement Study	50,000
SD 0074	Streambank Stabilization Program – NE 86th Street	640,200
SD 0084	Market Street Storm Main Rehabilitation	700,000
Subtotal Unfunded Surface Water Management Utility Projects		**8,532,700**
Funding Available from Annual Programs for Candidate Projects		***2,688,500***
Net Unfunded Surface Water Management Utility Projects		**5,844,200**

Notes

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^ = Annual Streambank Stabilization Program Project Candidates
** = Project completed/closed
# = Annual Storm Drain Replacement Program Project Candidates
Shaded year(s) = Previous timing
Bold italics = New projects

City of Kirkland
2014 Update to 2013-2018 Capital Improvement Program

WATER/SEWER UTILITY PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2013	2014	2015	2016	2017	2018	2013-18 Total	Funding Source: Current Revenue	Reserve	Debt	External Source
Prior Year Active Projects:													
*WA 0063 **	*Supply Station #3 Replacement*	*141,000*											
WA 0093	*Vulnerability Analysis*	*367,900*											
*WA 0094 **	*North Reservoir Painting*	*3,399,000*											
WA 0115	*Telemetry Upgrades*	*150,000*											
*WA 0142**	*3rd St Watermain Upgrade*	*100,000*											
*WA 0144**	*120th Ave NE Watermain Replacement*	*272,000*											
SS 0074	*Sewer System Temeletry Upgrade*	*150,000*											
SS 0075	*Inflow/Infiltration Reduction Upgrade*	*200,000*											
Subtotal Prior Year Active Projects with no new funding planned		4,779,900											
Current 2013-18 CIP:													
WA 0090	Emergency Sewer Pgm Watermain Replacement Pgm		50,000		50,000		50,000		150,000	150,000			
WA 0102	104th Ave NE Watermain Replacement						974,500		974,500	974,500			
WA 0116	NE 80th Street Watermain Replacement (Phase II)		442,000	2,394,400					2,836,400	869,000		1,967,400	
WA 0121 **	NE 109th Ave/106th Court NE Watermain Replacement	215,000	156,300						156,300	156,300			
WA 0134	5th Ave S / 8th St S Watermain Replacement							850,000	850,000	850,000			
WA 0140	NE 85th Street Watermain Replacement	626,000	2,494,400	871,800					3,366,200	3,366,200			
WA 0145	Kirkland Avenue/6th Street S Watermain Replacement					785,000			785,000	785,000			
WA 0148	Park Lane Watermain Replacement		62,000	235,000					297,000	297,000			
WA 0150	6th Street Watermain Replacement			372,500	148,000				520,500	520,500			
WA 0151	7th Avenue S Watermain Replacement			325,000	53,000				378,000	378,000			
WA 8888	Annual Watermain Replacement Program						562,100	402,700	964,800	964,800			
WA 9999	Annual Water Pump Station/System Upgrade Pgm						562,100	402,700	964,800	964,800			
SS 0056	Emergency Sewer Construction Program		922,000	478,000	969,000	431,000	950,000	450,000	4,200,000		4,200,000		
SS 0064 *	7th Avenue South Sewermain Replacement			897,800					897,800	897,800			
SS 0067	NE 80th Street Sewermain Replacement (Phase II)		600,000	1,836,000					2,436,000	365,400		2,070,600	
SS 0073	Rose Point Sewer Lift Station Replacement				1,088,400	1,471,400			2,559,800	2,559,800			
SS 0078	5th Avenue S Sewermain Replacement			188,900	38,000				226,900	226,900			
SS 0079	3rd Avenue S & 2nd Street S Sewermain Replacement				487,000	740,000			1,227,000	1,227,000			
SS 0080	20th Avenue Sewermain Replacement							812,000	812,000	812,000			
SS 0081 **	7th / 8th Avenue West Alley Sewermain Replacement		354,000						354,000	354,000			
SS 8888	Annual Sanitary Pipeline Replacement Program			217,400	497,800	138,300	562,100	402,800	1,818,400	1,818,400			
SS 9999	Annual Sanitary Pump Station/System Upgrade Pgm			217,400	497,800	138,300	562,200	402,800	1,818,500	1,818,500			
		5,620,900	**5,080,700**	**8,034,200**	**3,829,000**	**3,704,000**	**4,223,000**	**3,723,000**	**28,593,900**	**20,355,900**	**4,200,000**	**4,038,000**	**0**

Notes
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** = Project completed/closed
# = Annual Pump Station/System Upgrade Program Project Candidates
Shaded year(s) = Previous timing
Bold italics = New projects

WATER/SEWER UTILITY PROJECTS

Unfunded Projects:

Project Number	Project Title	Total
WA 0052	108th Avenue NE Watermain Replacement	1,584,000
WA 0057	116th Avenue NE Watermain Replacement	2,731,000
WA 0067#	North Reservoir Pump Replacement	611,000
WA 0096	NE 83rd Street Watermain Replacement	450,000
WA 0097	NE 80th Street Watermain Replacement (Phase III)	1,386,000
WA 0098	126th Ave NE/NE 83rd & 84th St/128th Ave NE Watermain Replacement	1,197,000
WA 0103^	NE 113th Place/106th Ave NE Watermain Replacement	841,000
WA 0104	111th Ave NE/NE 62nd St-NE 64th St Watermain Replacement	1,493,000
WA 0108	109th Ave NE/NE 58th St Watermain Replacement	504,000
WA 0109	112th Ave NE Watermain Replacement	1,179,000
WA 0111	NE 45th St And 110th/111th Ave NE Watermain Replacement	1,303,000
WA 0113*"	116th Ave NE/NE 70th-NE 80th St Watermain Replacement	2,222,100
WA 0118^	112th -114th Avenue NE/NE 67th-68th Street Watermain Replacement	3,360,100
WA 0119	109th Ave NE/111th Way NE Watermain Replacement	2,304,000
WA 0120^	111th Avenue Watermain Replacement	182,000
WA 0122	116th Avenue NE/NE 100th Street Watermain Replacement	1,506,000
WA 0123	NE 91st Street Watermain Replacement	453,000
WA 0124^	NE 97th Street Watermain Replacement	685,000
WA 0126#	North Reservoir Outlet Meter Addition	72,300
WA 0127#	650 Booster Pump Station	1,603,000
WA 0128	106th Ave NE-110th Ave NE/NE 116th St-NE 120th St Watermain Replacement	2,305,000
WA 0129	South Reservoir Recoating	981,000
WA 0130^	11th Place Watermain Replacement	339,000
WA 0131#	Supply Station #1 Improvements	61,500
WA 0132	7th Avenue/Central Avenue Watermain Replacement	907,000
WA 0133	Kirkland Avenue Watermain Replacement	446,000
WA 0135	NE 75th Street Watermain Replacement	711,000
WA 0136^	NE 74th Street Watermain Replacement	193,000
WA 0137^	NE 73rd Street Watermain Replacement	660,000
WA 0138	NE 72nd St/130th Ave NE Watermain Replacement	1,476,000
WA 0139"	6th Street S Watermain Replacement	785,000
WA 0146^	6th Street/Kirkland Way Watermain Replacement	693,000
WA 0147^	106th Avenue NE from NE 60th Street to NE 68th Street	661,500
SS 0051	6th Street South Sewermain Replacement	804,000
SS 0052	108th Avenue NE Sewermain Replacement	5,110,000
SS 0062^	NE 108th Street Sewermain Replacement/Rehabilitation	4,405,000
SS 0068	124th Avenue NE Sewermain Replacement	1,315,000
SS 0069	1st Street Sewermain Replacement	3,945,000
SS 0070	5th Street Sewermain Replacement	1,354,000
SS 0071	6th Street Sewermain Replacement	308,000
SS 0072	Kirkland Avenue Sewermain Replacement	1,980,000
SS 0077	West Of Market Sewermain Replacement	21,681,000
SS 0082	3rd Street & Central Way Sanitary Sewer Crossing	270,000
Subtotal Unfunded Water/Sewer Utility Projects		**77,057,500**
Funding Available from Annual Programs for Candidate Projects		***5,566,500***
Net Unfunded Water/Sewer Utility Projects		**71,491,000**

Notes
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^ = Annual Watermain or Sanitary Pipeline Replacement Program Project Candidates
# = Annual Pump Station/System Upgrade Program Project Candidates
Shaded year(s) = Previous timing
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City of Kirkland
2014 Update to 2013-2018 Capital Improvement Program

PARK PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2013	2014	2015	2016	2017	2018	2013-2018 Total	Funding Source: Current Revenue	Funding Source: Reserve	Funding Source: External Source
Prior Year Active Projects:												
PK 0056	Forbes Lake Park Development	952,500										
PK 0108	McAuliffe Park Development	288,414										
PK 0109	Juanita Bay Park Wetlend Restoration	215,000										
PK 0123	Peter Kirk Pool Upgrades	175,000										
PK 0124	Snyder's Corner Park Site Development	75,000										
Subtotal Prior Year Active Projects with no new funding planned		***1,705,914***										
Current 2013-18 CIP:												
PK 0049	Open Space, Pk Land & Trail Acq Grant Match Program		100,000						100,000		100,000	
PK 0066	Park Play Area Enhancements				50,000	50,000	50,000	50,000	200,000	200,000		
PK 0087 100*#	Waverly Beach Park Renovation		115,000	624,000					739,000	500,000	239,000	
PK 0095 200	Heritage Park - Heritage Hall Renovations		50,000						50,000	50,000		
PK 0113 100*	Spinney Homestead Park Renovation		493,000						493,000	443,000	50,000	
PK 0114 101	Mark Twain Park Renovation (Design)						75,000		75,000	75,000		
PK 0115	Terrace Park Renovation		75,000	440,000					515,000	515,000		
PK 0116 100	Lee Johnson Field Lighting Replacements			150,000					150,000	150,000		
PK 0119*	Juanita Beach Park Development Phase 2	3,450,000					100,000	1,207,000	1,307,000	807,000		500,000
PK 0119 100#	Juanita Beach Bathhouse Replacement & Shelter				200,000	1,000,000			1,200,000	1,200,000		
PK 0121	Green Kirkland Forest Restoration Program	396,703	75,000	75,000	75,000	75,000	75,000	75,000	450,000	450,000		
PK 0131	Park and Open Space Acquisition Program						508,000		508,000	508,000		
PK 0131 008	***Park Acq-Yuppie Pawn Shop Property***			***2,340,000***					***2,340,000***	***610,000***	***640,000***	***1,090,000***
PK 0133 100#	Dock & Shoreline Renovations		150,000	150,000	250,000	250,000			800,000	800,000		
PK 0133 200#	City-School Playfield Partnership						500,000	500,000	1,000,000	1,000,000		
PK 0133 300#	Neighborhood Park Land Acquisition						750,000	750,000	1,500,000	2,350,000		
PK 0133 400#	Edith Moulton Park Renovation		100,000	100,000	800,000				1,000,000	1,000,000		
PK 0134	132nd Park Playfields Renovation		75,000		637,000				712,000	712,000		
PK 0138	Everest Park Restroom/Storage Building Replacement			75,000		660,000			735,000	735,000		
PK 0139 100*	Totem Lake Park Master Plan		120,000						120,000		120,000	
Total Funded Park Projects		**5,552,617**	**1,353,000**	**3,954,000**	**2,012,000**	**2,035,000**	**2,058,000**	**2,582,000**	**13,994,000**	**12,105,000**	**1,149,000**	**1,590,000**

Notes

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+ = Moved from unfunded status to funded status
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Shaded year(s) = Previous timing
Bold italics = New projects
Italics - *Repurposed projects*
= Park Levy Candidates

PARK PROJECTS

Unfunded Projects:

Project Number	Project Title	Total
PK 0078 600	A.G. Bell Elementary Playfields Improvements	200,000
PK 0078 800	International Comm. School Playfield Improvements	300,000
PK 0086	Totem Lake Neighborhood Park Acquisition & Development	2,500,000
PK 0087 101	Waverly Beach Parks Renovation (Phase 2)	1,000,000
PK 0095 100	Heritage Park Development - Phase III & IV	2,500,000
PK 0096	Ohde Avenue Park Development	250,000
PK 0097	Reservoir Park Renovation	500,000
PK 0099	N. Juanita (East) Neighborhood Park Acquisition/Development	2,500,000
PK 0100	N. Juanita (West) Neighborhood Park Acquisition/Development	2,500,000
PK 0101	N. Rose Hill Neighborhood Park Acquisition/Development (North)	2,500,000
PK 0102	N. Rose Hill Neighborhood Park Acquisition/Development (Central)	2,500,000
PK 0103	Market Neighborhood Park Acquisition/Development	3,500,000
PK 0108	McAuliffe Park Development	7,000,000
PK 0114	Mark Twain Park Renovation	750,000
PK 0116	Lee Johnson Field Artificial Turf Installation	1,500,000
PK 0117	Lake Avenue West Street End Park Enhancement	100,000
PK 0119 200	Juanita Beach Park Development (Phase 3)	10,000,000
PK 0122 100	Community Recreation Facility Construction	42,000,000
PK 0124"	Snyder's Corner Park Site Development	1,000,000
PK 0125	Dock Renovations	250,000
PK 0126	Watershed Park Master Planning & Park Development	1,100,000
PK 0127	Kiwanis Park Master Planning & Park Development	1,100,000
PK 0128	Yarrow Bay Wetlands Master Planning & Park Development	1,600,000
PK 0129	Heronfield Wetlands Master Planning & Development	1,600,000
PK 0133 500	Lee Johnson Field Synthetic Turf and Lighting	1,500,000
PK 0135	Juanita Heights Park Master Planning and Development	1,125,000
PK 0136	Kingsgate Park Master Planning and Park Development	1,150,000
PK 0137	Windsor Vista Park Master Planning and Park Development	1,150,000
PK 0139	Highlands Park Renovation	750,000
PK 0139 101	Totem Lake Park Acquisition	3,000,000
Total Unfunded Parks Projects		**97,425,000**

Notes
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Shaded year(s) = Previous timing
Bold italics = New projects
Italics - *Repurposed projects*

City of Kirkland
2014 Update to 2013-2018 Capital Improvement Program

PUBLIC SAFETY PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2013	2014	2015	2016	2017	2018	2013-2018 Total	Funding Source		
										Current Revenue	Reserve	External Source
Prior Year Active Projects												
PS 0056	Disaster Supply Storage Units	142,700										
PS 0057	Disaster Care Response Vehicle	70,000										
PS 0062	Defibrillator Unit Replacement	253,900										
PS 0065	Disaster Response Portable Generator	300,000										
Subtotal Prior Year Active Projects with no new funding planned		766,600										
Current 2013-18 CIP												
FIRE												
PS 0067	Dive Rescue Equipment			55,000					55,000	55,000		
PS 0071	Self Contained Breathing Apparatus (SCBA)		741,600					9,000	750,600	750,600		
PS 0075	Portable Radios						347,000		347,000	347,000		
PS 0076	Personal Protective Equipment			518,200			400		518,600	518,600		
PS 0077	Hose Replacement		35,000	1,300	7,700	2,200	10,000	3,200	59,400	59,400		
POLICE												
PS 1000*	Police Equipment Replacement		53,100	111,700	183,900	318,000	278,800	145,500	1,091,000	1,091,000		
Total Funded Public Safety Projects		**766,600**	**829,700**	**686,200**	**191,600**	**320,200**	**636,200**	**157,700**	**2,821,600**	**2,821,600**	**0**	**0**

Unfunded Projects:

Project Number	Project Title	Total
PS 0068	Local Emergency/Public Communication AM Radio	119,100
Total Unfunded Public Safety Projects		**119,100**

Notes
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Shaded year(s) = Previous timing
Bold italics = New projects

City of Kirkland
2014 Update to 2013-2018 Capital Improvement Program

GENERAL GOVERNMENT PROJECTS - Technology

Funded Projects:

Project Number	Project Title	Prior Year(s)	2013	2014	2015	2016	2017	2018	2013-2018 Total	Funding Source: Current Revenue	Funding Source: Reserves/ Prior Yr	Funding Source: External Source
Prior Year Active Projects												
GG 0006 110	*Records Management System*	*1,297,200*										
GG 0006 205	*Municipal Court Technology Projects*	*50,000*										
Subtotal Prior Year Active Projects with no new funding planned		1,347,200										
Prior Year Active Projects												
GG 0006 501	Permit System Replacement	906,412	75,000						75,000		75,000	
IT 0100 000*	Network Server Replacements	176,158	161,000	66,400	36,000	23,800	164,500	66,400	518,100	507,100	11,000	
IT 0110 000	Network Infrastructure	310,312	50,000	200,000	39,000	36,600	41,100	37,600	404,300	250,300	154,000	
IT 0120 000*	Network Storage, Backup & Archiving	332,384	987,100		18,400	20,100	80,000	1,071,400	2,177,000	1,514,900	662,100	
IT 0130 000	Network Phone Systems			50,000	395,000				445,000	225,257	219,743	
IT 0140 000	Network Security	30,000	130,000	65,000	55,000		75,000	30,000	355,000	206,000	149,000	
IT 0200 000	Geographic Information Systems		170,000	185,000	250,000	250,000	250,000	250,000	1,355,000	878,000	477,000	
IT 0300 000	Finance and HR System Modules		47,400	21,100	49,300	5,800			123,600		123,600	
IT 0402 000	Financial System Replacement					150,000			150,000		150,000	
IT 0500 000*	Copier Replacements				52,200	15,000	39,000	30,500	136,700	136,700		
IT 0601 000	Help Desk System Replacement Phase 2				66,000				66,000		66,000	
IT 0702 000*	Maintenance Management System Upgrade		30,000	147,600	45,000				222,600	53,100	169,500	
IT 0802 000+	Recreation Registration System Replacement					83,000			83,000		83,000	
IT 0901 000	Disaster Recovery System Improvement			125,000					125,000	125,000		
Total Funded General Gov. Projects - Technology		**3,102,466**	**1,650,500**	**860,100**	**1,005,900**	**584,300**	**649,600**	**1,485,900**	**6,236,300**	**3,896,357**	**2,339,943**	**0**

Unfunded Projects:

Project Number	Project Title	Total
IT 0401 000	Utility Billing/Cashiering System Replacement	491,700
IT 0501 000	Police ProAct Unit NCIC Handheld Computers	52,000
IT 0602 000	Standard Reporting Tool	379,700
IT 0701 000	Fleet Management Systems Replacement	80,000
IT 0902 000	Customer Relationship Management System	414,000
Total Unfunded General Government Projects - Technology		**1,417,400**

Notes
* = Modification in timing and/or cost (see Project Modification/Deletion Schedule for greater detail) Additionally, all Technology projects are using a new project numbering convention
+ = Moved from unfunded status to funded status
" = Moved from funded status to unfunded status
Shaded year(s) = Previous timing
Bold italics = New projects

City of Kirkland
2014 Update to 2013-2018 Capital Improvement Program

GENERAL GOVERNMENT PROJECTS - Facilities

Funded Projects:

Project Number	Project Title	Prior Year(s)	2013	2014	2015	2016	2017	2018	2013-2018 Total	Funding Source			
										Current Revenue	Reserve	Debt	External Source
Prior Year Active Projects													
GG 0037	Maintenance Center Expansion	1,450,000											
Subtotal Prior Year Active Projects		1,450,000											
Current 2013-18 CIP													
GG 0008	Electrical, Energy Management & Lighting Systems		18,900		66,400	10,200		44,100	139,600		139,600		
GG 0009	Mechanical/HVAC Systems Replacements		41,000	222,800	47,000		198,300	317,600	826,700		814,700		
GG 0010*	Painting, Ceilings, Partition & Window Replacements			68,000	144,400	122,600	194,900	205,300	735,200		735,200		
GG 0011*	Roofing, Gutter, Siding and Deck Replacements		41,800	132,300		34,600	141,800	257,700	608,200		608,200		
GG 0012	Flooring Replacements			66,400	105,800	23,300	82,000	96,500	374,000		374,000		
GG 0013 102	Public Safety Building Phase II	1,504,000	17,045,200	14,113,000					31,158,200		8,020,790	22,023,327	1,114,083
GG 0014	City Facilities Energy Efficiency Project		846,000						846,000		586,000		260,000
GG 0035 100	City Hall Expansion	166,500	433,500	1,450,000	7,950,000				9,833,500		528,924	5,804,576	3,500,000
GG 0039	Consolidated Fire Station No 25	1,368,000	3,862,000						3,862,000			3,862,000	
Total Funded General Government Projects - Facilities		**4,488,500**	**22,288,400**	**16,052,500**	**8,313,600**	**190,700**	**617,000**	**921,200**	**48,383,400**	**0**	**11,807,414**	**31,689,903**	**4,874,083**

Notes

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" = Moved from funded status to unfunded status

Shaded year(s) = Previous timing

Bold italics = New projects

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Council Meeting: 06/17/2014
Agenda: Other Buisness
Item #: 8. h. (5).

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: Ellen Miller-Wolfe, Economic Development Manager

Date: June 6, 2014

Subject: Spirit of Washington 9-11 Sculpture Update

Recommendation

For the City Council to accept the results of the broad-based public survey concerning the 9-11 memorial sculpture entitled 'Spirit of Washington', to acknowledge that the proponent Maureen Baskin has chosen not to go forward with a proposal to acquire the sculpture for Kirkland, and to support Ms. Baskin's decision not to apply for the memorial sculpture. If the Council concurs with the recommendation, the $13,500 in allocated funds for the acquisition and installation of the sculpture would be returned to the Council Special Projects Reserve.

Background

At its May 21st meeting, the City Council approved the recommendation that Maureen Baskin, Kirkland resident and proponent of acquiring the Spirit of Washington sculpture which memorializes 9-11, to move forward on submitting an application to the Spirit of Washington Foundation for acquisition. The Council also approved funding totaling $13,500 for acquisition and siting. And, in addition, the Council requested that staff do a broad-based public outreach to determine citizen response to the proposal. Staff implemented an online survey that ran from May 28 to June 6 that solicited input from the public on the sculpture, as well as whether a 9-11 commemorative sculpture should be entertained for Kirkland and whether it should be commissioned. Of the 599 total responses received, the results were as follows:

The results of the survey were as follows:

- Question #1, "Would you support a memorial in Kirkland commemorating the 9-11 event?" Of 593 respondents, 74.2% voted no, and 25.8% voted yes.
- Question #2, "Would you support the City commissioning or purchasing public art commemorating the "9/11" event?" Of 592 respondents 79.2% voted no, and 20.8% voted yes.
- Question #3, "Do you support the City's purchase of the Spirit of America "9/11" Memorial sculpture?" Of 593 respondents, 83.5% voted no and 16.5% voted yes.

The survey also included a text box that allowed respondents to express comments and suggestions to the City Council. Below is a summary of the responses to the open question:

1. A large number of respondents expressed a preference for spending the money on something other than the sculpture. Those responses mentioned needed repairs,

infrastructure, the Cross Kirkland Corridor, and parks as better uses of the money. A small number suggested that private money should be used to purchase the art.

2. Another large number of responses questioned the relevancy of the sculpture to Kirkland. Many of these respondents felt that the actual locations of the events were more appropriate for commemorative gestures, and that art that incorporated local themes, local heroes and local artists was more appropriate for Kirkland.

3. The third subject receiving substantial comment was the art itself. There were responses from those who did not like the art. Some did not like the rendering of the art, did not want another figurative bronze, or thought the art was unattractive. Others objected to the subject matter and expressed preferences for art that is more celebratory (not tragic), and inspirational. World peace was an example a number of people gave.

4. Those responses that supported the purchase of the art liked it, liked that it represented sacrifices and honored heroes, and thought it was a great addition to the collection.

5. Finally, regarding the site, those who commented did not favor the Juanita location, in part because it was a recreational, children-oriented, generally happy environment that they thought was not consistent with the art. Several felt the art would be better sited downtown.

Full survey results and individual comments received can be made available if anyone wishes to see the detailed information.

Council Direction

Maureen Baskin was the citizen advocate who brought the opportunity to purchase the memorial sculpture to Kirkland. The initial Council action authorized funding to acquire and site the sculpture, and authorized staff to support the application efforts of Ms. Baskin to secure the sculpture. As previously mentioned, when apprised of the survey results, Ms. Baskin has publicly announced that she will not apply for the sculpture to be awarded to the City of Kirkland. The City does not need an intermediary to apply and could make an application on its own. However, based on the survey results, the staff recommendation is to concur with Ms. Baskin's decision not to apply. Unless the Council provides alternative direction on June 17th, the staff will not make a formal application and the $13,500 allocated for the purchase of the sculpture will be returned to the Council Special Projects Reserve.

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

Date: June 6, 2014

Subject: Accept Cultural Arts Commission Resignation

RECOMMENDATION

That Council acknowledges receipt of the resignation of Cultural Arts Commission youth member Rachel Roberts and authorizes the attached correspondence thanking her for her service.

BACKGROUND DISCUSSION

Ms. Roberts' resignation notes she is no longer able to participate on the Commission due to personal commitments. The City Clerk's office will begin a recruitment for this position.

Kirkland Cultural Arts Commission 6/5/2014

Resignation Letter

To Whom It May Concern:

I have been proud to serve as the Youth Member on the Kirkland Cultural Arts Commission for the last two years. It has been an amazing experience, and I have had the opportunity to meet many extraordinary people dedicated to keeping the arts alive in our community.

Since I will be graduating from the International Community School next week and will be out of town during the summer, I am sending in this resignation to open up my position on the commission to another lucky Kirkland student!

In the fall, I will be heading to Stanford University to pursue a degree in International Relations.

Thank you,

Rachel Roberts

D R A F T

June 18, 2014

Ms. Rachel Roberts
6522 126th Avenue NE
Kirkland, WA 98033

Dear Rachel,

We have regretfully received your resignation from the Cultural Arts Commission.

The City Council appreciates your contribution to the Commission, and we thank you for volunteering your time and talent to serve the Kirkland Community.

Best wishes in your current and future endeavors.

Sincerely,

KIRKLAND CITY COUNCIL

By Amy Walen
Mayor

Council Meeting: 06/17/2014
Agenda: Other Business
Item #: 8. h. (7).

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Barry Scott, Purchasing Agent

Date: June 5, 2014

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF JUNE 17, 2014

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

The City's major procurement activities initiated since the last report, dated May 22, 2014, are as follows:

	Project	Process	Estimate/Price	Status
1.	Consulting Services to Update Kirkland's 20 Year Forest Restoration Plan	Competitive Process Waived by City Manager	$50,000*	Contract awarded to Forterra (formerly Cascade Land Conservancy).
2.	2014 Street Overlay Project	Invitation for Bids	$2,500,000	IFB issued on 3/22 with bids due on 6/6.
3.	Construction Management Services for Cross Kirkland Corridor Interim Trail	A&E Roster Process	$263,712.09	KPG, P.S. of Tacoma was selected based on qualifications in accordance with RCW 39.80.

*This project is being funded by a grant from the King County Conservation District. The rationale for waiving the use of a competitive process is the desire for consistency by having the plan updated by the same firm that developed the City's original plan.

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

Council Meeting: 06/17/2014
Agenda: Public Hearings
Item #: 9. a.

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, AICP, Director
Angela Ruggeri, AICP, Senior Planner

Date: June 6, 2014

Subject: Public Hearing for Public Benefit Rating System Application for Loomis House

RECOMMENDATION

Following the public hearing, pass Resolution R-5058 approving the Public Benefit Rating System, Current Use Assessment request of Barbara Loomis.

BACKGROUND DISCUSSION

Public Benefit Rating System

The Washington State Open Space Taxation Act, RCW 84.34 and WAC 458-30 provide for assessment practices to reflect current use of property, rather than "highest and best use," as an incentive to property owners to retain large tracts of open space, to provide public access to open space and to preserve historic structures. The Act provides for three current use classifications: open space land, farm and agricultural land, and timber land. WAC 458-30-230 identifies factors for considering an application in that preserving a property's open space benefits the general welfare, such as by preserving historic and archaeological sites. This open space current use taxation program is implemented in King County through the Public Benefit Rating System (PBRS), which provides a point system to rate properties.

If land contains one or more open space resources, such as preservation of a designated historic property as further defined by the PBRS, and is enrolled in the PBRS, then the King County Assessor will assess the land at "current use" value instead of at its highest and best use. The annual tax reduction ranges from 50 percent to 90 percent for the property enrolled. PBRS lists 20 categories of open space resources that could be generally grouped as recreational, natural or scenic, trail linkage, historic/archaeological, farm/rural, shorelines, or urban open space.

Loomis PBRS Application

Barbara Loomis submitted an application to the King County Department of Natural Resources (KCDNR) for the PBRS on December 30, 2013 for the property located at 304 8th Avenue West in Kirkland (Attachment 1). The KCDNR staff has forwarded the

application to the City of Kirkland for evaluation and the City Council's action.

The Loomis House property is .19 acres. Approximately .14 acres of the property is unimproved and eligible for the PBRS current use tax reduction. Unimproved property includes natural areas, landscaping, and paved areas. Improved property, also referred to as the footprint of built structures, is not counted toward the current use reduction and continues to be assessed at the highest and best use. The Loomis House property includes the primary structure (1720 square feet) which is a feature of historic significance, a detached garage (300 square feet), and landscaping. The footprint of the primary structure and the garage count as the developed portion of this parcel and therefore, are not eligible for the tax reduction.

State law directs that, after a public hearing, both the King County Council and the Kirkland City Council shall consider and act upon an application for property in Kirkland to the PBRS within six months.

Portion of annual tax and revenue reductions to the property owner and the City
Based on a 50 percent reduction to the annual property taxes for the .14 acres of candidate land area, the Loomis House's annual property taxes would be reduced by $2500. The City receives approximately 15.7 percent of this tax amount and therefore would receive $392 less in annual tax revenue specific to this property's reduction.

King County Department of Natural Resources Report
In the report by the King County Natural Resources and Parks Water and Land Resources Division (Attachment 2), staff identified the eligible portion of land as 0.14 acres of the total 0.19 acres. The report recommends a rating of five points for the eligible open space based on open space resource category of Historic landmark or archaeological site.

The rating of five points would result in a 50 percent reduction in the taxable value for the portion of the property enrolled in the program. The King County Assessor would assess the taxable value of the enrolled land at 50 percent of highest and best use; that is, market value. The Assessor would continue to assess the ineligible portion of the property at market value. The map attached to the report delineates the eligible portion of the property identified by the report.

City Council Consideration of PBRS Application
The Revised Code of Washington (RCW 84.34) and Washington Administrative Code (WAC 458-30) provide guidance for actions on PBRS applications. In determining whether the Loomis House application should be approved, the Council may take particular notice of the benefits to the general welfare of preserving the current use of the parcels of land described in the application, and shall consider the following:

- Whether granting the application will preserve historic and archaeological sites;
- The revenue loss or tax shift that will result from granting the application;
- Does the change to taxation affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of the land; or
- The zoning of the parcel(s) of land at the time the application for classification is

filed.

The Council may approve the application in whole or in part, or may deny the application. If approving the application in whole or in part, the Council may also require that certain conditions be met including, but not limited to, the granting of easements. The approval or denial of a PBRS application is a legislative determination and shall be reviewable only for arbitrary and capricious actions.

If any part of the application is denied, the applicant may withdraw the entire application. The applicant can appeal the City Council's determination to King County Superior Court. Alternatively, the applicant may reapply after one year.

Staff Recommendation

Staff recommends approval of the application because the benefits to the general welfare of preserving the current use of the property as a historic site warrant the tax reduction provided by the PBRS for the applicant.

Comprehensive Plan Policy CC-2.3 states that the City should: "Provide encouragement, assistance and incentives to private owners for preservation, restoration, redevelopment, reuse, and recognition of significant historic buildings, structures, sites and objects."

The annual tax shift of $392 that would result from approving the application is offset by the value to Kirkland and to the property owner of preserving the current use of the property.

Alternatives to Staff Recommendation

1. Approve the Loomis PBRS application: Staff recommends this alternative, as it is consistent with Comprehensive Plan policy and through this type of partnership, supports preserving Kirkland's architectural history.
2. Approve with conditions or modifications: Staff does not recommend this alternative since the application as submitted is consistent with Comprehensive Plan policy and the PBRS program.
3. Deny the application in total: Staff does not recommend this alternative because support for this tax reduction at this site helps support preserving historic properties and maintaining the City's unique sense of community character.

Time Constraints

Staff recommends Council take action on the application on June 17, 2014, after the public hearing, to comply with state law and to provide the applicant with a timely response to their application.

Attachments:

Attachment 1 - Loomis Application to the Public Benefit Rating System

Attachment 2 - King County Report

cc: Barbara Loomis, applicant
Bill Bernstein, PBRS Program Lead, Rural and Regional Services King County

PUBLIC BENEFIT RATING SYSTEM
Application

Open Space Land Classification For Property Within King County, Washington In Accordance With RCW 84.34 and K.C.C. 20.36

Original Application AND 4 Copies of All Documents Must Be Submitted To:
King County Water and Land Resources Division, Rural and Regional Services Section
201 South Jackson Street, Suite 600, Seattle, WA 98104-3855

1. NAME of APPLICANT: Barbara L. Loomis

   Day Phone: 425-827-7194 Evening Phone: same Email: bloomis304@gmail.com

2. MAILING ADDRESS of APPLICANT: 304 8th Ave. West, Kirkland, WA 98033

3. PROPERTY ADDRESS: same as above

   Is the property located in an incorporated city? Yes X City: Kirkland No ____
   From what road is the property accessed? 8th Ave. West

4. PROPERTY HISTORY: Is the property presently participating in a current use assessment program (RCW 84.34 or RCW 84.33)? Yes ____ No X

5. APPLICANT'S INTEREST in PROPERTY: Owner Yes X No ____
   Purchasing through contract Yes X No ____
   Other ____ Explain ____

6. PARCEL NUMBER and ACREAGE:

Tax Assessor Parcel #	Total Acres in Parcel	Acres Requested for PBRS
a. 3885801295	.1928374	.1464646
b.		
c.		
TOTAL		

County use only:
Date Received 1/2/14 BB **File NO.** E13CT054

EXHIBIT 9

AFFIRMATION

As owner(s) of the land described above, I hereby indicate by my signature that I am aware of the potential tax liability involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also declare under the penalties for false swearing that this application and any accompanying documents have been examined by me and to the best of my knowledge it is a true, correct, and complete statement.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

Barbara L. Loomis — Barbara L Loomis
Print Name — Signature

_____ — _____
Print Name — Signature

Notary Public
State of Washington
MARLON SKINNER
My Appointment Expires Nov 29, 2016

State of Washington
County of King

Subscribed and affirmed to before me this 30th day of December, 2013

Notary's Signature — 11/29/2016
My Appointment Expires

Statement Of Additional Tax, Interest, And Penalty Due Upon Removal Of Classification

1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:

   (a) The difference between the property tax paid as "Open Space Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
   (b) Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.

(c) A penalty of 20% shall be applied to the additional tax if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in (2) below.

2. The additional tax, interest, and penalty specified in (1) above shall not be imposed if removal resulted solely from:

(a) Transfer to a government entity in exchange for other land located within the State of Washington.
(b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.
(c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
(d) Official action by an agency of the State of Washington or by the county or city where the land is located disallows the present use of such land.
(e) Transfer of land to a church when such land would qualify for exemption pursuant to RCW 84.36.020.
(f) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(6)(f)).
(g) Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(e) (farm homesite).
(h) Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification.
(i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.
(j) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.
(k) The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on a death certificate is the date used.
(l) The discovery that the land was classified in error through no fault of the owner.

I. GENERAL

A. Describe all present and proposed uses within the PBRS area **(participating area)**. Uses might include enjoyment of paths/trails, bird watching, forestry, farm activities or simply staying out of the open space. Please attach additional sheets if necessary.

__This is my yard in which I garden, both vegetables and flowers and enjoy the space. That is all I plan on doing here.

B. Describe all existing improvements on the property (**excluded area**). This would include home, driveway, road, drainage system, well, yard, landscaping, garden and other personal-use areas. Please attach additional sheets if necessary.

_home, garage, driveway, yard, landscaping, garden.

C. Describe all potential or planned improvements and where they might be located on the property. Excluding an area now that might be later developed, such as a future home site, should be considered, but is not required. Please attach additional sheets if necessary.

_No improvements are planned

D. Is the land subject to lease or other agreements (such as CCR's, utility, natural or native growth protection, conservation, trail, or road easement) that may limit the property's use or development?

Yes _____ No X_____

If "yes", then what type of lease/agreement/easement is it? _____

Please attach copies of all leases, options, easements or any other such agreements.

II. RESOURCE INVENTORY/PBRS Categories

Property may receive points as indicated for an open space resource or bonus category listed below. On page A-7, please provide justification for each category requested (refer to the *Public Benefit Rating System Resource Information* document found at www.kingcounty.gov/incentives).

Open Space Resources

_____ 1. Public recreation area - 5 points
_____ 2. Aquifer protection area - 5 points
_____ 3. Buffer to public or current use classified land - 3 points
_____ 4. Equestrian-pedestrian-bicycle trail linkage - 35 points
_____ 5. Active trail linkage - 15 or 25 points
_____ 6. Farm and agricultural conservation land - 5 points
_____ 7. Forest stewardship land - 5 points
_____ 8. Historic landmark or archaeological site: buffer to a designated site - 3 points
__X__ 9. Historic landmark or archaeological site: designated site - 5 points
_____ 10. Historic landmark or archaeological site: eligible site - 3 points
_____ 11. Rural open space - 5 points
_____ 12. Rural stewardship land - 5 points
_____ 13. Scenic resource, viewpoint or view corridor - 5 points
_____ 14. Significant plant or ecological site - 5 points
_____ 15. Significant wildlife or salmonid habitat - 5 points
_____ 16. Special animal site - 3 points
_____ 17. Surface water quality buffer - 5 points
_____ 18. Urban open space - 5 points
_____ 19. Watershed protection area - 5 points

5_____ = total open space resource points

Bonus Categories

_____ 1. Resource restoration - 5 points
_____ 2. Additional surface water quality buffer - 3 or 5 points
_____ 3. Contiguous parcels under separate ownership – minimal 2 points
_____ 4. Conservation easement or historic easement - 15 points
_____ 5. Public access – points depend on type and frequency of access allowed
- _____ *Unlimited public access - 5 points*
- _____ *Limited public access because of resource sensitivity - 5 points*
- _____ *Environmental education access - 5 points*
- _____ *Seasonally limited public access - 3 points*
- _____ *None or members only - 0 points*

_____ 6. Easement and access - 35 points

_____ = total bonus category points

__5__ = Total of open space resource and bonus category points results in a Public Benefit Rating (see valuation schedule on page A-6)

If public access points are requested, please list the user group(s) presently allowed access to the property. For what purpose does the public use the property? Please attach documentation that supports this type of use, such as letters from user groups. **For a property to be eligible, the owner must demonstrate that the property is open to public access and is used by the public.**

NA

If proposing public access, describe how the land can be reached. Are there private or public roads to the site? Are there any restrictions, such as an easement or physical barriers, which would inhibit public access? Are there any specific restrictions you think are necessary, such as hours, seasons, activities?

NA

III. Estimate of Percentage Reduction (for your information only)

Please remember county/city staff will review your application and an approval/decision will be made by the granting authority. When estimating the actual effect on your property's valuation and your tax bill, please remember your assessment as open-space/current use land will be calculated **only on the land value of the portion of the property enrolled.** *The property will still be assessed at "highest and best use" rates for the residence/improvements and for other non-enrolled open-space land.*

_____ Open space resource points
_____ Bonus category points

5 = Total of points, resulting in a Public Benefit Rating

VALUATION SCHEDULE

Public Benefit Rating	Assessed Value Reduction	Current Use Value
0 - 4 points	0 %	100 % of Market Value
5 - 10 points	50 %	50 % of Market Value
11 - 15 points	60 %	40 % of Market Value
16 - 20 points	70 %	30 % of Market Value
21 - 34 points	80 %	20 % of Market Value
35 - 52 points	90 %	10 % of Market Value

IV. RESOURCE CATEGORY JUSTIFICATION

In the space provided, please explain why credit should be awarded for each category marked on page A-5. If additional space is needed, please use a separate sheet of paper and attach it to back of the application.

___Loomis House fits criteria # 9 as an historic designated City of Kirkland Landmark. The City of Kirkland has an interlocal agreement with King County for landmark designation, and is a certified local government. The designation report is included with this application. Worth 5 points.

King County
Department of Natural Resources and Parks
Historic Preservation Program
201 S. Jackson, Suite 700 [MS: KSC-NR-0700]
Seattle, WA 98104
206.296.8689 (v) 206.296.3749 (f)
www.kingcounty.gov/landmarks

CITY OF KIRKLAND LANDMARKS COMMISSION

FINDINGS OF FACT AND DECISION

Kirkland Land and Improvement Company House

SUMMARY

The City of Kirkland Landmarks Commission (Commission) designates the Kirkland Land and Improvement Company House (Loomis House), located at 304 - 8th Avenue West, Kirkland, Washington, a City of Kirkland landmark.

Property Description: Legal parcel 3885801295

Public Hearing: The Commission held a public hearing on nomination of the Loomis House on December 17, 2013, at Heritage Hall, 203 Market Street, Kirkland, Washington. The landmark registration form for the property and associated Multiple Property Documentation form, *Properties Related to the Kirkland Land & Improvement Company*, a boundary map delineating the boundaries of the nominated property, and photographs were submitted to commissioners prior to the meeting.

The Chair opened the hearing and a staff recommendation was submitted to the Commission, followed by a summary of its contents by Julie Koler. The property owner was present and testified in favor of landmark designation. The Commission made the following findings in support of its decision:

FINDINGS

1. The Loomis House meets registration standards of significance for residential properties as set forth in the City of Kirkland Landmarks Multiple Property Document (MPD) – *Properties Related to the Kirkland Land and Improvement Company*.

2. Specifically, it meets landmark designation criterion A1 for association with the broad theme of community planning; and, criterion A3 because it is a rare and distinctive example of a Queen Anne style cottage.

3. The house was built in 1889 by the Kirkland Land and Improvement Company.

4. It is one of eight extant houses in Kirkland that illustrate the historic context *Residential Properties Associated with Speculative Town-Building in Kirkland, 1888-1893*, as documented in the MPD.

5. The house is located in the 1890 Kirkland Addition that was platted by the Kirkland Land and Improvement Company; as such it is associated with the rapid land speculation that occurred in the northwest portion of Kirkland at that time. In addition, it is important in illustrating, along with other extant dwellings associated with the Kirkland Land and Improvement Company, the intent of the company to provide for a full-scale industrial work force.

6. Dwellings that were built for the company's executives made extensive use of brick and were typically more ornate than the more modest wood frame worker dwellings. The Loomis House falls within the latter category.

7. The Loomis House is one of the most intact of the surviving dwellings associated with the company, and the best example of the Queen Anne cottage style in the city.

8. The house possesses integrity of:

   - *Location*, because it is located on its original site within the geographic area as set forth in Section G of the MPD;

   - *Design*, because it retains its original massing and roof configuration, and because the rhythm and shape of most of the door and window openings - as visible from the public-right-of-way - are intact;

   - *Materials*, because it retains most of the original exterior materials on elevations most visible to the public, and because it retains most of the original decorative elements that contribute to architectural style, for example turned posts and decorative shingles;

   - *Workmanship*, because there are relatively few incompatible exterior repairs or replacements of key architectural features such as doors, windows and siding; and,

   - *Association*, because the house has a documented link to the historic context as described in the MPD.

9. The house has some alterations on the exterior, particularly to windows and doors; however, the MPD allows for window and door replacements/alterations if they do not significantly detract from the building's overall integrity of design.

10. The MPD allows that integrity of setting and feeling are less critical given the extent of growth and change in Kirkland since 1889. The residential neighborhood surrounding the Loomis House is undergoing rapid change as the historic building stock is being replaced with large, contemporary dwellings.

11. The garage at the rear of the house is severely deteriorated and was built much later than the house. It is therefore not considered a feature of significance.

12. The City of Kirkland Landmark Registration Form and the Multiple Property Documentation Form - *Properties Related to the Kirkland Land & Improvement Company* - provide contextual information in support of the above-stated findings.

MINUTES AND EXHIBITS

The following exhibits are part of the record:

Exhibit No. 1: City of Kirkland Landmark Registration Form, *Kirkland Land and Improvement Company House* (December 2013)
Exhibit No. 2: Boundary Map/Site plan
Exhibit No. 3: Photographs
Exhibit No. 4: Multiple Property Documentation Form, *Properties Related to the Kirkland Land and Improvement Company* (2003)
Exhibit No. 7: Staff Recommendation (December 17, 2013)
Exhibit No. 8: Minutes of December 17, 2013 public hearing
Exhibit No. 9: Audio recording of December 17, 2013 public hearing

All exhibits are on file in the King County Historic Preservation Program office, 201 S. Jackson, Suite 700, Seattle, WA.

DECISION

At its December 17, 2013 meeting the City of Kirkland Landmarks Commission unanimously approved a motion to designate the Loomis House as a City of Kirkland landmark based on the above findings.

Boundaries of Significance: Boundaries of the designated area are the same as those of the legal parcel on which the house is located - Parcel no. 3885801295

Features of Significance:

- All exterior elements of the house; and
- All of the land within the nominated boundaries (for the purposes of new construction only).

PROTECTION MEASURES

Controls: No feature of significance may be altered nor may any new construction take place within the designated boundaries, without first obtaining a Certificate of Appropriateness from the City of Kirkland Landmarks Commission pursuant to the provisions of King County Code 20.62.080 as adopted by reference in Kirkland Municipal Code 28.12.010. The following exclusions are allowed:

1. In-kind maintenance and repair
2. Routine landscape maintenance
3. Emergency repair work

INCENTIVES

The following incentives are available to the property owner:

1. Eligibility to apply for funding for property rehabilitation/restoration (as available) through the City of Kirkland Landmarks Commission and 4Culture
2. Eligibility for technical assistance from City of Kirkland Landmarks Commission and staff
3. Eligibility for historic site marker
4. Eligibility for special tax programs through King County

Decision made December 17, 2013
Findings of Fact and Decision issued December 26, 2013

CITY OF KIRKLAND LANDMARKS COMMISSION

Thomas K. Hitzroth, Chair

December 26, 2013
Date

TRANSMITTED this 26th day of December, 2013 to the following parties and interested persons:

Barbara Loomis, owner
The Honorable Jane Hague, King County Councilmember, District 6
Angela Ruggeri, Senior Planner, Kirkland Planning and Community Development Department
Loita Hawkinson, President, Kirkland Heritage Society
Tom Hitzroth, Chair, Kirkland Landmarks Commission
Paul Barry
Carolyn and Mike Howard
Vic Newhard

NOTICE OF RIGHT TO APPEAL OR RECONSIDER

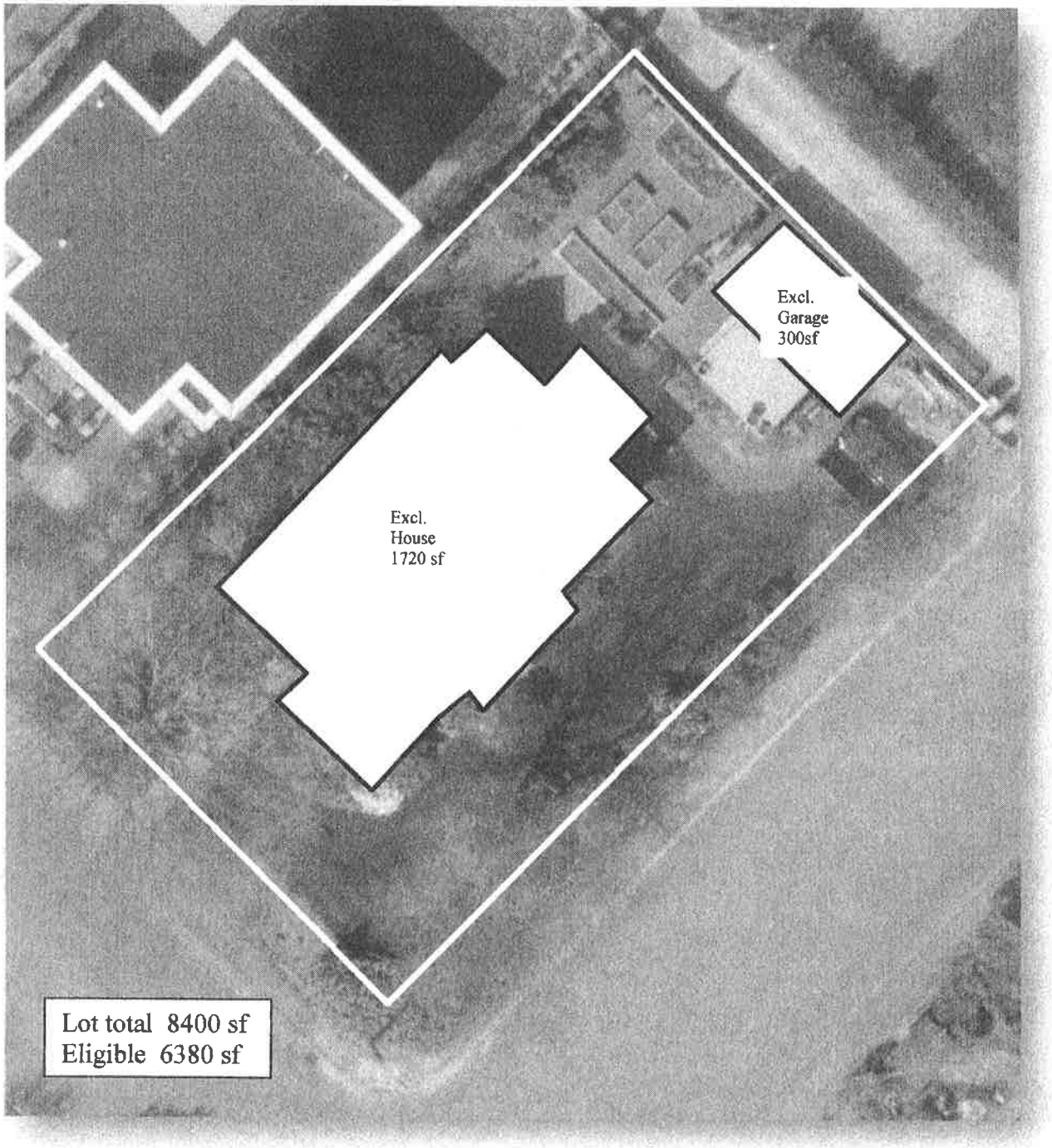
Appeal. Any person aggrieved by a decision of the City of Kirkland Landmarks Commission designating or rejecting a nomination of a landmark may, within 35 calendar days of mailing of notice of the action, appeal the decision to the Kirkland City Council. Written notice of appeal shall be filed with the Historic Preservation Officer and the City Clerk and shall be accompanied by a statement setting forth the grounds of the appeal, supporting documents and argument. (KCC 20.62.110.A)

Reconsideration. Any person aggrieved by a decision of the City of Kirkland Landmarks Commission designating or rejecting a nomination for designation of a landmark may, within 20 calendar days of mailing of notice of the decision, petition the Commission for reconsideration on the grounds the decision was based on 1) errors or omissions of fact; or, 2) that new information bearing on the decision, and not reasonably available to the petitioner at the time of the decision, is available. The written petition must be filed with the Historic Preservation Officer and must be accompanied by 1) a statement setting forth the grounds for the petition; and, 2) any supporting documents. Within 70 calendar days of filing of a petition for reconsideration, the Commission shall review the record, and may, at its discretion, render a revised decision. The Commission may, at its discretion, hold another public hearing on the landmark nomination.

ATTACHMENT 1

Loomis House

304 8th Avenue West
Kirkland, WA 98033
Parcel 3885801295



ATTACHMENT 1

Barbara L. Loomis
304 8th Ave. West
Kirkland, WA 98033

December 30, 2013

King County WLRD
PBRS Program
201 South Jackson Street, Suite 600
Seattle, WA 98104

Attn: Bill Bernstein

Hello Mr. Bernstein,

Here is my application for the Public Benefit Rating System for Open Space Land Classification for my property in Kirkland, Washington, at 304 8th Ave. West. Along with the application please find my enclosed check in the amount of $480. made out to the King County Office of Finance. If you have any questions or need further input please contact me by phone: 425-827-7194 or email: bloomis304@gmail.com.

Sincerely,
Barbara L. Loomis

Barbara L Loomis

Enclosures:
$480 check
PBRS Application
City of Kirkland Historic Landmark Designation Report
Site Plan

KING COUNTY
DEPARTMENT OF NATURAL RESOURCES AND PARKS
WATER AND LAND RESOURCES DIVISION

Report to the City of Kirkland for Property
Enrollment in the Public Benefit Rating System (PBRS)

June 3, 2014

APPLICANT: Barbara Loomis File No. E13CT054K

A. GENERAL INFORMATION:

1. Owner: Barbara Loomis
   304 8th Avenue West
   Kirkland, WA 98033

2. Property location: same as above

3. Zoning: RS 7.2

4. STR: NE-06-25-05

5. PBRS categories requested by applicant and recommended by staff:

   Open space resource
   Historic landmark or archeological site: designated site

6. Parcel: 388580-1295

Total acreage:	0.19
Requested PBRS:	---
Home site/excluded area:	0.05
Recommended PBRS:	**0.14**

NOTE: The portion recommended for enrollment in PBRS is the entire property less the excluded area as measured. The attached 2013 aerial photo outlines the parcel in yellow and the area proposed to be excluded from PBRS in blue. In the event the Assessor's official parcel size is revised, PBRS acreage should be administratively adjusted to reflect that change.

B. FACTS:

1. Zoning in the vicinity: Properties in the vicinity are zoned RS7.2, RS8.5, P, WD11, MSC1 and MSC2.

2. Development of the subject property and resource characteristics of open space area: The property contains a single family home and landscaping. The open space portion consists mainly of lawn, parking, garden and landscaped areas.

3. Site use: The property is currently used as a single family residence.

4. Access: The property is accessed from 8th Avenue West.

5. Appraised value for 2014 (Based on Assessor's information dated 5/28/2014)

Parcel #388580-1295	**Land**	Improvements	Total
Assessed value	**$616,000.00**	$1,000.00	$617,000.00
Tax applied	**$6,747.29**	$10.95	$6,758.24

NOTE: Participation in PBRS reduces the **appraised land value** for the **portion** of the property enrolled resulting in a lower taxable value.

C. REQUIREMENTS SPECIFIED BY KING COUNTY CODE (KCC):

KCC 20.36.010 Purpose and intent.

It is in the best interest of the county to maintain, preserve, conserve and otherwise continue in existence adequate open space lands for the production of food, fiber and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the county and its citizens.

It is the intent of this chapter to implement RCW Chapter 84.34, as amended, by establishing procedures, rules and fees for the consideration of applications for public benefit rating system assessed valuation on "open space land" and for current use assessment on "farm and agricultural land" and "timber land" as those lands are defined in RCW 84.34.020. The provisions of RCW chapter 84.34, and the regulations adopted thereunder shall govern the matters not expressly covered in this chapter.

KCC 20.36.100 Public benefit rating system for open space land – definitions and eligibility.

A. To be eligible for open space classification under the public benefit rating system, property must contain one or more qualifying open space resources and have at least five points as determined under this section. The department will review each application and recommend award of credit for current use of property that is the subject of the application. In making such recommendation, the department will utilize the point system described in section B. and C. below.

B. The following open space resources are each eligible for the points indicated:
   1. Public recreation area – five points
   2. Aquifer protection area – five points
   3. Buffer to public or current use classified land – three points

4. Equestrian-pedestrian-bicycle trail linkage – thirty-five points
5. Active trail linkage – fifteen or twenty-five points
6. Farm and agricultural conservation land – five points
7. Forest stewardship land – five points
8. Historic landmark or archaeological site: buffer to a designated site – three points
9. Historic landmark or archaeological site: designated site – five points
10. Historic landmark or archaeological site: eligible site – three points
11. Rural open space – five points
12. Rural stewardship land – five points
13. Scenic resource, viewpoint, or view corridor – five points
14. Significant plant or ecological site –five points
15. Significant wildlife or salmonid habitat – five points
16. Special animal site – three points
17. Surface water quality buffer – five points
18. Urban open space – five points
19. Watershed protection area – five points

C. Property qualifying for an open space category in subsection B. of this section may receive credit for additional points as follows:
   1. Resource restoration - five points
   2. Additional surface water quality buffer - three or five points
   3. Contiguous parcels under separate ownership - two points
   4. Conservation easement of historic easement – fifteen points
   5. Public access - points dependent on level of access
      a. Unlimited public access - five points
      b. Limited public access - sensitive areas - five points
      c. Environmental education access – three points
      d. Seasonal limited public access - three points
      e. None or members only – zero points
   6. Easement and access – thirty-five points

D. 2012 COMPREHENSIVE PLAN POLICIES AND TEXT:

E-101 In addition to its regulatory authority, King County should use incentives to protect and restore the natural environment whenever practicable. Incentives should be monitored to determine their effectiveness in terms of protecting natural resources.

NOTE: Monitoring of participating lands is the responsibility of both department PBRS staff and the landowner. This issue is addressed in the Resource Information document (page 4) and detailed below in Recommendation #B11.

E-106 The protection of lands where development would pose hazards to health, property, important ecological functions or environmental quality shall be achieved through acquisition, enhancement, incentive programs and appropriate regulations. The following critical areas are particularly susceptible and shall be protected:

a. Floodways of 100-year floodplains;
b. Slopes with a grade of 40 percent or more or landslide hazards that cannot be mitigated;
c. Wetlands and their protective buffers;
d. Aquatic areas, including streams, lakes, marine shorelines and their protective buffers;
e. Channel migration hazard areas;
f. Critical Aquifer Recharge Areas;
g. Fish and Wildlife Habitat Conservation Areas; and
h. Volcanic hazard areas.

E-421 Terrestrial and aquatic habitats should be conserved and enhanced to protect and improve conditions for fish and wildlife.

NOTE: PBRS is an incentive program provided to encourage voluntary protection of open space resources and maintain high quality resource lands.

E-429 King County should provide incentives for private landowners who are seeking to remove invasive plants and noxious weeds and replace them with native plants.

NOTE: Participation in PBRS requires landowners address invasive plant and noxious weed control and removal within enrolled portions of a property. Replacement with native vegetation is also encouraged via the implementation of approved forest stewardship, rural stewardship or resource restoration plans.

E-443 The county should promote voluntary wildlife habitat enhancement projects by private individuals and businesses through educational, active stewardship, and incentive programs.

E-476 King County should identify upland areas of native vegetation that connect wetlands to upland habitats and that connect upland habitats to each other. The county should seek protection of these areas through acquisition, stewardship plans, and incentive programs such as the Public Benefit Rating System and the Transfer of Development Rights Program.

E-504 King County should protect native plant communities by encouraging management and control of nonnative invasive plants, including aquatic plants. Environmentally sound methods of vegetation control should be used to control noxious weeds.

NOTE: Lands participating in PBRS provide valuable resource protection and promote the preservation or enhancement of native vegetation. Addressing nonnative vegetation (invasive plant species), through control and eradication is a PBRS requirement.

E-449 The county shall promote retention of forest cover and significant trees using a mix of regulations, incentives, and technical assistance.

R-605 Well-managed forestry and agriculture practices are encouraged because of their multiple benefits, including natural resource protection.

NOTE: The implementation of an approved forest stewardship, farm management or rural stewardship plan benefits natural resources, such as wildlife habitat, stream buffers and groundwater protection, as well as fosters the preservation of sustainable resources.

E. PBRS CATEGORY REQUESTED and DEPARTMENT RECOMMENDATIONS:

Open space resource

- Historic landmark or archeological site: designated site
  The owners worked with the King County Historic Preservation Program and City of Kirkland staff to landmark the home on the property (see Exhibit 9). The historic preservation office supports award of this category and the requirements of condition #10 on page 7 of this report. Credit for this category is recommended.

NOTE: It is important to note that enrollment in the PBRS program requires the control and removal of invasive plant species. This issue is addressed in the Resource Information document (page 3) and below in Recommendation #B7.

CONCLUSIONS AND RECOMMENDATIONS

A. CONCLUSIONS:

1. Approval of the subject request would be consistent with the specific purpose and intent of KCC 20.36.010.
2. Approval of the subject request would be consistent with policy E-101 of the King County Comprehensive Plan.
3. Of the points recommended, the subject request meets the mandatory criteria of KCC 20.36.100 as indicated:

Open space resource
Historic landmark or archeological site: designated site 5

TOTAL 5 points

PUBLIC BENEFIT RATING
For the purpose of taxation, 5 points result in 50% of market value and a 50% reduction in taxable value for the portion of land enrolled.

B. RECOMMENDATION:

APPROVE the request for current use taxation "Open space" classification with a Public Benefit Rating of 5 points, subject to the following requirements:

Requirements for Property Enrolled in the
Public Benefit Rating System Current Use Taxation Program

1. Compliance with these requirements is necessary to continue to receive the tax benefits from the King County Public Benefit Rating System (PBRS) current use taxation program for the property enrolled in the program (Property). Failure to abide by these requirements can result in removal of current use designation and subject the property owner (Owner) to the penalty, tax, and interest provisions of RCW 84.34 and assessment at true and fair value. The County Assessor and the King County Rural and Regional Services Section or its successor may re-evaluate the Property to determine whether removal of the open space designation is appropriate. Removal shall follow the process in RCW 84.34.108.

2. Revisions to these requirements may only occur upon mutual written approval of the Owner and granting authority. These conditions shall apply so long as the Property retains its open space designation. If a conservation easement acceptable to and approved by the City of Kirkland and King County is granted by the Owner or the Owner's successors in interest to the Department of Natural Resources and Parks, King County or a grantee approved by King County, these requirements may be superseded by the terms of such easement, upon written approval by King County.

3. The open space classification for this Property will continue so long as it meets the open space purposes for which it was initially approved. Classification as open space will be removed upon a determination by King County that the Property no longer meets the open space purposes for which it was initially approved. A change in circumstances which diminishes the extent of public benefit from that approved by the City of Kirkland and King County Council in the open space taxation agreement will be cause for removal of the current use assessment classification. It is the Owner's responsibility to notify the Assessor and the King County Rural and Regional Services Section or its successor of a change in circumstance with regard to the Property.

4. When a portion of the open space Property is withdrawn or removed from the program, the King County Rural and Regional Services Section or its successor and the Assessor shall re-evaluate the remaining Property to determine whether it may continue to qualify under the program. If the remaining portion meets the criteria for priority resources, it may continue under current use taxation.

5. Except as provided for in sections 6, 7 and 10 below, no alteration of the open space land or resources shall occur without prior approval by the City of Kirkland and the King County Rural and Regional Services Section or its successor. **Any unapproved alteration may constitute a departure from an approved open space use and be**

deemed a change of use, and subject the Property to the additional tax, interest, and penalty provisions of RCW 84.34.080. "Alteration" means any human-induced action that adversely impacts the existing condition of the open space Property or resources including but not limited to the following: *(Walking, horseback riding, passive recreation or actions taken in conjunction with a resource restoration plan, or other similar approved activities are permitted.)*

a. erecting structures;
b. grading;
c. filling;
d. dredging;
e. channelizing;
f. modifying land or hydrology for surface water management purposes;
g. cutting, pruning, limbing or topping, clearing, planting, introducing, relocating or removing vegetation, however, selective cutting may be permitted for firewood;
h. applying herbicides or pesticides or any hazardous or toxic substance;
i. discharging pollutants excepting stormwater;
j. paving, construction, application of gravel;
k. storing of equipment, household supplies, play equipment, or compost;
l. engaging in any other activity that adversely impacts the existing vegetation, hydrology, wildlife, wildlife habitat, or other open space resources.

6. Notwithstanding the provisions of Section 5 trees posing a hazard to structures or major roads may be removed. Any trees removed must be replaced.

7. If an area of the Property becomes or has become infested with noxious weeds, the Owner may be required to submit a control and enhancement plan to the King County Rural and Regional Services Section or its successor in order to remove such weeds. If an area of the Property becomes or has become invaded by non-native species, the Owner may be required to submit, or may voluntarily submit, an enhancement plan to the King County Rural and Regional Services Section or its successor, in order to replace such species with native species or other appropriate vegetation.

8. There shall be no motorized vehicle driving or parking allowed on the open space Property, except on areas of the Property used for parking.

9. Grazing of livestock is prohibited on the open space Property.

10. Changes of use, building and site alterations, or changes to vegetation on historic resource properties must be compatible with the features of significance identified in the landmark designation report and are subject to prior approval by the County's Historic Preservation Officer. Such approved changes and activities shall not be deemed to violate sections contained in the recommended conditions, and may include construction and vegetation management necessary for preservation, restoration or approved adaptive reuse of historic buildings, structures, landscapes or sites. Features of significance identified in the landmark designation report for historic properties shall be maintained in a condition equivalent to or better than that existing at the time of designation.

11. An owner of property enrolled in the program may be required to submit a monitoring report on an annual or less frequent basis as requested by program staff. This report must include a brief description of how the property still qualifies for each awarded resource category. It must also include photographs from established points on the property and any observations by the owner. The owner must submit this report to the department by email or by other mutually agreed upon method. An environmental consultant need not prepare this report.

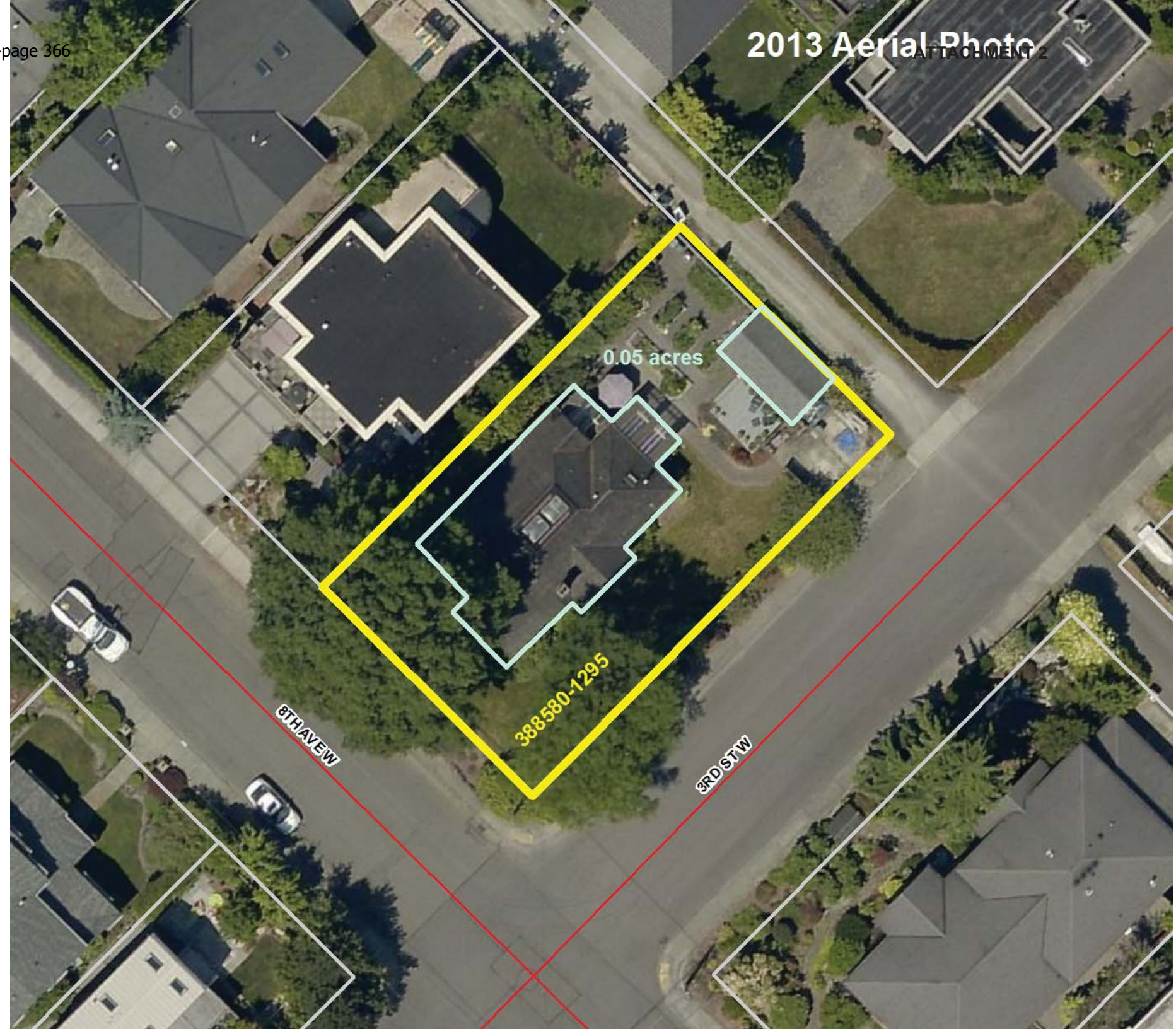
12. Enrollment in PBRS does not exempt the Owner from obtaining any required permit or approval for activity or use on the Property.

TRANSMITTED to the parties listed hereafter:

Barbara Loomis, applicant
Angela Ruggeri, Senior Planner, City of Kirkland
Wendy Morse, King County Department of Assessments
Charlie Sundberg, King County Historic Preservation Program

2013 Aerial Photo

ATTACHMENT 2



RESOLUTION R-5058

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A PUBLIC BENEFIT RATING SYSTEM CURRENT USE ASSESSMENT FOR TAX PARCEL NUMBER 388580-1295.

WHEREAS, Barbara Loomis applied to King County for a current use assessment of her property at 304 8th Avenue West (Parcel Number 388580-1295) in the City of Kirkland; and

WHEREAS, RCW 84.34.037 provides that for a property located within an incorporated area, an application for the Public Benefit Rating System must be acted on after a public hearing of the city legislative body in which the property is located; and

WHEREAS, the King County Department of Natural Resources and Parks, Water and Land Resources Division, has provided a staff report evaluating the Barbara Loomis request together with a recommendation to approve the application subject to certain conditions; and

WHEREAS, a public hearing on this application was held before the Kirkland City Council on June 17, 2014; and

WHEREAS, the City Council desires to approve the Public Benefit Rating System, Current Use Assessment request of Barbara Loomis subject to the conditions recommended in the King County staff report;

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

Section 1. The Kirkland City Council adopts the conclusions, recommendations, and conditions of the King County staff report for the Public Benefit Rating System, Current Use Assessment Request of Barbara Loomis for King County Tax Parcel Number 388580-1295 attached as Exhibit A and incorporated by this reference.

Section 2. The Kirkland City Council approves the Public Benefit Rating System, Current Use Assessment request of Barbara Loomis and authorizes the filing of the City Council's approval with the King County Transportation, Economy and Environment Committee.

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

KING COUNTY
DEPARTMENT OF NATURAL RESOURCES AND PARKS
WATER AND LAND RESOURCES DIVISION

Report to the City of Kirkland for Property Enrollment in the Public Benefit Rating System (PBRS)

June 3, 2014

APPLICANT: Barbara Loomis File No. E13CT054K

A. GENERAL INFORMATION:

1. Owner: Barbara Loomis
   304 8th Avenue West
   Kirkland, WA 98033

2. Property location: same as above

3. Zoning: RS 7.2

4. STR: NE-06-25-05

5. PBRS categories requested by applicant and recommended by staff:

   Open space resource
   Historic landmark or archeological site: designated site

6. Parcel: 388580-1295

Total acreage:	0.19
Requested PBRS:	---
Home site/excluded area:	0.05
Recommended PBRS:	**0.14**

NOTE: The portion recommended for enrollment in PBRS is the entire property less the excluded area as measured. The attached 2013 aerial photo outlines the parcel in yellow and the area proposed to be excluded from PBRS in blue. In the event the Assessor's official parcel size is revised, PBRS acreage should be administratively adjusted to reflect that change.

B. FACTS:

1. Zoning in the vicinity: Properties in the vicinity are zoned RS7.2, RS8.5, P, WD11, MSC1 and MSC2.

2. Development of the subject property and resource characteristics of open space area: The property contains a single family home and landscaping. The open space portion consists mainly of lawn, parking, garden and landscaped areas.

3. Site use: The property is currently used as a single family residence.

4. Access: The property is accessed from 8th Avenue West.

5. Appraised value for 2014 (Based on Assessor's information dated 5/28/2014)

Parcel #388580-1295	**Land**	Improvements	Total
Assessed value	**$616,000.00**	$1,000.00	$617,000.00
Tax applied	**$6,747.29**	$10.95	$6,758.24

NOTE: Participation in PBRS reduces the **appraised land value** for the **portion** of the property enrolled resulting in a lower taxable value.

C. REQUIREMENTS SPECIFIED BY KING COUNTY CODE (KCC):

KCC 20.36.010 Purpose and intent.

It is in the best interest of the county to maintain, preserve, conserve and otherwise continue in existence adequate open space lands for the production of food, fiber and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the county and its citizens.

It is the intent of this chapter to implement RCW Chapter 84.34, as amended, by establishing procedures, rules and fees for the consideration of applications for public benefit rating system assessed valuation on "open space land" and for current use assessment on "farm and agricultural land" and "timber land" as those lands are defined in RCW 84.34.020. The provisions of RCW chapter 84.34, and the regulations adopted thereunder shall govern the matters not expressly covered in this chapter.

KCC 20.36.100 Public benefit rating system for open space land – definitions and eligibility.

A. To be eligible for open space classification under the public benefit rating system, property must contain one or more qualifying open space resources and have at least five points as determined under this section. The department will review each application and recommend award of credit for current use of property that is the subject of the application. In making such recommendation, the department will utilize the point system described in section B. and C. below.

B. The following open space resources are each eligible for the points indicated:
   1. Public recreation area – five points
   2. Aquifer protection area – five points
   3. Buffer to public or current use classified land – three points

4. Equestrian-pedestrian-bicycle trail linkage – thirty-five points
5. Active trail linkage – fifteen or twenty-five points
6. Farm and agricultural conservation land – five points
7. Forest stewardship land – five points
8. Historic landmark or archaeological site: buffer to a designated site – three points
9. Historic landmark or archaeological site: designated site – five points
10. Historic landmark or archaeological site: eligible site – three points
11. Rural open space – five points
12. Rural stewardship land – five points
13. Scenic resource, viewpoint, or view corridor – five points
14. Significant plant or ecological site –five points
15. Significant wildlife or salmonid habitat – five points
16. Special animal site – three points
17. Surface water quality buffer – five points
18. Urban open space – five points
19. Watershed protection area – five points

C. Property qualifying for an open space category in subsection B. of this section may receive credit for additional points as follows:
   1. Resource restoration - five points
   2. Additional surface water quality buffer - three or five points
   3. Contiguous parcels under separate ownership - two points
   4. Conservation easement of historic easement – fifteen points
   5. Public access - points dependent on level of access
      a. Unlimited public access - five points
      b. Limited public access - sensitive areas - five points
      c. Environmental education access – three points
      d. Seasonal limited public access - three points
      e. None or members only – zero points
   6. Easement and access – thirty-five points

D. 2012 COMPREHENSIVE PLAN POLICIES AND TEXT:

E-101 In addition to its regulatory authority, King County should use incentives to protect and restore the natural environment whenever practicable. Incentives should be monitored to determine their effectiveness in terms of protecting natural resources.

NOTE: Monitoring of participating lands is the responsibility of both department PBRS staff and the landowner. This issue is addressed in the Resource Information document (page 4) and detailed below in Recommendation #B11.

E-106 The protection of lands where development would pose hazards to health, property, important ecological functions or environmental quality shall be achieved through acquisition, enhancement, incentive programs and appropriate regulations. The following critical areas are particularly susceptible and shall be protected:

a. Floodways of 100-year floodplains;
b. Slopes with a grade of 40 percent or more or landslide hazards that cannot be mitigated;
c. Wetlands and their protective buffers;
d. Aquatic areas, including streams, lakes, marine shorelines and their protective buffers;
e. Channel migration hazard areas;
f. Critical Aquifer Recharge Areas;
g. Fish and Wildlife Habitat Conservation Areas; and
h. Volcanic hazard areas.

E-421 Terrestrial and aquatic habitats should be conserved and enhanced to protect and improve conditions for fish and wildlife.

NOTE: PBRS is an incentive program provided to encourage voluntary protection of open space resources and maintain high quality resource lands.

E-429 King County should provide incentives for private landowners who are seeking to remove invasive plants and noxious weeds and replace them with native plants.

NOTE: Participation in PBRS requires landowners address invasive plant and noxious weed control and removal within enrolled portions of a property. Replacement with native vegetation is also encouraged via the implementation of approved forest stewardship, rural stewardship or resource restoration plans.

E-443 The county should promote voluntary wildlife habitat enhancement projects by private individuals and businesses through educational, active stewardship, and incentive programs.

E-476 King County should identify upland areas of native vegetation that connect wetlands to upland habitats and that connect upland habitats to each other. The county should seek protection of these areas through acquisition, stewardship plans, and incentive programs such as the Public Benefit Rating System and the Transfer of Development Rights Program.

E-504 King County should protect native plant communities by encouraging management and control of nonnative invasive plants, including aquatic plants. Environmentally sound methods of vegetation control should be used to control noxious weeds.

NOTE: Lands participating in PBRS provide valuable resource protection and promote the preservation or enhancement of native vegetation. Addressing nonnative vegetation (invasive plant species), through control and eradication is a PBRS requirement.

E-449 The county shall promote retention of forest cover and significant trees using a mix of regulations, incentives, and technical assistance.

R-605 Well-managed forestry and agriculture practices are encouraged because of their multiple benefits, including natural resource protection.

NOTE: The implementation of an approved forest stewardship, farm management or rural stewardship plan benefits natural resources, such as wildlife habitat, stream buffers and groundwater protection, as well as fosters the preservation of sustainable resources.

E. PBRS CATEGORY REQUESTED and DEPARTMENT RECOMMENDATIONS:

Open space resource

- Historic landmark or archeological site: designated site
  The owners worked with the King County Historic Preservation Program and City of Kirkland staff to landmark the home on the property (see Exhibit 9). The historic preservation office supports award of this category and the requirements of condition #10 on page 7 of this report. Credit for this category is recommended.

NOTE: It is important to note that enrollment in the PBRS program requires the control and removal of invasive plant species. This issue is addressed in the Resource Information document (page 3) and below in Recommendation #B7.

CONCLUSIONS AND RECOMMENDATIONS

A. CONCLUSIONS:

1. Approval of the subject request would be consistent with the specific purpose and intent of KCC 20.36.010.
2. Approval of the subject request would be consistent with policy E-101 of the King County Comprehensive Plan.
3. Of the points recommended, the subject request meets the mandatory criteria of KCC 20.36.100 as indicated:

Open space resource
Historic landmark or archeological site: designated site 5

TOTAL 5 points

PUBLIC BENEFIT RATING
For the purpose of taxation, 5 points result in 50% of market value and a 50% reduction in taxable value for the portion of land enrolled.

B. RECOMMENDATION:

APPROVE the request for current use taxation "Open space" classification with a Public Benefit Rating of 5 points, subject to the following requirements:

Requirements for Property Enrolled in the
Public Benefit Rating System Current Use Taxation Program

1. Compliance with these requirements is necessary to continue to receive the tax benefits from the King County Public Benefit Rating System (PBRS) current use taxation program for the property enrolled in the program (Property). Failure to abide by these requirements can result in removal of current use designation and subject the property owner (Owner) to the penalty, tax, and interest provisions of RCW 84.34 and assessment at true and fair value. The County Assessor and the King County Rural and Regional Services Section or its successor may re-evaluate the Property to determine whether removal of the open space designation is appropriate. Removal shall follow the process in RCW 84.34.108.

2. Revisions to these requirements may only occur upon mutual written approval of the Owner and granting authority. These conditions shall apply so long as the Property retains its open space designation. If a conservation easement acceptable to and approved by the City of Kirkland and King County is granted by the Owner or the Owner's successors in interest to the Department of Natural Resources and Parks, King County or a grantee approved by King County, these requirements may be superseded by the terms of such easement, upon written approval by King County.

3. The open space classification for this Property will continue so long as it meets the open space purposes for which it was initially approved. Classification as open space will be removed upon a determination by King County that the Property no longer meets the open space purposes for which it was initially approved. A change in circumstances which diminishes the extent of public benefit from that approved by the City of Kirkland and King County Council in the open space taxation agreement will be cause for removal of the current use assessment classification. It is the Owner's responsibility to notify the Assessor and the King County Rural and Regional Services Section or its successor of a change in circumstance with regard to the Property.

4. When a portion of the open space Property is withdrawn or removed from the program, the King County Rural and Regional Services Section or its successor and the Assessor shall re-evaluate the remaining Property to determine whether it may continue to qualify under the program. If the remaining portion meets the criteria for priority resources, it may continue under current use taxation.

5. Except as provided for in sections 6, 7 and 10 below, no alteration of the open space land or resources shall occur without prior approval by the City of Kirkland and the King County Rural and Regional Services Section or its successor. **Any unapproved alteration may constitute a departure from an approved open space use and be**

deemed a change of use, and subject the Property to the additional tax, interest, and penalty provisions of RCW 84.34.080. "Alteration" means any human-induced action that adversely impacts the existing condition of the open space Property or resources including but not limited to the following: *(Walking, horseback riding, passive recreation or actions taken in conjunction with a resource restoration plan, or other similar approved activities are permitted.)*

a. erecting structures;
b. grading;
c. filling;
d. dredging;
e. channelizing;
f. modifying land or hydrology for surface water management purposes;
g. cutting, pruning, limbing or topping, clearing, planting, introducing, relocating or removing vegetation, however, selective cutting may be permitted for firewood;
h. applying herbicides or pesticides or any hazardous or toxic substance;
i. discharging pollutants excepting stormwater;
j. paving, construction, application of gravel;
k. storing of equipment, household supplies, play equipment, or compost;
l. engaging in any other activity that adversely impacts the existing vegetation, hydrology, wildlife, wildlife habitat, or other open space resources.

6. Notwithstanding the provisions of Section 5 trees posing a hazard to structures or major roads may be removed. Any trees removed must be replaced.

7. If an area of the Property becomes or has become infested with noxious weeds, the Owner may be required to submit a control and enhancement plan to the King County Rural and Regional Services Section or its successor in order to remove such weeds. If an area of the Property becomes or has become invaded by non-native species, the Owner may be required to submit, or may voluntarily submit, an enhancement plan to the King County Rural and Regional Services Section or its successor, in order to replace such species with native species or other appropriate vegetation.

8. There shall be no motorized vehicle driving or parking allowed on the open space Property, except on areas of the Property used for parking.

9. Grazing of livestock is prohibited on the open space Property.

10. Changes of use, building and site alterations, or changes to vegetation on historic resource properties must be compatible with the features of significance identified in the landmark designation report and are subject to prior approval by the County's Historic Preservation Officer. Such approved changes and activities shall not be deemed to violate sections contained in the recommended conditions, and may include construction and vegetation management necessary for preservation, restoration or approved adaptive reuse of historic buildings, structures, landscapes or sites. Features of significance identified in the landmark designation report for historic properties shall be maintained in a condition equivalent to or better than that existing at the time of designation.

11. An owner of property enrolled in the program may be required to submit a monitoring report on an annual or less frequent basis as requested by program staff. This report must include a brief description of how the property still qualifies for each awarded resource category. It must also include photographs from established points on the property and any observations by the owner. The owner must submit this report to the department by email or by other mutually agreed upon method. An environmental consultant need not prepare this report.

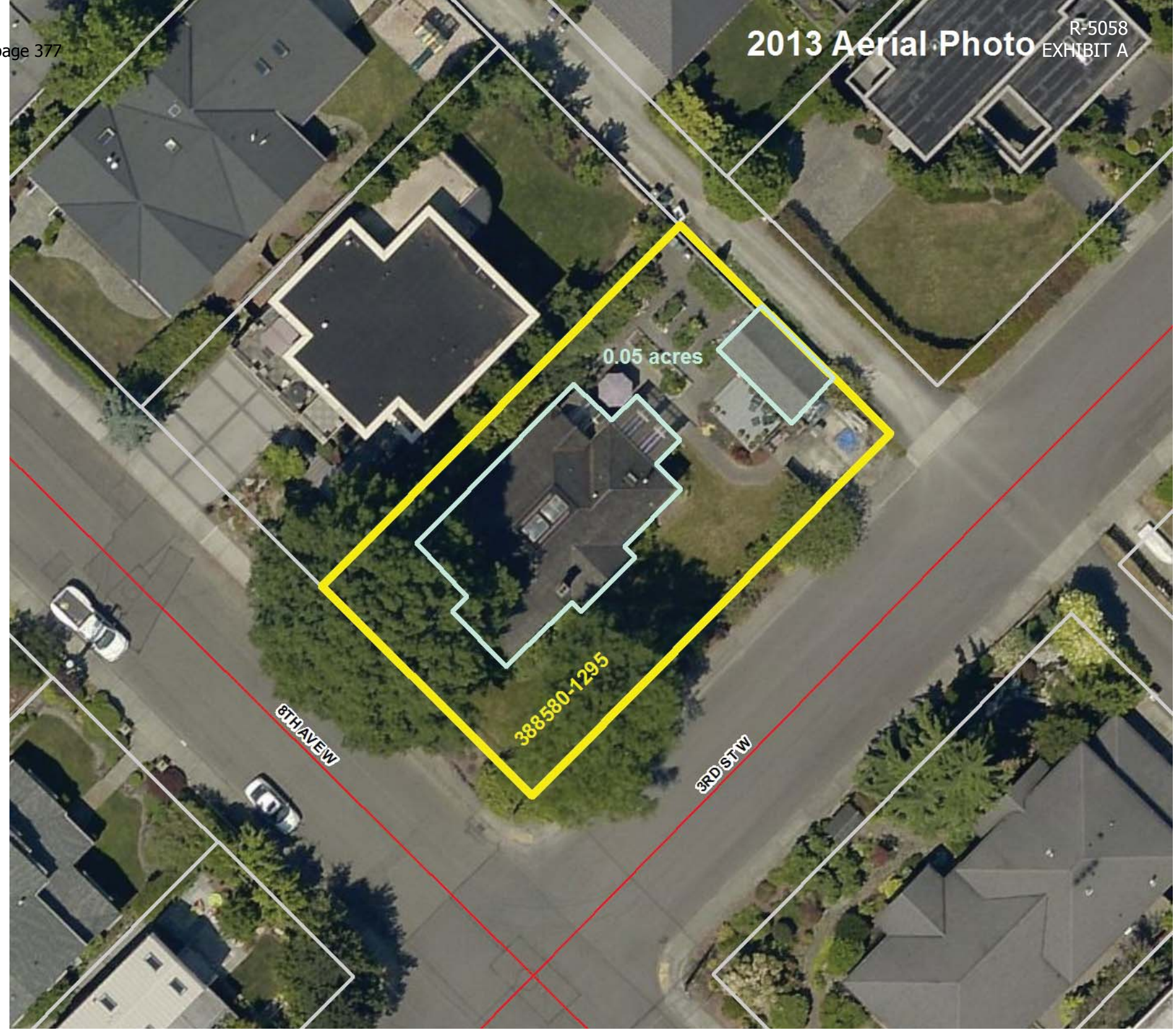
12. Enrollment in PBRS does not exempt the Owner from obtaining any required permit or approval for activity or use on the Property.

TRANSMITTED to the parties listed hereafter:

Barbara Loomis, applicant
Angela Ruggeri, Senior Planner, City of Kirkland
Wendy Morse, King County Department of Assessments
Charlie Sundberg, King County Historic Preservation Program

2013 Aerial Photo

R-5058
EXHIBIT A



Council Meeting: 06/17/2014
Agenda: Public Hearings
Item #: 9. b.

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, AICP, Planning Director
Paul Stewart, AICP, Deputy Planning Director

Date: June 6, 2014

Subject: Norkirk Marijuana Retail Sales - Interim Zoning Regulations (File PLN 13-01363)

RECOMMENDATION

It is recommended that the Council conducts a public hearing regarding zoning locations of retail sales of recreational marijuana and then decides:

1) Whether to make no change to the existing interim regulations which currently allow retail sale of recreational marijuana in the Light Industrial Technology (LIT) zones (except as prohibited by state regulations); or

2) Whether to approve one of the attached ordinances. The ordinance marked "**Option 1**" would amend interim regulations pertaining to the retail sale of recreational marijuana by authorizing sales only in Light Industrial Technology (LIT) zones where at least 50 percent of the boundary of the zone is adjacent to commercial zones. The ordinance marked "**Option 2**" would revise the interim regulations to remove all LIT zones as zones where retail sale of recreational marijuana is allowed.

Either of the attached ordinances would amend Ordinance O-4439 enacted by the Council in March 2014. The interim regulations, as amended, would still only be in effect until September 2014. At that time, the Council may renew the interim regulations after a public hearing is held and findings of fact are made.

BACKGROUND DISCUSSION

Council Direction

On June 3, 2014, the City Council discussed the concerns of Norkirk residents about the potential for retail marijuana sales in the LIT zone in the Norkirk Neighborhood. The primary concerns expressed were that single family residences share the same streets as the LIT zone and are in much closer proximity to the LIT businesses than in other LIT zones. Residents were concerned that marijuana retail stores would be regional draws and highlighted the potential impacts of traffic and crime in the area. The Council directed staff to review options for prohibiting retail marijuana sales in the Norkirk LIT zone, while maintaining as many other sites as possible. The Council expressed a preference for options such as expanding school walk routes or establishing residential buffers. However, as discussed further in this memorandum, staff has concluded that expanding school walk routes is not a prudent option and more time is needed to fully analyze the policy implications of residential buffers. The Council also directed

staff to confirm with the Washington State Liquor Control Board (WSLCB) whether the presence of the dance studio on the south side of 7th Avenue would trigger the Initiative 502 requirement for a 1,000 foot separation from recreation centers.

Dance Studio
Staff discussed the dance studio question with WSLCB staff and was told that the dance studio would not require a buffer under Initiative 502. The reason stated was that the business does not primarily cater to children. An email message from the Kim Gabbard, WSLCB Supervisor, is included as Attachment 1. On the telephone, Ms. Gabbard was unequivocal about this decision and stated that the decision was confirmed with the manager of the marijuana licensing program. The WSLCB, not the City of Kirkland, makes the final decision.

School Walk Routes Option
Staff conducted a site review of the Norkirk LIT and concluded that the option of designating additional school walk routes would not result in the most direct and safe walk routes for children. The school walk route now designated on 7th Avenue is intended as a route for children in the southern part of the Highlands neighborhood to walk to west and then north to Peter Kirk Elementary School and Kirkland Middle School. The current route intends for children to cross the Cross Kirkland Corridor (CKC) where NE 87th Street turns into 7th Avenue, use the sidewalk on 7th Avenue to reach 6th Street, then walk north on 6th Street to the schools. There are sidewalks throughout the current route. Potentially redirecting children through the LIT area is problematic for three reasons. First, there are few sidewalks on 8th Street, 8th Avenue or 9th Avenue. Second, the activities in the LIT zone along 8th Street, 8th Avenue and 9th Avenue have a great deal of truck traffic which is not controlled at individual driveways. And third, with the removal of the railroad tracks and improvement of the CKC for walking and biking, the CKC provides a much more direct and safe route to both Peter Kirk Elementary and Kirkland Middle School from the Highlands. The conclusion reached was that extending the school walk routes to other streets in the Norkirk LIT would not meet the purpose of the school walk routes, which is to designate streets that provide safe access for children walking or biking to school.

Residential Buffer
Staff has not had time to fully explore the option of a residential buffer. Even so, there are two potential problems. First, the buffer would have to be of a significant width (over 430 feet) to preclude marijuana sales on 8th and 9th Avenues, the two streets that connect between the LIT and RS (single family residential). In addition, the creation of a buffer would certainly affect other areas where light industrial and commercial zones abut residential zones. This would most likely limit retail sites in other areas which is not consistent with Council direction. But as noted above, a full analysis of such effects has not been conducted.

Restricting Sales within the LIT Zone
Because of the problems discussed above, staff has concluded that for an interim regulation, the best option would be to outright restrict marijuana retail sales in some or all of the LIT zones. Under the buffer restrictions of Initiative 502 and the limitations of the current Kirkland interim regulations, there are only three areas zoned LIT that are currently available for marijuana sales: a portion of the Norkirk LIT zone, a small area between the CKC and Kirkland Avenue south of Central Way, and the LIT zone on Rose Hill located on 122nd Avenue NE south of NE 90th Street (see Attachment 2). Three primary options were considered as discussed below. Staff recommends Options 1 or 2 which are reflected in the proposed interim ordinances. If the Council prefers a different approach, changes may be made to the one of

the proposed ordinances to reflect Council's preference.

1. Allow retail marijuana sales only in LIT zones that are substantially bounded by commercial zones **(Option 1 Ordinance)**. This option would continue to allow marijuana sales in those LIT zones where 50% of the boundary of the zone is adjacent to commercial zones where retail sales are already allowed. The option addresses the impacts of traffic and neighborhood character. LIT retail sales would only be allowed near areas that are primarily commercial in nature and which already experience significant retail traffic. Effectively, this would allow marijuana sales only in the Rose Hill LIT zone (see Attachment 3). Attachment 4 shows the contiguous commercial boundaries for the LIT Zones in Norkirk and Everest.

2. Eliminate all LIT zones as locations for retail sales **(Option 2 Ordinance)**. This option would prohibit marijuana sales in all areas zoned LIT. Retails sales as a general category were not allowed in the LIT zone until the Council adopted the interim regulations. This option would restore the original prohibition on stand-alone retail sales.

3. Restrict retail sales only in the Norkirk LIT zone simply by geographic description. This option would continue to allow marijuana sales in all LIT zones except the LIT zone in the Norkirk Neighborhood. This would keep the potential for retail sales in the Rose Hill LIT and in the area between the CKC and Kirkland Avenue south of Central Way. However, the primary policy basis for this would need to be articulated to be defensible, so an ordinance implementing this option was not included.

Emergency Declaration
Should the Council desire that the amended interim regulations take effect immediately, a declaration of emergency could be added by amendment. This would require that five members of the Council vote to approve the final ordinance.

SEPA Compliance
The adoption of interim regulations is subject to compliance with the State Environmental Policy Act (SEPA). A SEPA Addendum was issued on June 10, 2014.

Other Issues
Public comments to the City Council have also raised concerns beyond location, most notably the impacts of traffic and the potential for marijuana sales to attract crime. These are understandable concerns and staff will investigate them in more detail when we prepare for the final zoning regulations.

Attachments:
Attachment 1: Email from the WSLCB
Attachment 2: Map of Eligible LIT zones
Attachment 3: Map of Rose Hill LIT zone
Attachment 4: Map of Norkirk and Everest LIT zones
Interim Regulations Ordinance Option #1
Interim Regulations Ordinance Option #2

ATTACHMENT 1

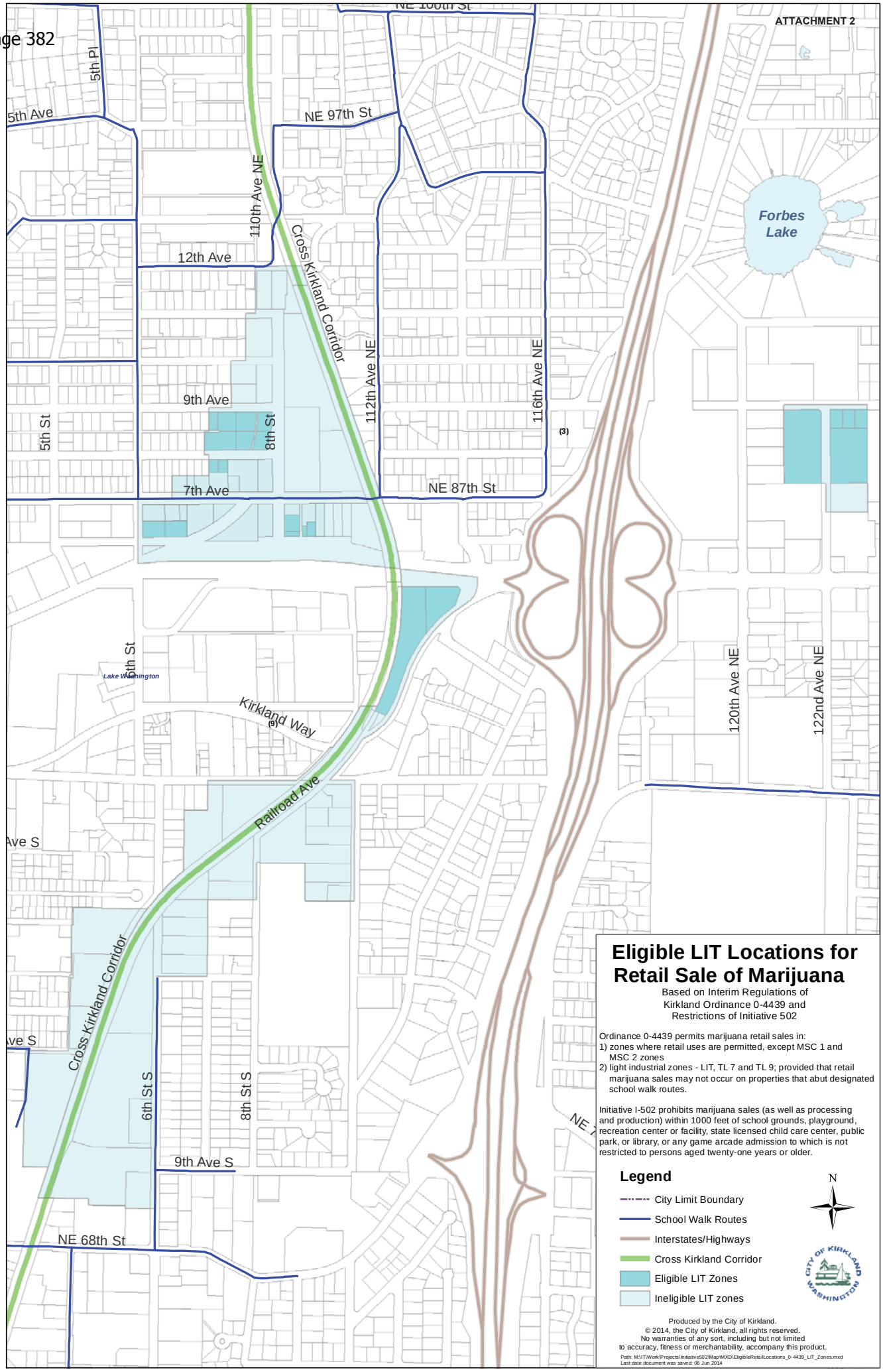
Angela Martin

From: Gabbard, Kimberly (LCB) <KIG@liq.wa.gov>
Sent: Thursday, June 05, 2014 4:02 PM
To: Eric Shields
Subject: Dance Studio

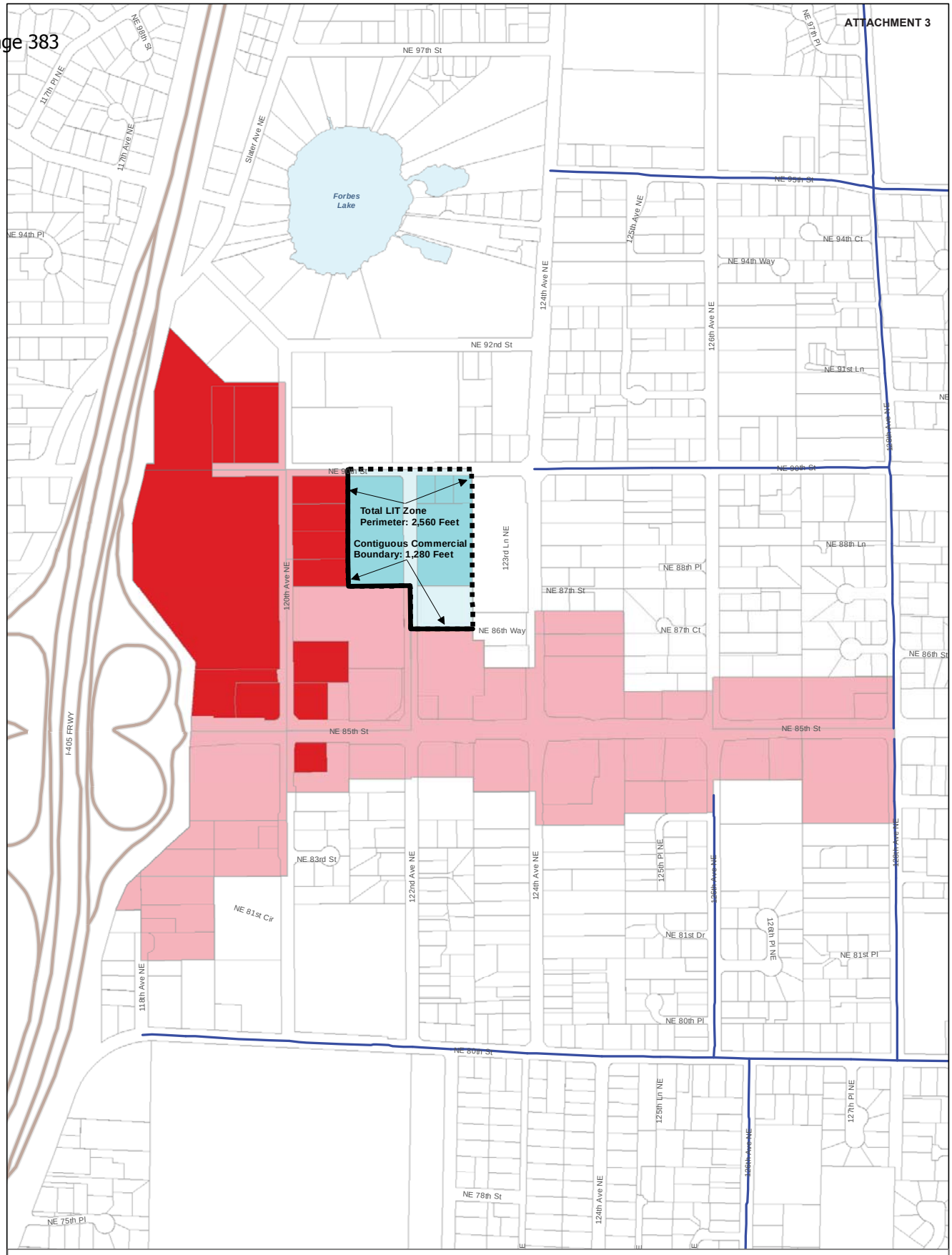
Eric, regarding our conversation on dance studio in question. Myself and the MJ Manager reviewed this web site and the organization . It was determined that it would not be considered a recreational facility. It advertises for adults and children. The manager or owner disagreed, however I informed her that it would not be considered a restricted area. The dance studio advertises for adult dance classes almost every night during the week. Kim

Kim Gabbard
Marijuana Supervisor
Licensing and Regulation Division
360-664-1629

ATTACHMENT 2



ATTACHMENT 3



Ordinance 0-4439 permits marijuana retail sales in:
1) zones where retail uses are permitted, except MSC 1 and MSC 2 zones
2) light industrial zones - LIT, TL 7 and TL 9; provided that retail marijuana sales may not occur on properties that abut designated school walk routes.

Initiative I-502 prohibits marijuana sales (as well as processing and production) within 1000 feet of school grounds, playground, recreation center or facility, state licensed child care center, public park, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

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Last date document was saved: 09 Jun 2014

Contiguous Boundaries For Commercial and LIT Zones Rose Hill

Commercial/Industrial Areas Illustrating LIT Zones with at least 50% of the perimeter contiguous to Commercial Zones as described in Amendment to Interim Ordinance 0-4439

0 100 200 400 600 800 Feet

N

1 inch = 400 feet

Legend

- Contiguous Commercial/LIT Boundary
- Non-Contiguous LIT Zone Perimeter
- School Walk Routes
- Interstates/Highways

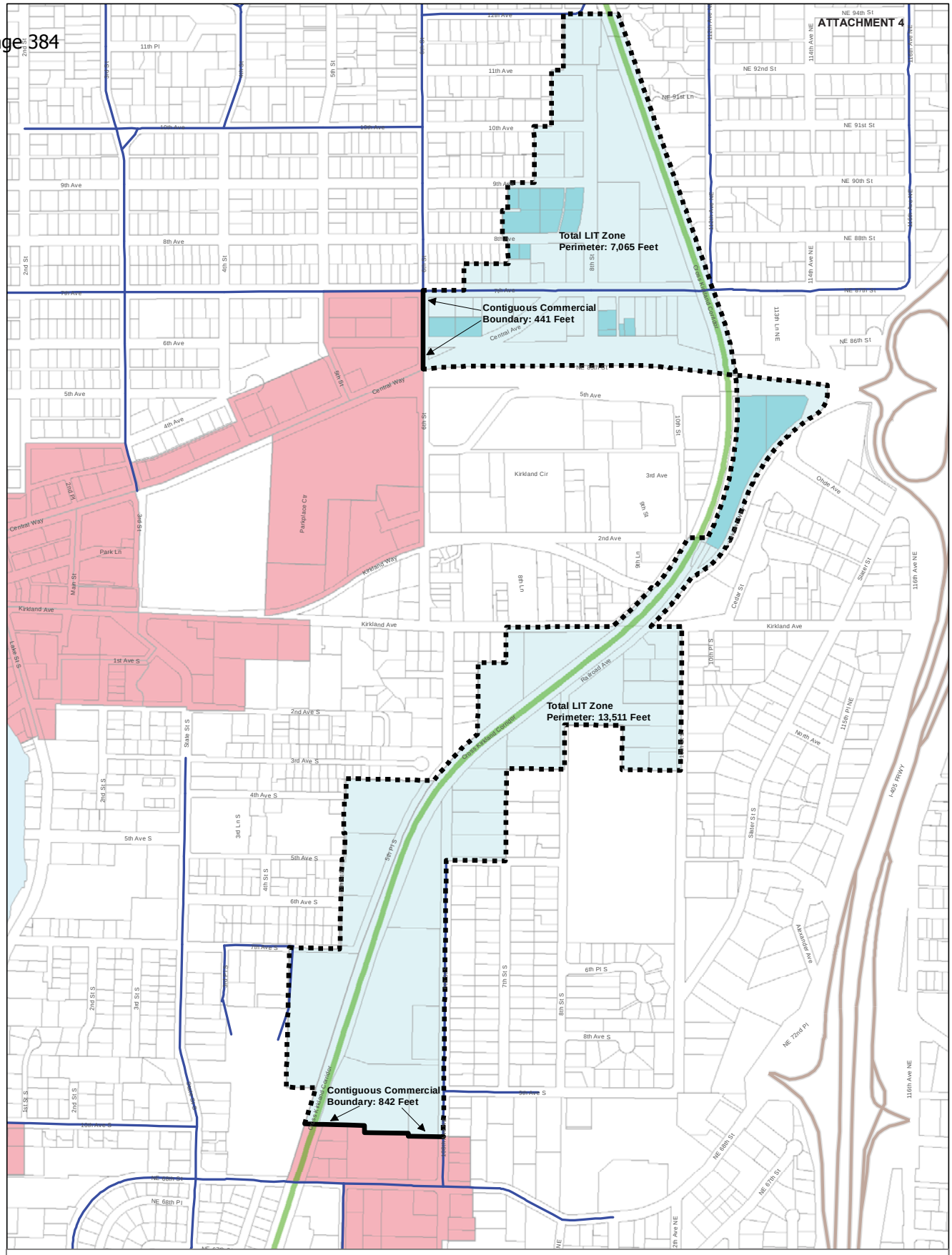
Eligible Retail Areas

- Commercial
- Industrial

Eligible Zones with I-502 Restrictions

- Commercial
- Industrial

ATTACHMENT 4



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Last date document was saved: 10 Jun 2014

Contiguous Boundaries For Commercial and LIT Zones Norkirk/Moss Bay/Everest

Commercial/Industrial Areas Illustrating LIT Zones with less than 50% of the perimeter contiguous to Commercial Zones as described in Amendment to Interim Ordinance 0-4439

0 125 250 500 750 1,000 Feet

N

1 inch = 500 feet

CITY OF KIRKLAND WASHINGTON

Legend

- Contiguous Commercial/LIT Boundary
- Non-Contiguous LIT Zone Perimeter
- School Walk Routes
- Interstates/Highways

Eligible Retail Areas

- Commercial
- Industrial

Eligible Zones with I-502 Restrictions

- Commercial
- Industrial

Option – 1

ORDINANCE O-4446

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, AMENDING ORDINANCE O-4439, ADOPTING INTERIM ZONING REGULATIONS REGARDING THE RETAIL SALE OF RECREATIONAL MARIJUANA, INCLUDING LOCATIONAL RESTRICTIONS, PROVIDING FOR SEVERABILITY, AND APPROVING A PUBLICATION SUMMARY.

WHEREAS, Initiative 502 (I-502) approved by Washington voters in November 2012, provides a framework for licensing and regulating the production, processing, and retail sale of recreational marijuana; and

WHEREAS, the Washington State Liquor Control Board has adopted rules pertaining to the licensing of marijuana producers, processors, and retailers and has accepted applications, and is beginning to issue licenses for these marijuana businesses; and

WHEREAS, the State Liquor Control Board has determined that two state licenses for the retail sale of recreational marijuana may be issued for the City of Kirkland; and

WHEREAS, on January 16, 2014, the Washington State Attorney General issued a formal opinion which concluded that I-502 does not prevent local governments from regulating or banning marijuana businesses; and

WHEREAS, following a public hearing on March 18, 2014, the City Council passed Ordinance O-4439 adopting interim zoning regulations regarding the retail sale of recreational marijuana; and

WHEREAS, the City Council has continued to review how to reconcile the needs of the residents and businesses of Kirkland with respect to the retail sale of recreational marijuana, with Initiative 502, and the rules promulgated by the Washington State Liquor Control Board; and

WHEREAS, the City Council believes that health, safety, and welfare of the community is best served by imposing interim regulations with reasonable limitations to avoid locating recreational marijuana retail outlets next to incompatible uses, while permanent Zoning Code amendments are considered; and

WHEREAS, on June 17, 2014, the City Council conducted a public hearing to take public testimony on the adoption of interim zoning regulations; and

WHEREAS, on June 10, 2014, a State Environmental Policy Act addendum was issued on this proposed ordinance; and

Option – 1 O-4446

WHEREAS, the Council now desires to supplement the interim zoning regulations for the retail sale of recreational marijuana by amending Ordinance O-4439; and

WHEREAS, the City has the authority to enact interim zoning regulations under RCW 35A.63.220 and RCW 36.70A.390;

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

Section 1. Findings. The recitals set forth above are incorporated as findings of fact in support of the interim regulations imposed by this ordinance. The City Council further finds as follows:

a. The City Council wishes to exercise its police power authority granted under article XI, section 11 of the Washington Constitution to promote public safety, health, and welfare, but expressly disclaims any intent to exercise authority over marijuana uses in way that would conflict with the federal Controlled Substances Act;

b. It is the intent of these interim zoning regulations to ensure that marijuana retail outlets are not located where the use could cause inappropriate off-site impacts;

c. The Market Street Corridor (MSC) MSC 1 and MSC 2 zones are in close proximity to a Kirkland School Walk Route developed with a crosswalk and flashing beacon;

d. Allowing recreational marijuana uses in Light Industrial Technology (LIT) zones primarily adjoining commercial zones lessens the potential for traffic conflicts with residential neighborhoods;

e ~~d~~. The City Council desires to create regulations that address the particular needs of the residents and businesses of Kirkland and coordinate with Initiative 502 and the rules promulgated by the Washington State Liquor Control Board regarding recreational marijuana;

f ~~e~~. Under these interim regulations there remain other potential sites within the City where the zoning would permit retail marijuana outlets and the properties appear to be located more than 1,000 feet from public parks, elementary and secondary schools, child care centers, and public transit centers, the minimum criteria of the State Liquor Control Board; and

g ~~f~~. The City Council has also determined that City staff shall draft permanent Zoning Code amendments for referral to the Planning Commission for review, public hearing, and recommendation by the Planning Commission.

Section 2. Amendment. Ordinance O-4439 is amended as shown in Section 3 below.

Section 3. Interim Zoning Regulations.

a. Except as prohibited in subsections (b) and (c) below, marijuana retail outlets licensed by the Washington State Liquor Control Board and fully conforming to state law may locate in the following use zones:

1. Use zones where Retail Establishments are allowed;
2. Light Industrial Technology (LIT) zones determined by the City as having at least 50 percent of the boundaries of such zone adjoining commercial zones; and
3. Totem Lake (TL) TL 7 and TL 9 zones.

b. No marijuana retail outlet may locate in the Market Street Corridor (MSC) MSC 1 and MSC 2 zones.

c. Marijuana retail outlets shall not locate on any site abutting a street or public right of way that includes a Kirkland School Walk Route as shown on Exhibit 1.

d. Marijuana odor shall be contained within the retail outlet so that odor from the marijuana cannot be detected by a person with a normal sense of smell from any abutting use or property. If marijuana odor can be smelled from any abutting use or property, the marijuana retailer shall be required to implement measures, including but not limited to, the installation of the ventilation equipment necessary to contain the odor.

e. In addition to the security requirements promulgated by the Washington State Liquor Control Board in Washington Administrative Code (WAC) Chapter 315-55, during non-business hours, all useable marijuana, marijuana-infused product, and cash on the premises of a marijuana retail outlet shall be stored in a safe or in a substantially constructed and locked cabinet. The safe or cabinet shall be incorporated into the building structure or securely attached to the structure. Useable marijuana products that must be refrigerated or frozen may be stored in a locked refrigerator or freezer, provided the refrigerator or freezer is affixed to the building structure.

f. These interim zoning regulations shall be enforced using the procedures and penalties for violations of the Zoning Code established under Kirkland Municipal Code Chapter 1.12, "Code Enforcement."

Section 4. Definitions. As used in this ordinance, the following terms have the meanings set forth below:

a. "Marijuana" means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, it seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the

stalks, oil or cake made from the seeds of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plan which is incapable of germination.

b. "Marijuana-infused products" means products that contain marijuana or marijuana extracts and are intended for human use. The term "marijuana-infused products" does not include useable marijuana.

c. "Marijuana retailer" means a person licensed by the State Liquor Control Board to sell useable marijuana and marijuana-infused products in a retail outlet.

d. "Retail outlet" means a location licensed by the State Liquor Control Board for the retail sale of useable marijuana and marijuana-infused products.

e. "Kirkland school walk routes" means the school walk routes adopted by the City Council based upon the walk routes identified by the Lake Washington School District within a one-mile radius of all public elementary schools in the City.

f. "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include marijuana-infused products.

Section 5. Duration. The interim zoning regulations adopted by this Ordinance shall be in effect for a period of six months from the effective date of Ordinance O-4439and shall automatically expire on that date unless extended as provided in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the Kirkland City Council.

Section 6. Work Plan. The City staff is directed to draft permanent Zoning Code amendments. The proposed amendments shall be referred to the Kirkland Planning Commission for review, public hearing, and recommendation for inclusion in the Kirkland Zoning Code.

Section 7. Severability. Should any provision of this Ordinance or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 8. Effective Date. This Ordinance shall be in force and effect five days 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 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.

Option – 1 O-4446

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

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

Option – 2

ORDINANCE O-4446

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, AMENDING ORDINANCE O-4439, ADOPTING INTERIM ZONING REGULATIONS REGARDING THE RETAIL SALE OF RECREATIONAL MARIJUANA, INCLUDING LOCATIONAL RESTRICTIONS, PROVIDING FOR SEVERABILITY, AND APPROVING A PUBLICATION SUMMARY.

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WHEREAS, the City Council believes that health, safety, and welfare of the community is best served by imposing interim regulations with reasonable limitations to avoid locating recreational marijuana retail outlets next to incompatible uses, while permanent Zoning Code amendments are considered; and

WHEREAS, on June 17, 2014, the City Council conducted a public hearing to take public testimony on the adoption of interim zoning regulations; and

WHEREAS, on June 10, 2014, a State Environmental Policy Act addendum was issued on this proposed ordinance; and

Option – 2 O-4446

WHEREAS, the Council now desires to supplement the interim zoning regulations for the retail sale of recreational marijuana by amending Ordinance O-4439; and

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a. The City Council wishes to exercise its police power authority granted under article XI, section 11 of the Washington Constitution to promote public safety, health, and welfare, but expressly disclaims any intent to exercise authority over marijuana uses in way that would conflict with the federal Controlled Substances Act;

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2 ~~3~~. Totem Lake (TL) TL 7 and TL 9 zones.

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other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plan which is incapable of germination.

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e. "Kirkland school walk routes" means the school walk routes adopted by the City Council based upon the walk routes identified by the Lake Washington School District within a one-mile radius of all public elementary schools in the City.

f. "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include marijuana-infused products.

Section 5. Duration. The interim zoning regulations adopted by this Ordinance shall be in effect for a period of six months from the effective date of Ordinance O-4439and shall automatically expire on that date unless extended as provided in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the Kirkland City Council.

Section 6. Work Plan. The City staff is directed to draft permanent Zoning Code amendments. The proposed amendments shall be referred to the Kirkland Planning Commission for review, public hearing, and recommendation for inclusion in the Kirkland Zoning Code.

Section 7. Severability. Should any provision of this Ordinance or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 8. Effective Date. This Ordinance shall be in force and effect five days 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 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.

Option – 2 O-4446

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

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4446

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, AMENDING ORDINANCE O-4439, ADOPTING INTERIM ZONING REGULATIONS REGARDING THE RETAIL SALE OF RECREATIONAL MARIJUANA, INCLUDING LOCATIONAL RESTRICTIONS, PROVIDING FOR SEVERABILITY, AND APPROVING A PUBLICATION SUMMARY.

SECTION 1. Adopts findings for the interim regulations.

SECTION 2. Amends Ordinance O-4439.

SECTION 3. Sets forth interim zoning regulations.

SECTION 4. Defines terms used in the ordinance.

SECTION 5. Sets forth the duration of the ordinance.

SECTION 6. Sets forth the work plan.

SECTION 7. Provides a severability clause for the ordinance.

SECTION 8. 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

Council Meeting: 06/17/2014
Agenda: Unfinished Business
Item #: 10. a.

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Director of Finance & Administration
Neil Kruse, Acting Financial Planning Manager

Date: June 5, 2014

Subject: **2014 MID-YEAR BUDGET ADJUSTMENTS**

RECOMMENDATION:

City Council approves the ordinance adjusting the 2013-2014 budget appropriation for selected funds and the conversion of a temporary development services position to a regular 1.0 FTE.

BACKGROUND DISCUSSION:

This memo addresses recommendations concerning mid-year budget adjustments needed to meet unanticipated needs, recognizing additional resources, and housekeeping adjustments, as initially introduced at the May 30 Council Financial Retreat. The 2013-2014 amended budget as of June 30, 2014 will be the basis for comparison during the upcoming 2015-2016 budget process.

MID-YEAR BUDGET ADJUSTMENTS

State law prohibits expenditures from exceeding the budgeted appropriation for any fund and requires the City to adjust appropriations when:

1. Unanticipated revenue exists and will potentially be expended;
2. New funds are established during the budget year which were not included in the original budget; or
3. The City Council authorizes positions, projects, or programs not incorporated into the current year's budget.

This budget adjustment allows for appropriation increases where it is anticipated that total expenditures may be in excess of the adopted 2013-2014 budget.

Unless there is an immediate need, budget adjustments that represent ongoing increases in the level of service are generally not introduced at mid-year. Rather, they are submitted as service package requests during the budget preparation and mid-biennial review processes.

Total appropriation adjustments result in a net budget increase of $787,063 primarily due to adjustments to capital projects and despite appropriation decreases in other funds resulting from housekeeping modifications to reconcile the mid-biennial appropriation. The budget adjustment

summary (Attachment A) shows both line item and appropriation changes. Line item changes are administrative adjustments within funds and are provided for reference. Appropriation adjustments change the total budget and require adoption of the ordinance. The table below summarizes the total changes by category.

Type of Adjustment	Line Item Change	Appropriation Change	Total Change
Council Directed/Other Requests	$2,522,795	$1,411,307	$3,934,102
Housekeeping Items	-	(624,244)	(624,244)
Total Adjustments	**$2,522,795**	**$787,063**	**$3,309,858**

Council Directed/Other Requests and Previously Approved Adjustments – The first category of adjustments includes any additional changes identified by Council and formalizing previously approved actions (fiscal notes, etc.). Some of these requests have been approved by the Council since the adjustments in December 2013, but the formal appropriation adjustment is occurring as part of the mid-year budget update. It also includes recognition of new revenue, other uses of reserves, and other line item adjustments. Total adjustments under this category amount to $3,934,102, but the actual appropriation adjustment is $1,411,307.

The following is a list of adjustments:

Project-Related

- Adjustments to capital projects totaling $2,796,000, of which $807,500 represent an appropriation change, including:
    - Yuppie Pawn Shop Property Acquisition ($2,340,000) — Property acquisition for expansion of Totem Lake Park as approved by Council in February. The appropriation amount is $590,000, which includes funding from REET 1 reserve and rental revenue from the tenant for one year. The balance of funding occurred within the capital fund, which is the reason for the difference in the appropriation amount.
    - NE 85th Street Sidewalk ($217,500) — Adjustment to reflect revised costs from the results of the construction bid, which is covered by additional grant funding from the Transportation Improvement Board (TIB) as described in the award of bid memo on the current Council agenda.
- Recognition of the King County Park Levy for 2013-2014 ($380,000) — This levy was not programmed in the original 2013-2014 budget, partially due to the previous levy expiring in 2013. The levy proceeds were part of the funding strategy for Yuppie Pawn Shop and are committed to payback the use of the General Capital Contingency reserve from 2013 through 2017.
- Aquatics Center Siting Study/Peter Kirk Pool Boiler Upgrade ($185,000) — Funding for analyzing sites for a new Aquatics Center and upgraded Peter Kirk Pool boiler for year-round use; funded from 2013 year-end General Fund cash.
- The funding for the firing range at the Kirkland Justice Center assumed that there would be an external contribution from King County for contracted use of the range. The County has declined to enter into a contract at this time and staff is working to identify the funding source for the remaining cost. No adjustment is included at this time, but the final

recommendation on the funding source will be brought forward for Council approval in a future action.

Development Services Needs

- Recognition of development related revenue and use of development services reserves to fund additional temporary staffing, including a planner and assistant planner to assist with the heavier workload from increased development activity funded by the development services staffing reserve with the anticipation of additional revenue that will replenish these reserves.
- As discussed at the Council retreat, recruitment for qualified temporary development services positions has become increasingly difficult. The City Manager is recommending changing the status of selected positions to regular FTE's. The specific request at this time is for a Development Engineer in Public Works, currently funded as a 1.0 temporary position, to be converted to a regular 1.0 FTE, which requires Council approval. Workload and related revenue is expected to be sufficient to provide ongoing funding, which will be re-evaluated if circumstances change. It is important to recognize that, if the development cycle declines significantly in the future, that these resources may need to be adjusted downwards to match decreases in revenues and service demands.

Reserve Uses

- Litigation Reserve Replenishment ($100,000) — Additional funding for the litigation reserve due to additional legal costs related to the Cross Kirkland Corridor.
- Totem Lake Planned Action EIS ($75,300) – The City Council has expressed interest in pursuing a Planned Action EIS for the Totem Lake area to facilitate development. The Council Special Projects reserve is the recommended funding source (see fiscal note in Attachment B).
- Kirkland Performance Center (KPC) Operating Support ($16,000) – At the May 30 City Council Financial Retreat, the Council directed that the KPC operating support in 2014 be restored to the pre-recession level of $50,000, an increase of $16,000, funded from the Council Special Projects reserve (see fiscal note in Attachment B).
- Totem Lake Business District Planned Action EIS ($75,300) – At the February 21st City Council Retreat (focused on Kirkland 2035 and the Comprehensive Plan update) the Council recommended that the Planning Department conduct a Planned Action EIS for the Totem Lake Business District. Over the past few months the Planning staff have evaluated various methodologies for conducting such an EIS and have concluded that the most efficient way to achieve it is to do it through the current consultant performing the Comprehensive Plan EIS. The $75,300 is the estimated cost from the consultant to accomplish the Planned Action EIS. The EIS is proposed to be funded from the Council Special Projects reserve (see fiscal note in Attachment B).
- Previously Approved Uses of Council Special Projects Reserve ($53,500) for Kirkland Performance Center Storage Loft construction reimbursement ($15,000), Nourishing Networks Operational Support ($25,000) and contingent funding of the Spirit of America 9/11 Memorial Sculpture ($13,500) depending on the Council's decision following the outcome of the community survey. The adjustments occur within the General Fund, so no appropriation adjustment is necessary.

- Use of Surface Water operations operating reserves to fund a master plan amendment ($59,232) and NPDES legal services ($12,500). Use of Solid Waste operating reserves to fund solid waste rates development ($14,250).
- Use of the City Manager Contingency ($37,500) to fund a salary survey ($25,000) and Climate Change Population Measures study ($12,500).

Other Requests

- King County Commute Trip Reduction Grant ($50,000) — Grant funding for commute trip reduction efforts.
- Growth and Transportation Efficiency Center (GTEC) Grant Match ($50,000) — Use of General Fund commute trip reduction professional services as a grant match for the GTEC program in the CIP.
- Use of professional services to fund staffing time for various programs, such as a temporary management analyst in HR for performance measures program development ($44,770), increased hours for the Special Projects Coordinator for tourism marketing and waterfront optimization project in the Lodging Tax fund ($13,970), and on-call Environmental Outreach staffing for Green Kirkland in the Park Levy Fund ($23,000).
- Information Technology Service Desk Analyst ($43,878) — A temporary position for 7 months to assist in the increased workload from bringing the Kirkland Justice Center technology online and a large number of computer replacements this year. This request replaces the approved mid-biennial service package for an intern and the cost is net of this service package; funded by 2013 expenditure savings in this fund.
- Allocating additional interest revenue for investment advisory services starting in mid-2014 ($30,000). The investment advisor will assist City staff with the management of the City's investment portfolio by providing non-discretionary advisory services for the City's investment portfolio and investment policy. The City's last portfolio review recommended the use of an advisor, especially given the limited internal resources dedicated to managing the portfolio and the expectation of rising interest rates which would result in the need for more active trading in the portfolio to ensure the most advantageous yield. Costs for managing the portfolio along with advisory services are expected to be more than offset by improved interest revenue due to a more active strategy. Interest earned on the City's common investment fund, less earmarked expenditures and administration costs, are distributed to all of the participating funds per the City's financial policy. The contract for these services is expected to be on the July 1 City Council meeting agenda.
- Advanced Transportation Symposium ($11,658) — Staffing support and speaker costs, partially offset by donations of $3,500.

Housekeeping Items – The second category of adjustments are needed to adjust budget accounts, fund balances, etc., resulting in appropriation decreases of $624,244. These adjustments reconcile appropriation changes from the adopted mid-biennial budget, such as the amount for the Voter-approved (UTGO) debt service refinanced in 2013 and transfers between funds.

SUMMARY

The budget is adopted at the fund level which sets the total expenditure authority for the biennium for each fund. A summary of the adjustments and 2013-2014 revised budget by fund type is included in the table on the following page:

Fund Type	Current 13-14 Budget	Adjustments	Revised 13-14 Budget
General Government:			
General Fund	178,434,519	204,019	178,638,538
Other Operating Funds	30,399,499	-	30,399,499
Internal Service Funds	69,443,116	84,404	69,527,520
Non-Operating Funds	145,779,955	877,500	146,657,455
Utilities:			
Water/Sewer	80,232,537	(140,000)	80,092,537
Surface Water	44,136,500	(23,860)	44,112,640
Solid Waste	32,554,121	(215,000)	32,339,121
Total Budget	**580,980,247**	**787,063**	**581,767,310**

City of Kirkland
2013-2014 Budget
2014 Mid Year Budget Adjustment Summary

Attachment A

Adjustment Type	Dept.	Description	Adjustments	Appropriation Adjustment	Funding Source: Internal Transf./Chrg.	Funding Source: Reserves	Funding Source: External Revenue	Funding Source/Notes
General Fund (010)								
Council Directed/Other	CA	Litigation Reserve Replenishment	100,000					
Council Directed/Other	CM	Advanced Transportation Symposium Donation	3,500	3,500			3,500	Sponsorship Donations
Council Directed/Other	CM	Transportation Summit Staff Support	8,158					
Council Directed/Other	HR	Salary Surveys	25,000					
Council Directed/Other	PW	Climate Change Population Measures	12,500					
Council Directed/Other	HR	Temporary Management Analyst	44,770					
Council Directed/Other	PK	Kirkland Performance Center Storage Loft Reimbursement	15,000					City Council Special Projects Reserve
Council Directed/Other	PK	Kirkland Performance Center Operations Support	16,000					City Council Special Projects Reserve
Council Directed/Other	PK	Nourishing Networks Operational Support	25,000					
Council Directed/Other	PK	Spirit of America 9/11 Sculpture	13,500					
Council Directed/Other	PK	Aquatics Facility Siting/PK Pool Boiler	185,000					
Council Directed/Other	PL	Temporary Assistant Planner	113,767	90,307			90,307	Plan Check Fee Revenue
Council Directed/Other	PL	Temporary Planner	62,277					
Council Directed/Other	PL	Totem Lake Planned Action EIS	75,300					Council Special Projects Reserve
Council Directed/Other	PW	King County Commute Trip Reduction Grant	50,000	50,000			50,000	King County CTR Grant
Council Directed/Other	ND	Investment Advisor	30,000	30,000			30,000	Interest Revenue
Housekeeping	ND	Midbiennial Service Pkg Funding Adjustment	30,212	30,212	30,212			Adjustment to Operating Transfer
General Fund Total			**809,984**	**204,019**	**30,212**	**-**	**173,807**	
OTHER FUNDS								
Lodging Tax Fund (112)								
Council Directed/Other	CM	Tourism Marketing	8,488					
Council Directed/Other	CM	Waterfront Optimization	5,482					
Lodging Tax Fund Total			**13,970**	**-**	**-**	**-**	**-**	
Parks Levy Fund (128)								
Council Directed/Other	PK	On-call Environmental Outreach	23,000					
Parks Levy Fund			**23,000**	**-**	**-**	**-**	**-**	
UTGO Debt Fund (220)								
Housekeeping	ND	Debt Service Appropriation Correction	(360,000)	(360,000)			(360,000)	Correction to Previous Adjustment
UTGO Debt Fund Total			**(360,000)**	**(360,000)**	**-**	**-**	**(360,000)**	

Adjustment Type	Dept.	Description	Adjustments	Appropriation Adjustment	Funding Source: Internal Transf./Chrg.	Funding Source: Reserves	Funding Source: External Revenue	Funding Source/Notes
General Capital Projects Fund (310)								
Council Directed/Other	PK	Yuppie Pawn Shop Property Acquistion	2,340,000	590,000		500,000	90,000	REET 1/Rental Credit
Council Directed/Other	PK	King County Park Levy	380,000	380,000			380,000	King County Park Levy
General Capital Projects Fund Total			**2,720,000**	**970,000**	**-**	**500,000**	**470,000**	
Transportation Capital Projects Fund (320)								
Council Directed/Other	PW	GTEC Grant Match	50,000	50,000	50,000			General Fund Xfr
Council Directed/Other	PW	NE 85th Street Corridor Projects	217,500	217,500			217,500	TIB Grant
Transportation Capital Projects Fund			**267,500**	**267,500**	**50,000**	**-**	**217,500**	
Water/Sewer Utility Operating Fund (411)								
Housekeeping	PW	CWA Connection Charges correction	(140,000)	(140,000)			(140,000)	Correct CWA Connection Charges
Water/Sewer Utility Operating Fund Total			**(140,000)**	**(140,000)**	**-**	**-**	**(140,000)**	
Surface Water Operating Fund (421)								
Council Directed/Other	PW	Surface Water Master Plan Amendment	59,232					
Council Directed/Other	PW	NDPES Legal Services	12,500					
Housekeeping	PW	National Estuary appropriation correction	(23,860)	(23,860)			(23,860)	Correct Grant Revenue
Surface Water Operating Fund Total			**47,872**	**(23,860)**	**-**	**-**	**(23,860)**	
Solid Waste Fund								
Council Directed/Other	PW	Solid Waste Rate Development	14,250					
Housekeeping	PW	Appropriation Housekeeping	(215,000)	(215,000)	(215,000)			Correction for Prior Adjustment
Solid Waste Fund Total (431)			**(200,750)**	**(215,000)**	**(215,000)**	**-**	**-**	
Equipment Rental Fund (521)								
Housekeeping	PW	Wood Chipper	61,350	61,350	61,350			REET 1 Xfr-Correction for Prior Adjustment
Housekeeping	PW	Appropriation Housekeeping	(16,946)	(16,946)	(16,946)			Correction for Prior Adjustment
Equipment Rental Fund Total			**44,404**	**44,404**	**44,404**	**-**	**-**	
Information Technology Fund (522)								
Council Directed/Other	IT	Service Desk Analyst	43,878					
Housekeeping	IT	Graphics Design-GF Support	40,000	40,000	40,000			GF Xfr in-Correction to Prior Adjustment
Information Technology Fund Total			**83,878**	**40,000**	**40,000**	**-**	**-**	
TOTAL OTHER FUNDS			**2,499,874**	**583,044**	**(80,596)**	**500,000**	**163,640**	
TOTAL ALL FUNDS			**3,309,858**	**787,063**	**(50,384)**	**500,000**	**337,447**	

ATTACHMENT B

FISCAL NOTE

CITY OF KIRKLAND

Source of Request

Eric Shields, Director of Planning & Community Development / Jennifer Schroder, Director of Parks & Community Services

Description of Request

Two requests to fund 1) Totem Lake Planned Action EIS, $75,300 and 2) Kirkland Performance Center 2014 operational support, $16,000 from the Council Special Projects Reserve.

Legality/City Policy Basis

Fiscal Impact

One-time use of $91,300 of the Council Special Projects Reserve. The reserve is able to fully fund this request.

Recommended Funding Source(s)

	Description	2014 Est End Balance	Prior Auth. 2013-14 Uses	Prior Auth. 2013-14 Additions	Amount This Request	Revised 2014 End Balance	2014 Target
Reserve	Council Special Projects Rsv.	250,000	132,128	0	91,300	26,572	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, $15,000 for Kirkland Performance Center Storage Loft reimbursement, Nourishing Networks Central operations, $25,000, and Spirit of America 9-11 Memorial Sculpture purchase, $13,500.						
Revenue/Exp Savings							
Other Source							

Other Information

Prepared By	Neil Kruse, Senior Financial Analyst	Date	June 5, 2014

ORDINANCE O-4445

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2013-2014.

WHEREAS, the City Council finds that the proposed adjustments to the Biennial Budget for 2013-2014 reflect revenues and expenditures that are intended to ensure the provision of vital municipal services at acceptable levels;

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

Section 1. The Mid-Year 2014 adjustments to the Biennial Budget of the City of Kirkland for 2013-2014 are hereby adopted.

Section 2. In summary form, modifications to the totals of estimated revenues and appropriations for each separate fund and the aggregate totals for all such funds combined are as follows:

Funds	Current Budget	Adjustments	Revised Budget
General	178,434,519	204,019	178,638,538
Lodging Tax	707,327		707,327
Street Operating	20,734,134		20,734,134
Cemetery Operating	837,747		837,747
Parks Maintenance	3,097,227		3,097,227
Parks Levy	5,023,064		5,023,064
Contingency	2,426,425		2,426,425
Impact Fees	3,953,397		3,953,397
Excise Tax Capital Improvement	12,846,786		12,846,786
Limited General Obligation Bonds	7,721,892		7,721,892
Unlimited General Obligation Bonds	6,724,593	(360,000)	6,364,593
General Capital Projects	59,819,680	970,000	60,789,680
Transportation Capital Projects	50,364,575	267,500	50,632,075
Water/Sewer Operating	54,656,992	(140,000)	54,516,992
Water/Sewer Debt Service	2,225,742		2,225,742
Utility Capital Projects	23,349,803		23,349,803
Surface Water Management	22,936,245	(23,860)	22,912,385
Surface Water Capital Projects	21,200,255		21,200,255
Solid Waste	32,554,121	(215,000)	32,339,121
Health Benefits	24,381,271		24,381,271
Equipment Rental	19,067,745	44,404	19,112,149
Information Technology	12,911,105	40,000	12,951,105
Facilities Maintenance	13,082,995		13,082,995
Firefighter's Pension	1,922,607		1,922,607
	580,980,247	787,063	581,767,310

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

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

Council Meeting: 06/17/2014
Agenda: Unfinished Business
Item #: 10. 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: David Godfrey, P.E.,Transportation Engineering Manager
Marilynne Beard, Interim Public Works Director

Date: June 5, 2014

Subject: CROSS KIRKLAND CORRIDOR MASTER PLAN ADOPTION

RECOMMENDATION:

It is recommended that the City Council approves the attached resolution adopting the Cross Kirkland Corridor Master Plan with any changes to the Plan that are needed as a result of this final review.

BACKGROUND DISCUSSION:

On May 20, the City Council reviewed a final draft Master Plan for the Cross Kirkland Corridor. Council proposed changes in several areas of the Plan. The final draft Master Plan incorporates those changes and others that were proposed by staff.

At the May 20 meeting staff proposed nine areas that would be addressed in the final plan. This memo is structured around those nine areas:

1. Changes Council recommended at the May 20 Meeting
2. Cover
3. Introduction
4. Acknowledgements
5. Finalized costs
6. Filled out appendices
7. Completed graphics
8. Typos, wording clarifications
9. Final comments from public and Transportation Commission

1. Changes recommended by Council at the May 20 Meeting

A. Buzz Zone name

Council asked that one of the Character Zones (see page 20), the Buzz Zone, be renamed and a number of options for new names were proposed and discussed. The purpose of the name was to capture the essence of the area from Terrace Park through Lakeview Elementary School, the Houghton Shopping Center, Google and up to Nytec. "Innovation Alley" and the "Convergence

Zone" were the names that garnered the most support. In the end, staff went with Convergence Zone to symbolize an area where "everything comes together." The final version of the plan renames the Buzz Zone to the Convergence Zone. Note that none of these names are intended to be permanent and maybe changed later as the CKC moves into design and construction. Because much of the work in the appendices was done prior to the name change, there are still references to the Buzz Zone in the appendices in documents created earlier in the process. A sentence explaining this difference was added to the paragraph "What's in a name?" on Page 19.

B. Connections between the Corridor and the street network.

Council asked that language be added to better address how the ends of the CKC will connect with the surrounding road system. The sentence "Access points to the CKC will make safe, logical, well-marked connections to the street network for pedestrians and cyclists." has been added on page 21 under Access Points.

C. Surface Water

Council commented on the sensitive areas in the Highlands Pass area and suggested that the description of this subject be amplified. In response, the general discussion of Surface Water in Section 4.8 (page 47) has been expanded. In Section 5.0 (pages 58 and 59) notes have been added that suggest existing trails might be connected and used as a side path in the Highlands Pass and this is also noted on page 85 in the Character Zone discussion in Section 6.6.

D. Connections to Downtown

Council asked that the language about connections to downtown early in the plan be strengthened with respect to future transit. In goal 01 on paged 12 and 13, the sentence "Innovative alternative transit between the corridor and downtown Kirkland is another example of a potential connection." was added. A discussion of transit on Page 26 also includes a direct reference to connections to downtown Kirkland.

2. Cover

As discussed at the May 20 meeting, the Cover of the Plan is a depiction of the corridor at the Houghton Porch area. In response to Council's request to suggest transit's place on the corridor, a general facility is shown on the east side of the corridor in the cover illustration. The cover is designed to show a wide variety of people enjoying the corridor in a wide variety of ways.

3. Introduction

In keeping with the conversation during the May 20 Study Session, Councilmembers provided quotes to be included in the Introduction section. The introduction and quotes are now located on pages 7 and 8. The draft introduction is below:

> *Peter Kirk helped finance the first railroad on the eastside of Lake Washington. More than a hundred years and several owners later, the people of the City to which Peter Kirk gave his name are ready to transform his corridor. This Plan is a guide for that transformation.*

The vision for the transformation includes an unmatched path for walking and biking, a stunning linear park, a site for future transit. This means places where people gather, a safe way to travel to a friend's house, a speedy way to get to work, fun places for play and reflective spaces full of stillness. But the Plan is more than a vision, it describes how to achieve the vision.

This plan says execute the vision, complete the transformation, in such a way that people will come to the Cross Kirkland Corridor again and again and continue to be stirred by their experience. They may not be able to put their finger on what stirred them. Maybe it was the art, the way seating was placed or the shape of a particular garden. Was it was the ease with which they found their way to a new place? It might have been the view from the Houghton Porch (the lake looks different every time doesn't it?) where a meal was shared.

The Corridor is about to be turned inside out. Buildings where backdoors opened to rusty tracks are ready to reemerge transformed from the energy of thousands of trail users. Where a powerful barrier once separated people, a hundred connections will re-knit the community fabric. One day transit may move people safely, swiftly and quietly to their destinations. The plan is ready.

Kirkland is a community of remarkable people well suited to plan and carry out the transformation. When they walk the corridor today, though it's still rough and rocky, they see stunning natural beauty bolstered with urban energy and out spills their desire to share their passion for the future with others.

On June 17, 2014 the Kirkland City Council approved this plan and began a singular and wonderful transformation.

4. Acknowledgements

Acknowledgements are located on page 101. This material was not reviewed at the May 20 Study Session.

5. Finalized costs

Costs have been adjusted slightly since the May 20 meeting. Revised costs are shown on page 98 of the Plan. A paragraph on Impact Fees was added on page 97.

6. Filled out appendices

All appendices have now been populated. Cost data in Appendix 8.1 was not available at the May 20 meeting.

7. Completed graphics

Placeholder graphics in the May version of the Plan have been replaced with photographs and drawings and other graphics have been changed or adjusted. Example locations include pages 23, 26, 51 and 100 as well as throughout Sections 4, and 6.

8. Edits, wording clarifications

Staff had a number of small changes, clarifications and edits to the May version of Plan and they have been incorporated in the final plan.

9. Final comments from the Public and the Transportation Commission.
At their May 28 meeting, the Transportation Commission offered several comments. These included the need to work with partners to complete the corridor, particularly to the south (see page 24). One Commissioner was also concerned about parking impacts. Given previous discussions with Council, the discussion on parking (page 21) was not modified.

The final plan will be circulated in connection with the Council Agenda Packet. A hard copy has been placed in the Council office. Any final comments from the public will be brought to the June 17 meeting for Council consideration.

After Council concludes its final review and discussion, staff recommends that the Council approves the attached Resolution formally adopting the Master Plan.

RESOLUTION R-5061

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE CROSS KIRKLAND CORRIDOR MASTER PLAN.

WHEREAS, the concept of a trail and transportation connection through Kirkland along the former Burlington Northern Santa Fe (BNSF) Railroad was formally identified by the City of Kirkland in the 1977 Land Use Policies Plan; and

WHEREAS, creating a "Cross Kirkland Trail" as part of a shared use transportation facility along the BNSF railroad right-of-way, also called the Eastside Rail Corridor, was identified as the top priority of the City's 2009 Active Transportation Plan; and

WHEREAS, following the 2009 purchase of the Eastside Rail Corridor by the Port of Seattle which brought the Corridor into public ownership, in 2011 the Kirkland City Council adopted an interest statement for corridor development that promoted a multi-modal trail and transportation facility that should be activated as quickly as possible; and

WHEREAS, in 2011 the Urban Land Institute identified the purchase and development of the Eastside Rail Corridor in Kirkland as the best action the City could take to spur economic development and revitalization of the Totem Lake Business District, which is Kirkland's designated Urban Center; and

WHEREAS, on December 12, 2011, the Kirkland City Council, recognizing a once-in-a-lifetime opportunity to secure an unparalleled facility for economic development, transportation and recreation, unanimously approved a purchase and sale agreement that acquired 5.7 miles of the Eastside Rail Corridor within the city boundaries from the Port of Seattle; and

WHEREAS, on April 14, 2012, the City of Kirkland took ownership of the purchased portion of the Eastside Rail Corridor and renamed the segment the "Cross Kirkland Corridor"; and

WHEREAS, in November of 2012, the residents of Kirkland voted to approve a Kirkland Parks Levy to provide ongoing funding for park maintenance and improvements, including for the Cross Kirkland Corridor; and

WHEREAS, a portion of Kirkland Parks Levy funds have been expended to develop a Master Plan for the Cross Kirkland Corridor; and

WHEREAS, the purpose of the Master Plan is to serve as a visionary document that will guide future design for a regional

active transportation facility for pedestrians and bicycles as well as a regional transit facility along the Corridor; and

WHEREAS, hundreds of people who live, work and play in Kirkland have imparted their vision for the Cross Kirkland Corridor through their comments, participation in numerous community meetings and by joining walking tours of the Cross Kirkland Corridor; and

WHEREAS, the Kirkland Transportation Commission has, at the direction of the City Council, provided valuable input and overseen development of the Master Plan; and

WHEREAS, the Cross Kirkland Corridor Master Plan identifies four goals: 1) connect Kirkland; 2) foster a greener Kirkland; 3) shape a place unique to Kirkland; and 4) activate Kirkland and evolve over time; and

WHEREAS, at multiple meetings, including at a Study Session on May 20, 2014, where City staff and project Consultants presented the Plan's final draft, the City Council has made a detailed review of the Plan; and

WHEREAS, the Council has determined the Cross Kirkland Corridor Master Plan should be adopted in the interest of the health, safety and welfare of the residents of the City of Kirkland and also to guide development of a multi-modal facility of unequaled beauty and function for generations to come.

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

Section 1. The Cross Kirkland Corridor Master Plan is adopted.

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Kari Page, Neighborhood Services Coordinator
Marilynne Beard, Deputy City Manager

Date: June 5, 2014

Subject: NEIGHBORHOOD SAFETY PILOT PROGRAM (NSP)

RECOMMENDATION:

Staff is recommending that the City Council 1) approves the recommended Neighborhood Safety Program (NSP) projects for 2014, 2) receives early feedback on the pilot program, and 3) reviews preliminary considerations for making the NSP an ongoing program beginning in 2015.

BACKGROUND DISCUSSION:

As part of the City's 2013-2014 Work Program, the City Council authorized a new pilot program to help "reenergize neighborhoods through partnerships on capital project implementation…" Between October 2013 and January 2014, City staff invited representatives from the Kirkland Alliance of Neighborhoods (KAN) and other neighborhood leaders to participate in a series of workshops to develop the Neighborhood Safety Program (NSP), which was presented to the City Council at a study session on February 18, 2014.
The Council directed staff to implement a pilot program in 2014 and return with the results and recommendations for 2015 and beyond. As a review, the following goals, funding and process were part of the pilot NSP.

Goals:

- Provide an incentive for neighborhood participation.
- Address safety needs.
- Foster neighborhood self-help and build a sense of community.
- Increase collaboration within a neighborhood, between neighborhoods, and with City government.
- Leverage funding with match contributions and/or other agency grants.
- Collaborate with businesses, schools, Parent Teacher Student Associations (PTSAs), Cascade Bicycle, Feet First, Kirkland Greenways, and other organizations.
- Create an equitable distribution of improvements throughout the City.
- Consider the level of resources (staff and neighborhoods) to implement.

Funding: In 2014, the Juanita/Finn Hill/Kingsgate non-motorized transportation fund of $150,000 (Project # NM 0073 000) in the Capital Improvement Program (CIP) was identified as the funding source for projects that would be prioritized through the NSP pilot.

Since the funding was originally intended for improvements in the newly-annexed neighborhoods, the Juanita/Finn Hill/Kingsgate neighborhoods were the sole participants designated to submit projects for the pilot NSP.

Process:

1) Suggest a Project map: The interactive "Suggest a Project" map was used as the central clearing house for all suggestions made in each neighborhood. This tool has resulted in hundreds of requests over the past two years, and creates a centralized database to track and report the status of suggestions from the public.
2) Neighborhood prioritization and project selection: The three individual JFK neighborhoods reviewed the projects suggested in their area—in some cases added additional projects—and then prioritized the projects. Each neighborhood's prioritization process was different (for example some used their Neighborhood Association Board to prioritize projects and others used the neighborhood meeting forum). Much of the inconsistency in the individual neighborhood processes had to do with the compressed timeline for the pilot process.
3) Scoping and cost estimating: Staff experts were used to help scope the projects, recommend the most appropriate solution for the safety concerns, and develop cost estimates. The NSP workshop was the first step in the dialogue between City staff and the neighborhoods. Nine applications were submitted: four from Finn Hill, three from Evergreen Hill/Kingsgate, and two from Juanita. The final scoping and cost estimates were completed by staff after the applications were submitted.
4) Project selection: An NSP Panel with representatives from the city's thirteen neighborhood associations reviewed and prioritized the nine project proposals. Staff provided a technical review with individual project scores as supplemental information for the Panel. The two independent rankings were combined to create the final funding recommendation. See Attachment A for the neighborhood panel criteria and Attachment B for the technical criteria. The Panel is recommending six projects for funding.
5) Council approval: The City Council is requested to approve proceeding with the projects after receiving a presentation on each of the projects at the June 17, 2014 Council meeting. The final project ranking is shown in Table 1 on the following page. Attachment C is a map of all project proposals.

Timeline: The City Council approved the pilot NSP in February 2014. To identify projects before the summer construction season and obtain feedback for developing the ongoing program before the 2015 budget process, staff compressed the NSP schedule. The compressed schedule unfortunately eliminated the opportunity for a robust outreach/involvement process within each neighborhood. The compressed timeline for the NSP pilot was as follows:

NSP Workshop	April 17, 2014
Applications Available:	April 17, 2014
Applications Due:	May 8, 2014
Panel review:	May 14, 2014
Panel decision:	May 28, 2014
City Council decision:	June 17, 2014
Projects announced:	By end of June, 2014
Projects End:	June 1, 2015

Table 1: Combined Neighborhood Safety Program Panel and Technical Staff evaluation ranking.

Project Number	Neighborhood	Score	Project	Cost Estimate	Potential Funding	Balance of Funding
			CIP #NM 0073 000			$150,000
			Potential Development Impact Fee (Kingsgate)		$44,400	$194,400
			Recommended Funding			
Project 5:	Kingsgate	150	Rapid Flashing Beacon NE 132nd Street - at 121st Ave NE	$44,400		$150,000
Project 3:	Finn Hill	145	Rapid Flashing Beacon Juanita Drive Trail Crossing - at NE 137th Street connecting Big Finn Hill Park	$50,000*		$100,000
Project 4:	Finn Hill	105	Crosswalk and curb along 84th Ave NE - Thoreau Elementary Walkway from NE 139th Street to NE 141st Street	$14,000		$86,000
Project 9:	Juanita	105	Rapid Flashing Beacon NE 132nd Street - at 105th Ave NE	$43,800		$42,200
Project 8:	Juanita	90	Trail Connection Forbes Creek Drive & CKC - between 113th Court NE and 115th Court NE	$12,800		$29,400
Project 2: (1/2)	Finn Hill	90	Crosswalks (3) along 90th Ave NE - at NE 134th Street (partial funding)	$24,800		$4,600
			Unfunded			
Project 2: (1/2)	Finn Hill	90	Crosswalks (3) along 90th Ave NE - at NE 137th Street, and NE 139th Street (partial funding)	$25,200		-$20,600
Project 1:	Finn Hill	80	Crosswalks (3) along NE 145th Street- at 84th Ave NE, 88th Ave NE, and 92nd Ave NE	$40,600		-$61,200
Project 6:	Kingsgate	40	Traffic Calming NE 137th Pl/NE 134th Pl - between 124th Ave NE and 132nd Ave NE	$35,000		-$96,200
Project 7:	Kingsgate	40	Traffic Calming NE 140th Street - between 116th Ave NE and 124th Ave NE	$25,000		-$121,200

* Project #3 (Juanita Drive Rapid Flashing Beacon) reserves the money for matching potential grant funding or a proposed future Juanita Drive Capital Improvement Program Project. The total Big Finn Hill crossing project is more than $50,000 to complete.

Early feedback on the NSP pilot: Overall the pilot process went well and resulted in important, feasible and meaningful safety projects. Karen Story, Panel member, said *"The NSP is a great way for neighborhood leaders to better understand the city-wide scope of needs and priorities. Sometimes projects in my neighborhood feel so important, but the NSP process helps me see that needs may be greater elsewhere."* In addition, the feedback on the process provided specific suggestions to make the ongoing program more effective and easier to manage.

- The application felt too long and some spent more time than others.
- More time was needed to obtain input from residents and businesses within each neighborhood about the proposed projects.
- The City may want to create maps that have consistent, basic layers for each project to help equalize the level of detail and type of information included in each application.
- To help neighborhoods select suitable projects for the NSP, staff should review proposals and prepare cost estimates before applications are submitted.
- Neighborhoods could use help in setting up a neighborhood-based voting/prioritization process to help prioritize neighborhood projects (e.g. online voting or "likes" of project requests).
- The individual neighborhood prioritization processes should have more consistency between neighborhoods (for example, board decisions versus neighborhood meeting forum).
- The individual neighborhood prioritization process could be used to help the City identify and prioritize larger sidewalk projects in time for State Safe Routes to School Program application deadlines (early May).
- The Panel would like to tour the projects before scoring them.
- Some Neighborhood Traffic Control requests did not do well in the ranking criteria because the streets had sidewalks and/or speeds and volumes do not meet the existing Neighborhood Traffic Control threshold.
- The ongoing program may be difficult to administer at existing staff levels unless a limit is set on the number of projects each neighborhood can submit.

Preliminary considerations for ongoing NSP in 2015: The pilot program produced many tangible suggestions for improving the ongoing NSP process. These improvements fall into five main categories: extending the timeline, improving the application process, leveraging funding, assessing staffing implications, and broadening the scope of the NSP. KAN and the Panel used in the pilot program will assist staff in developing the final design of the ongoing program. If signficant changes are suggested or resource implications are identified, staff will return to Council for direction during the budget process. Otherwise, the NSP will begin this fall to be ready for funding in 2015.

Extending the timeline: The pilot NSP was compressed in order to have projects ready for the 2014 construction season and to allow time for input into the 2015 budget process for the ongoing NSP. Instead of starting the ongoing NSP in 2015, staff will be proposing that neighborhood associations receive their "Suggest a Project" list from the CIP online interactive map in early September 2014. At that time, neighborhoods are back from their summer breaks and can start evaluating and prioritizing projects as early as the fall for 2015 funding. Applications would not be due until February 2015, allowing ample time for the preapplication process. Another consideration will be whether the NSP should be biennial to create efficiencies while funding twice the number of projects in one robust process and spreading the construction process over two years.

Pilot Neighborhood Safety Program:

"Suggest a Project" list to Neighborhoods	Neighborhood/staff scoping, estimating, and prioritizing	Applications Workshop	Applications due	Evaluation of projects	Council recommendation
February 2014	**March–April 2014**	**April 2014**	**May 2014**	**May 2014**	**June 2014**

Ongoing Neighborhood Safety Program:

"Suggest a Project" list to Neighborhoods	Neighborhood/staff scoping, estimating, and prioritizing	Applications Workshop	Applications due	Evaluation of projects	Council recommendation
September 2014	**September–January 2014–2015**	**January 2015**	**February 2015**	**March 2015**	**April 2015**

Improving the application process: The pilot program did not give enough time for staff to thoroughly scope each of the project ideas before the applications were submitted. By allowing more time for staff review and scoping, the projects are more fully developed, including cost estimates, in time for the neighborhood evaluation and prioritization. Each neighborhood will have their unique way of engaging their members in their prioritization process.

Neighborhood Traffic Control Program requests will need this extra time because traffic volumes and speeds need to be evalauted as input into the process. Provided the Neighborhood Traffic Control Coordinator continues into 2015, the Coordinator will be assessing the results of the pilot program to determine the most effective way of folding into this process. Some of these types of projects may be more suitable for a lengthier and more involved process with impacted property owners than in the NSP.

Residents who completed the applications have suggested improvement to the application form itself. For example, the application can be simplified and "vulnerable populations" should be defined to include those physically challenged related specifically to pedestrian and bicycle safety (i.e. children, disabled, seniors).

Leveraging funding: Funding for the pilot program comes from a one-time CIP project (Project # NM 0073 000). Recommended ongoing funding, starting in 2015, is from the Street Levy safety funds.

There are two safety-related Street Levy projects in the 2012 Street Levy:

Safe walk routes to school ($150,000/year)

- Leverage state and federal funding to increase safe routes to Kirkland's elementary schools.

Pedestrian and bicycle safety ($150,000/year)

- Upgrade or add crosswalks with new highly visible, energy-efficient warning lights.
- Install new Americans with Disabilities Act (ADA) wheelchair ramps to meet federal requirements on streets being overlaid.
- Improve pedestrian access to key transit corridors or streets being overlaid.
- Expand pedestrian and bicycle routes to improve connections with commercial areas, schools, transit routes, parks, and other destinations.
- Restripe crosswalks to increase pedestrian safety.
- Install traffic control devices to address safety hazards within Kirkland Neighborhoods.

The pedestrian and bicycle safety funding is being targeted for the ongoing program. However, as staff works with the neighborhood associations to refine and scope the suggested projects there may be ways this process can feed into the State Safe Routes to School grant process. The deadline for the State application process is not until May, so neighborhoods will have time to suggest high priority sidewalk projects for the City to move forward with in the grant application process.

In addition, and as seen with the pilot program, development contributions can also be leveraged when projects are identified near developments. Other funding sources and programs within the City will be used to help address some projects as well. For example, the Annual Sidewalk Maintenance Program and Annual Crosswalk Program may be resources for addressing projects that meet those program guidelines.

Assessment of staff implications: Staff is currently tracking the time they dedicate to implementing this program so staffing implications can be part of the analysis of the ongoing program. If staffing implications are identified they will be presented to the Council through the budget process for the 2015/2016 Biennial Budget.

Broadening the scope: There remains the question about how broad this program should be and whether it should include Park projects (using Park Levy funding). This question will be considered while moving forward this summer/fall as the panel and staff develop the ongoing program. If the scope is broadened, a recommendation will be made to the City Council this fall during the budget process.

CONCLUSION

Staff is requesting Council approval of the recommended Neighborhood Safety Program (NSP) projects for 2014 and feedback on the pilot program and considerations for changing the 2015 program. With the City Council's approval of the proposed projects, planning and construction can begin.

Neighborhood Safety Program

Panel Safety Criteria

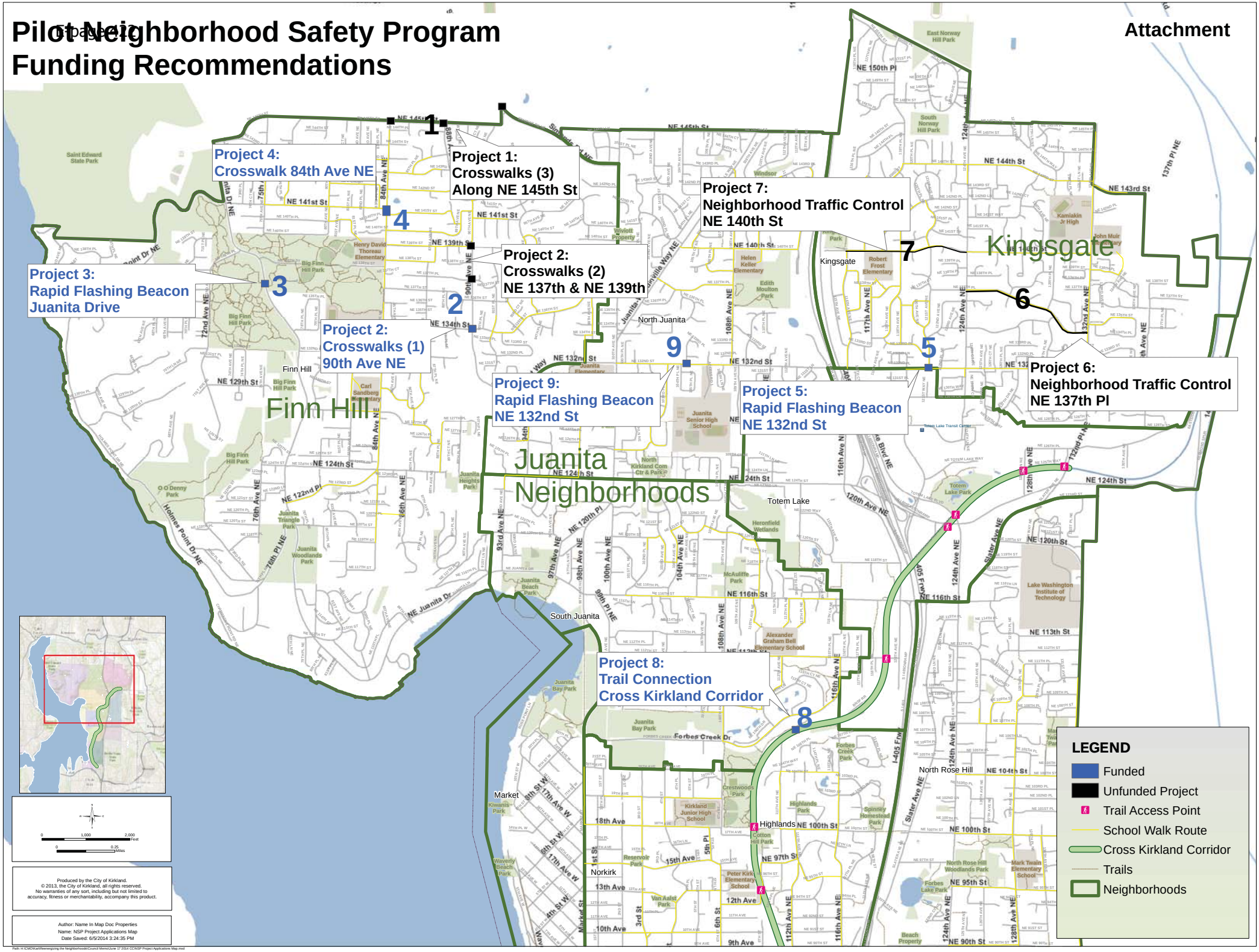
	Score
Neighborhood and Community Benefit (0-35 points) *The community benefit is clearly explained. The project addresses a recognized community safety need especially with a vulnerable population with a viable, creative solution. The project expands and/or strengthens the community beyond the term of the project. The project will result in a lasting positive community impact.*	
Community benefit from the project: Vulnerable population 0-10 Neighborhood(s) 0-5 Community-wide residents 0-5 Business(es) 0-5 Schools (e.g. walk routes) 0-5 Other:_____ 0-5	
Neighborhood Association Support (0-15 points) *Project was reviewed by the Neighborhood Association and received a priority ranking.*	
Neighborhood Association project ranking: Rank 1 15 Rank 2 10 Rank 3 5 None 0	
Adjacent Resident Support (0-10 points) *Adjacent residents were contacted and given an opportunity to provide support and input to the project.*	
Documented support from residents adjacent to project: High 5-10 Moderate 1-4 None 0	
Community Support (0-10 points) *Community residents are involved and support the project.*	
Documented support from the community: High 5-10 Moderate 1-4 None 0	
Project Partnerships (0-5 points) *Community organizations, business partners, and residents are contributing to this project and their roles have been identified.*	
High 4-5 Moderate 1-3 None 0	

Neighborhood Panel Criteria, *continued*

Project Budget (0-5 points) *The budget is realistic and well planned. The non-City contributions for the project are clearly documented.*	
Project budget submitted: Complete and realistic 4-5 Incomplete and/or unrealistic 1-3 No budget submitted 0	
Project Readiness (0-15 points) *The Neighborhood Association Project Coordinator attended the Neighborhood Safety Program (NSP) workshop and understands the necessary aspects for project implementation and completion. In addition, a project timeline was submitted with the application and the activities are well planned and ready to implement. If the project extends beyond 12–18 months, there is demonstrated capacity to ensure its long-term success.*	
Project Coordinator attended Neighborhood Safety Workshop: Yes 5 No 0	
Project timeline submitted: Complete and realistic 4-5 Incomplete and/or unrealistic 1-3 No 0	
Project Implementable in 12–18 months Yes 5 Maybe 1 No 0	
Project Maintenance (0–5) *Ongoing activities and costs associated with this project after completion are clearly described and there is a plan for how the project will be maintained and cared for.*	
There is a project maintenance plan in place: Yes 5 No 0	
Total Score (100 points possible)	

# Neighborhood Safety Program ## Technical, Transportation, and Safety Criteria	Score
Existing Conditions	
Safety: How safe is the roadway/facility today? *(Note: use documented accidents along proposed project for relative).* • Roadway/facility meets design standards 0 • Certain areas of the roadway/facility below design standards 10 • Overall roadway/facility is below design standards 15 • Certain areas of the roadway/facility are potentially hazardous and substandard 20 • Overall roadway/facility is potentially hazardous and substandard 25	
Volume: What are the existing volumes of traffic (not applicable if in a park)? • Volume is low 0 • Volume is moderate 5 • Volume is high 10	
Speed: What are the existing speeds of traffic (not applicable if in a park)? • Speed is low 0 • Speed is moderate 5 • Speed is high 10	
Existing Facility: What are the existing nonmotorized conditions? (invert scores for crosswalks) (not applicable in a park) • Sidewalk, paved shoulder, or gravel path on both sides 0 • Sidewalk, paved shoulder, or gravel path on one side 10 • No shoulder or sidewalk either side (must walk in vehicle lane) 25	
Use: How much existing nonmotorized use is there? • Low nonmotorized use 0 • Moderate nonmotorized use 10 • High nonmotorized use 15 • Vulnerable population in proximity 20 • Vulnerable population in proximity and high pedestrian use 25	
Anticipated Safety Improvement	
Safety: The project maintains or enhances the safety of the following modes? • Bicycle 0-10 • Pedestrian 0-10 • Vehicular 0-10 • Transit/HOV 0-10	
Gap: The project extends, adds or completes a nonmotorized system. • Does not extend or add to an existing nonmotorized system 0 • Moderately extends or adds to an existing nonmotorized system 10 • Significanly extends or adds to an existing nonmotorized system 20	
Link: The project connects to other multimodal facilitites (for example, high capicity or other transit stops or stations). • Does not link to other multimodal facilities (for example, high capacity or other transit station) 0 • Does complement or link to other multimodal facilities (for example, high capacity or other transit station) 10	

Anticipated Safety Improvement, *continued*	
Use: The project addresses current nonmotorized needs in the community (for example, gaps in the system, safety issues). • Has or will have low level of usage in the community (for example, is easily accessible to only a small portion of the neighborhood) 0 • Has or will have moderate level of usage in the community (for example, is accessible to a fair-sized portion of the neighborhood, but not the most densly populated area) 10 • Has or will have high level of usage in the community (for example, is easily accessible to a high density area or to a large porportion of the local community) 20	
Use: The project provides access for a vulnerable population (i.e. park, elementary school, mobility challenged, wheelchairs, retirement homes, hospital, Boys & Girls Club, Senior Center)? • No surrounding facilities will access 0 • Facility within 8 to 15 blocks (½ to 1 mile) 5 • Facility within 4 to 8 blocks (¼ to ½ mile) 10 • Facility within 4 blocks (¼ mile) 15 • One facility accessed directly 20 • More than one facility accessed directly 25	
Consistency with Plan(s)	
Does the project provide a missing segment or element of an existing incomplete network which is specifically identified in the Comprehensive Plan, the Non-Motorized Transportation Plan or is an approved school safe walk route? • Project is not in any plan 0 • Project is identified as a priority 10 • Project is in the Comprehensive Plan, or TMP, Active Transportation Plan, Capital Facilities Element of Kirkland's, or Capital Improvement Program, another plan 20 Is the project identified in a neighborhood plan or does the project support the goals of the neighborhood plan and/or park plan? • Does not support goals or conflicts 0 • No impact on goals of the plan 10 • Identified in the plan or supports the goals of the plan 20	
Does the conceptualized design of the project meet generally accepted practices and standards including American Disability Act (ADA)? • No 0 • Yes 10	
Maintenance	
How does the project impact existing City maintenance needs? • Greater than existing 0 • Same 5 • Less than existing 10	
Total Score	

Pilot Neighborhood Safety Program Funding Recommendations

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