Council Meeting: 07/06/2010
Agenda: Study Session
Item #: 3. a.

CITY OF KIRKLAND
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MEMORANDUM

To: Marilynne Beard, Interim City Manager

From: Erin Leonhart, Intergovernmental Relations Manager

Date: June 25, 2010

Subject: 2010 ANNEXATION QUARTERLY UPDATE 2 – JULY 6TH STUDY SESSION

RECOMMENDATION

It is recommended that the City Council receive an update on the following annexation-related subjects:

1. Annexation Area Police Recruitment
2. City TV Channel in Annexation Area
3. Facilities
4. Fireworks in Annexation Area
5. Finn Hill Fire Station Property
6. Annexation Neighborhood Boundaries
7. Development Services Issues
8. Impact Fees
9. GIS Vendor Selection
10. Quarterly Meeting with King County Executive Dow Constantine

BACKGROUND

This is the second quarterly report about the variety of activities underway in advance of the annexation effective date. Specifically, this report focuses on activities since the April report and certain items will be presented at the July 6th Study Session.

ANNEXATION AREA POLICE RECRUITMENT (CONTACT: CAPTAIN GENE MARKLE, POLICE DEPARTMENT)

The Police Department has completed the first round of Police Training Officer (PTO) training with the second group to be completed later this fall. These are the officers and supervisors that will be the PTO trainers for the new officers as they are hired and complete the academy. The PTO program is a nationally recognized police training program that is designed on adult problem solving learning. The police department currently has two in-house PTO trainers that allowed us to complete this training without outside assistance.

Annexation staffing status – We have one new hire (no experience) who will graduate from the academy in July and four new hire officers who started the academy May 24th. We are still experiencing issues with the academy canceling classes due to cuts in academy budget. The

four officers that were to be hired in June to attend the academy in June have been pushed back to the July academy because of the cancelation of the June academy.

You may have seen a couple of new faces around the police department. Lateral Officer (previous experience) Tiffany Seimears is now a member of the Kirkland PD. Her previous experience is working with Des Moines Police where she worked for two years before being laid off due to budget cuts. Lateral Officer Emily DePauw came to Kirkland PD by way of Decatur Illinois Police Department where she has worked for the past two years.

We continue to have a strong candidate pool and have suspended interviews for now. We currently have approximately 85 candidates on our new hire list and approximately 15 lateral officers on our lateral candidate list. We currently have 13 people in background testing and these candidates would be scheduled for hiring over the next year.

Also if you haven't seen the recruiting ads in the May, June and July Seattle Women's magazine with our Sergeant Lisa Brouelette, Corporal Deb McGuire and Officer Audra Weber putting on their recruiting hat you can go to the attached website (page 25) http://www.seattlewomanmagazine.com/june2010sec.pdf . We're hoping this will lure some more quality female officers to our police department.

The temporary police department remodel is still underway and scheduled to be completed in a two to three months.

CITY CABLE TV SERVICES IN ANNEXATION AREA (CONTACT: JANICE PERRY, MULTIMEDIA COMMUNICATIONS MANAGER)

City Council asked staff to determine whether Kirkland could offer cable TV services (the City's two public channels) to the annexation area prior to June 2011. Janice Perry, Multimedia Communications Manager, was able to speak with Roger Kiroriac in the King County Executive's Office who explained that King County is currently in complex negotiations with Comcast to renew their franchise and discussions with Verizon have halted. The County believes Kirkland's request would complicate their negotiations.

A follow-up conversation with Comcast's Franchising and Government Affairs Director indicated that Comcast will likely be able to air the City channel to Annexation Area residents before the annexation effective date. Kirkland staff hopes to have more information about this opportunity for the study session.

FACILITIES (CONTACT: DONNA BURRIS, INTERNAL SERVICES DIVISION MANAGER)

Staff is proceeding with Council-approved direction related to facilities. A timeline for the next three months is included below as Table 1. The task numbers correspond to this list:

1. Complete feasibility study and due diligence on the 11831 120th Avenue NE – Proposed Public Safety Building by August 1, 2010.
    a. Phase 1 Environmental Assessment
    b. Third-party Building Inspection
    c. Appraisal
    d. Supplemental Geotechnical Report
2. Complete purchase of property. Closing date for 11831 120th Avenue NE scheduled for no later than September 1, 2010.

3. Research architects for Public Safety Building
4. Schedule pre-submittal meeting to discuss feasibility of proposed options for the Maintenance Center
5. Continue seeking off-site property for potential satellite yard space for Operations & Maintenance
6. Initiate RFP process for local architect

TABLE 1 – FACILITIES TIMELINE
JUNE 30, 2010 – SEPTEMBER 30, 2010

TASK	6/30					7/31					8/31					9/30
1																
a																
b																
c																
d																
2																
3																
4																
5																
6																

FIREWORKS (CONTACT: WILLIAM EVANS, ASSISTANT CITY ATTORNEY)

As a general rule, Kirkland's laws will become applicable in the Kirkland Annexation Area on the effective date of annexation, June 1, 2011. However, as to fireworks regulations, RCW 70.77.250(4) provides that more restrictive laws cannot go into effect for one year after their adoption. Because Kirkland's fireworks laws are more restrictive than King County's, they would not be applicable in the annexation area until one year after their adoption.

Therefore, at the City's request, King County Councilmember Jane Hague introduced County legislation on June 10th that would ban the discharge of fireworks in the Kirkland Annexation Area. The Ordinance number is 2010-0350 and it can be found in Legisearch on the King County Council web site: http://mkcclegisearch.kingcounty.gov/custom/king/legislation.htm

This legislation was voted on at the June 23rd Committee of the Whole, which Councilmember Hague chairs, and expedited out of committee for final action at Council on June 28th. Because it is an emergency Ordinance, a positive vote on the 28th would make it effective that day with no need for the Executive to sign. The ban would go into effect one year after, in time to ensure a consistent ban throughout the City of Kirkland before the July 4th holiday in 2011.

FINN HILL FIRE STATION PROPERTY (CONTACT: JACK HENDERSON, DEPUTY FIRE CHIEF)

Fire District 41 and the City of Kirkland signed a letter of intent with King County specifying that, in exchange for provision of 20 parking spaces for park users, the County would allow Fire District 41 to build a fire station on a parcel of Big Finn Hill Park. As of this memorandum, King County has not signed the letter of intent. Fire District 41 Commissioner Toby Nixon is attempting to schedule a meeting with King County Deputy Executive Fred Jarrett to discuss the specifics of the letter of intent.

ANNEXATION NEIGHBORHOOD BOUNDARIES (CONTACT: JEREMY MCMAHAN, PLANNING SUPERVISOR)

Staff is working on review and potential adjustments to the boundaries of the annexation area neighborhoods as part of the 2010 Comprehensive Plan amendments. Staff conducted a series of meetings with identified community leaders from the annexation area, the Denny Creek Neighborhood Alliance (DCNA), the Juanita and Totem Lake Neighborhood Associations, and the Kirkland Alliance of Neighborhoods.

Following these meetings, staff reported to the Planning Commission on what was heard (see Attachment A) and presented a range of options based on the following community feedback.

General
- As noted by some attendees at community meetings, the question of neighborhood boundaries seems abstract with all of the other changes coming to residents of the annexation area. Make minimal adjustments now and allow boundaries to evolve over time (e.g. – with neighborhood plans).

Kingsgate
- Keep Kingsgate as one neighborhood vs. dividing it in two – perhaps along 124th Ave. NE.
- Incorporate northerly residential portions of Totem Lake into Kingsgate.

Totem Lake
- Extend the Totem Lake neighborhood to include annexed commercial and industrial area.
- Divide Totem Lake into the four adjacent neighborhoods by freeway quadrant, maintaining a separate Totem Lake Business District Plan (similar to the 85th Street Corridor).

North Juanita
- Merge the annexation North Juanita neighborhood and Kirkland's North Juanita neighborhood - or merge all three Juanita neighborhoods.
- Move the boundary of the annexation North Juanita neighborhood to include areas west of 100th (some portion of the eastern Finn Hill slope).
- Move Goat Hill from the Finn Hill to the South Juanita neighborhood.

Finn Hill
- Keep Finn Hill as one neighborhood vs. dividing it in two or possibly three neighborhoods.
- Perhaps Juanita Drive is a boundary.

Attendees at meetings have requested that staff prepare some maps of potential boundaries for residents to respond to. To that end, staff is hosting a workshop with annexation area leaders and representatives from the boundary neighborhoods of Juanita and Totem Lake on June 29th.

The workshop will be a hands-on session for residents to review a range of boundary options (see Attachment B) and to suggest their own. Staff can report on the results of that workshop at the July 6th City Council meeting.

Following the neighborhood workshop, staff will report back to the Planning Commission on August 12th and the Commission will hold a public hearing on October 14th. The Planning Commission will forward a recommendation to Council in late fall.

DEVELOPMENT SERVICES ISSUES (CONTACT: ERIC SHIELDS, PLANNING DIRECTOR)

City review of development applications prior to annexation – City staff has considered two alternative approaches to starting the development review process prior to the effective date of annexation. The first would involve having the King County Council adopt Kirkland codes and delegate to Kirkland the authority to issue permits under those codes prior to the effective date of annexation. It is not certain that the County would be able to adopt this approach, but discussions with officials suggest a genuine willingness to consider this option. However, Kirkland staff is not confident that we will be ready to assume full permit review responsibilities until close to the date of annexation. Of particular concern is the need to get our new permit tracking system in place and fully operational. We are also concerned that we will be unable to increase staff in time to handle a sudden increase in work load.

As an alternative, we have discussed with several potential permit applicants the possibility of starting the permitting process prior to annexation with the understanding that we would be unable to issue permits until the annexation effective date. This is the approach we have discussed with the Lake Washington School District. If the City Council adopts the interim ordinance to eliminate the required zoning review process for new schools in the annexation area (scheduled on the July 6 regular meeting agenda), we will be able to initiate a phased review process for reconstruction of Keller and Sandburg elementary schools. We have also discussed this concept with several other interested parties and expect that this will be a feasible option for a number of developers beginning in the first quarter of 2011.

Interim regulations for cell towers and billboards – The King County Code provides that the County and the City may enter into an interlocal agreement pursuant to which the County could apply City cell tower standards to applications received for cell tower facilities in the Annexation Area. County and City staff are in the process of developing the necessary interlocal agreement. With respect to billboards, current County regulations prohibit the installation of new billboards but the regulations do allow existing billboards to be relocated. County staff has indicated that it will recommend that the County Council amend County regulations to prohibit the relocation of existing billboards to the Annexation Area. For both cell towers and billboards, the necessary actions should be complete before the end of summer.

Request for information about permit and enforcement activity – In order to better anticipate the likely increase in workload for land use and building permits and code enforcement, Kirkland staff requested information from the County about current permit and enforcement cases in the annexation area. We have received such information and have asked for regular updates prior to annexation. The latest information suggests that we can expect a 38% increase in building permits and a 25% increase in land use permits. The County enforcement case load is 55% of that in Kirkland.

Interlocal agreement for transfer of permits – An interlocal agreement is necessary to specify the terms and responsibilities regarding land use and building permits that are active on the date of annexation. County officials have suggested using an agreement similar to that used with the City of Burien. Kirkland staff reviewed the agreement, submitted comments and proposed changes, which are now under review by the County.

In general, Kirkland staff has agreed with the County's proposal that permits already issued by the County before the effective date of annexation be completed by the County through project completion. However, we have asked that in cases where a permit application has been submitted to the County but a permit has not been issued by the date of annexation, the County continue to review the application only up to the point where a permit is ready to issue. At that point, the application would be transferred to the City for permit issuance and subsequent processing and inspection. Initial feedback from the County suggests that our proposal will be viewed favorably, but the final word is not yet in.

IMPACT FEES (CONTACT: PAUL STEWART, DEPUTY PLANNING DIRECTOR)

The current impact fee systems for parks and transportation are based on the City's adopted level of service standards and capital facilities needs. State law authorizes local governments to assess impact fees on new growth and development in order to pay a proportionate share of the costs of new facilities to ensure that the city's level of service is met. The City adopted its program in 1999. Since then, impact fees have been part of the ongoing revenue base for the City's Capital Improvement Program. Impact fees cannot be used for existing system deficiencies – only for new capacity projects to support growth.

In the annexation area, King County assesses impact fees for transportation and schools (not parks). Kirkland collects fees for transportation and parks and has had previous requests by the Lake Washington School District for schools.

The City's concurrency system for vehicular level of service is based on two tests. One is a maximum allowable v/c ratio[1] at key traffic signal controlled intersections and the other is an average v/c ratio based on performance of traffic signals in each of four zones. Development projects must pass concurrency before moving forward. The maximum standard is set at 1.4 and the average standards are set based on forecast performance of signals in 2022.

The Transportation Commission is planning to re-evaluate the way that concurrency is calculated. Changes would be put in place as a part of the Comprehensive Plan update scheduled for 2012 through 2014 and would likely be dependent on the land use and capital facilities plans developed at that time. It is also likely that the new Concurrency system will be quite different from the existing system.

Until this updating work can be completed, data necessary to calculate the subarea average standard is not available. Staff is proposing to use a single measure in the annexation area, namely the 1.4 maximum v/c ratio currently used in Kirkland. In order to use this measure, traffic counts at existing signals in the annexation area are needed. Such counts are not available from King County and will need to be collected by Kirkland prior to June, 2011. The cost of the counts is estimated at $3,000.

[1] V/C ratio is a measure of traffic volume to intersection capacity and a measure how congested an intersection is. The higher the ratio the more congested the intersection.

At some point the City will need to update its rate studies for parks and transportation to account for the annexation area. The rate studies form the basis for the impact fee calculation by land use type. Rate studies will require funding for consulting services. However, prior to undertaking the rate studies, the City will need to reconsider its level of service standards, other funding sources and its capital facility projects in order to set the framework for the analysis. This would occur as part of the overall Comprehensive Plan update that is scheduled to begin in 2012 and to be completed by 2014.

Until such time that these steps occur, staff is proposing to apply the same impact rate schedule to the annexation area as currently in place. Staff would recommend that at a future meeting, the City Council adopt a resolution of intent committing the City to undertaking the rate study at the appropriate time and applying the current rate schedule.

GIS VENDOR SELECTION (CONTACT: XIAONING JIANG, GIS ADMINISTRATOR)

Following a standard RFP procurement process, the city has signed an agreement with Integrated Desktop Solutions, Inc. to complete GIS parcel mapping in the annexation area. A local survey firm, David Evans and Associates, is on the team as well. City staff and the consultant team held a kickoff meeting during the week of June 14th and work is underway. Initial mapping deliverables, primarily covering the lakefront properties where the Department of Planning and Community Development has begun shoreline master planning, are expected during the month of July. Additional GIS data tasks will be deferred until progress on the parcel mapping can be assessed.

QUARTERLY MEETING WITH KING COUNTY EXECUTIVE DOW CONSTANTINE (CONTACT: ERIN LEONHART, INTERGOVERNMENTAL RELATIONS MANAGER)

Mayor McBride, Councilmember Sternoff and Kirkland staff met with King County Executive Constantine, Deputy Executive Jarrett and King County staff on March 11th to discuss annexation. At that meeting, both parties agreed to quarterly meetings leading up to the annexation effective date in 2011. The City Manager's Office has contacted King County staff multiple times to schedule the next quarterly meeting. King County staff has yet to provide date options and we will continue to work with County staff to schedule a meeting. At that meeting, we can have further discussions with the County regarding outstanding issues such as the Finn Hill fire station property.

Direction Needed and Next Steps

Council direction is needed regarding whether to bring a resolution back to the City Council regarding impact fees.

Staff continues to conduct transition planning and review of interlocal agreements. Some of the outstanding issues that will come before Council before the end of 2010 include:

- Interlocal agreement with Woodinville Fire and Life Safety District regarding transition of services
- Transition plans for solid waste collection and recycling services

Juanita Neighborhood Association – 3/25/2010 (18 attendees, 1 from AA North Juanita)

- Meeting space is important for Neighborhood, Holy Spirit lets them use space for $5 month
- Merge North Juanitas into one North Juanita
- Consider leaving Juanita Neighborhoods as one and keep the annexation area's North Juanita as a separate neighborhood called North Juanita
- Please change North and South Juanita in the Comprehensive Plan to Juanita Neighborhoods so maps and plans align with the association's boundaries and name. Association has legally registered name and boundaries with State for non-profit
- Annexation area neighborhoods will have a unifying issue (newly annexed into the City of Kirkland) for the next decade. Perhaps this is reason to keep them unified and not merged them into Kirkland's existing neighborhoods.
    - On the other hand, would this alienate those newly annexed areas?
- Existing N/S Juanita division is artificial, association is one unit and personalities that divided the neighborhood are gone
- Be cautious about breaking up AA neighborhoods, smaller not necessarily better for meeting attendance and representation
- One Juanita (North, North & South) – all Juanita, people don't think of it as three
- AA North Juanita should include areas at base of slope on the west side of 100th
- AA North Juanita seems divided by Juanita Woodinville Drive
- Consider moving Norkirk up to 116th and Juanita could be everything to north
- Bigger planning units are ok. Planning area boundaries do not have to be the same as the Neighborhood Association boundaries
- Juanita Neighborhoods Association will continue to be the place to come for area AA residents (Goat Hill residents often attend)
- Don't forget about the history of the areas. Invite the historical perspective into the planning of neighborhood boundaries.
- Don't forget Totem Lake's potential for high density residential areas which could change the demographics over time

Annexation Area Neighborhood Leaders – 4/13/2010
(14 attendees, 1 from KAN)

- Kingsgate Neighborhood Associations are strongly identified with their community parks and pools
- Upland Green Neighborhood Association is strongly identified with its community open space and tennis courts
- Kingsgate is one cohesive area
- Neighborhood boundaries should consider potential long term inclusion of the portion of the Queensgate neighborhood within Bothell's annexation area
- North Juanita is identified with the Juanita Woodinville Way and an access, Edith Moulton park, and Helen Keller school
- North Juanita needs to be activated – no current organizations
- Juanita should include those areas on the west side of 100th due to topography and access
- The North Juanita neighborhoods should be combined

- Areas without homeowners associations need to be integrated into neighborhood structure
- Finn Hill is strongly identified with the Denny Creek Neighborhood Alliance and the Finn Hill Parks and Recreation District (as well as the public parks)
- Areas of Finn Hill have divided physically by slopes and access – some areas are too steep for frequent pedestrian connections or don't have pedestrian linkages
- Finn Hill is too big, Juanita Drive forms a logical division of the neighborhood
- Holmes Point, Champagne Point, and Goat Hill may identify less strongly with the Finn Hill neighborhood
- Snow routes may be a dividing point
- Does Metro have names for service areas?
- Neighborhoods of equal size should be created
- Residential areas in the northern portion of the Totem lake Neighborhood should become part of adjoining neighborhoods
- Kingsgate is not an appropriate name because that name is associated with specific subdivisions and homeowners associations and much of the area is not within those subdivisions. Should research historic place name (Totem Ridge?).
- It would be difficult to divide Kingsgate into more than two neighborhoods
- Dividing Kingsgate along 124th would split the active homeowners associations from the areas without homeowners associations
    - Advantage – associations would be grouped in one neighborhood
    - Disadvantage – areas without associations would have a more difficult time organizing without the existing communication networks
- Need to engage more residents and PTA's in the decision process
- Not enough City grant money for big neighborhoods
- Finn Hill is identified with its access and access constraints in addition to the topographic breaks
- Resolving Totem Lake boundaries is not pressing this year
- Don't divide the annexation neighborhoods at all. Leave it as one area and see what evolves
- Send invitation to the May Planning Commission meeting to attendees
- Meeting with PTA's and publications in upcoming school newsletter would be a good way to get the word out
- Prepare a written explanation of neighborhood boundaries that group can share with their constituents
- Consider an online survey asking people their address, what they consider their neighborhood, and what they consider the boundaries to be

Totem Lake Neighborhood – 4/21/2010
(11-12 attendees, 1 from Totem Lake, 2 from Juanita, remainder from Kingsgate)

- It would be nice if neighborhoods related to legislative districts
- Analysis map should show the few residential properties on the north side of Totem Lake
- Could divide Kingsgate along 124th Ave.
- Only difference between east and west part of Kingsgate is the elementary schools, everything else is in common

- Lifestyles are different with the multifamily on the south of 132nd Avenue and single family to the north (but probably not significant enough to be in a different neighborhood entirely)
- It has proven difficult to get apartment residents involved in the neighborhood
- Keep in mind the neighborhood plan calls for more residential development in the Totem Lake Neighborhood
- When talking about where they live to others, some say "north of Totem Lake" rather than Kingsgate.
- History of the area should be considered (see Juanita "Remember When" map). Note the area used to be called Juanita *(however it's difficult to tell how far east the map actually goes)*

- ***Consensus points:***
    - The Totem Lake neighborhood could be divided into quadrants along 124th St and I-405 with each quadrant going to adjoining neighborhood
        - Totem Lake is a business district like 85th St Corridor and could retain that designation (rather than being defined as a separate neighborhood)
        - Businesses within Totem Lake have different interests than residents. Businesses will always identify with Totem Lake
        - May want to check in with Juanita and North Rose Hill to see if they want the quadrants of Totem Lake in their neighborhoods.
    - Redefining neighborhood boundaries may be too much for annexation neighborhoods to deal with right now. Let boundaries evolve after annexation changes have been processed and residents see what it means to be part of Kirkland.
    - Include the residential (both single and multi family) neighborhoods south of NE 132nd Street into the "Kingsgate Neighborhood" to the north

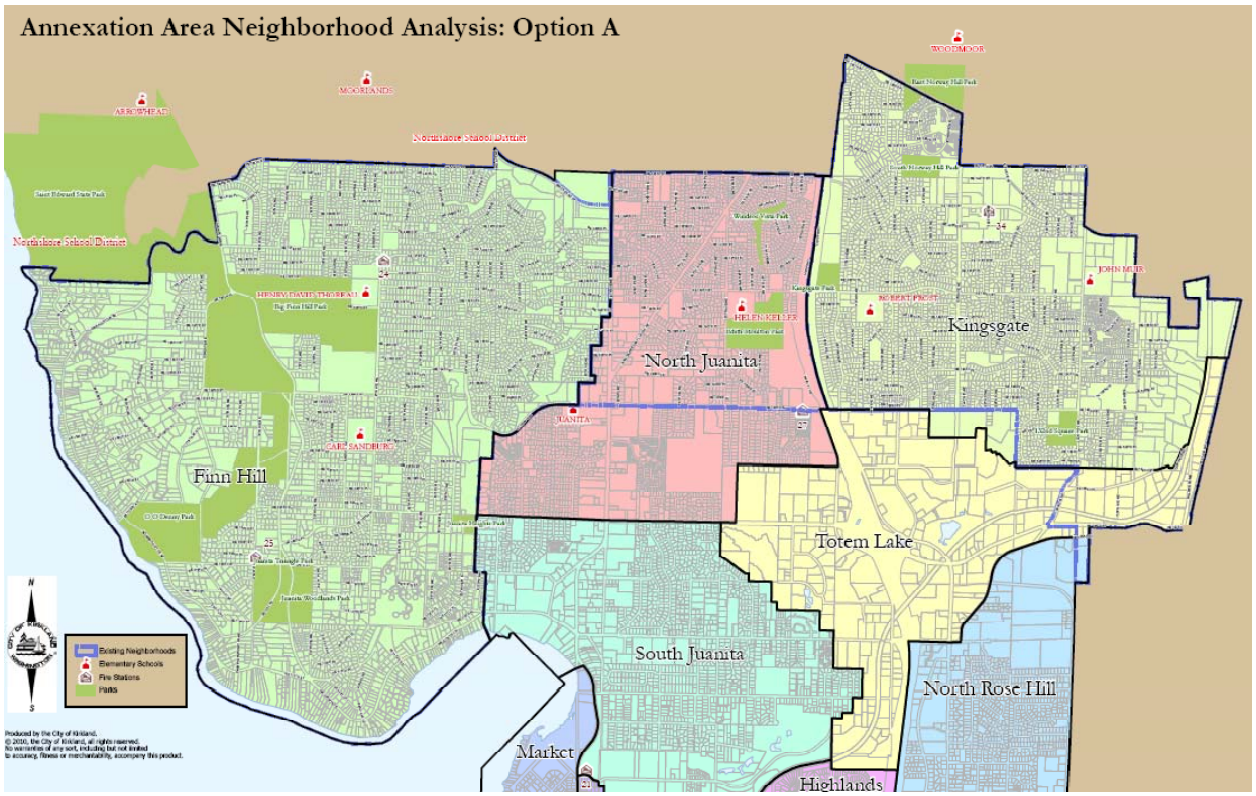
Kirkland Alliance of Neighborhoods (KAN) – 4/12/2010

- Don't call it proposed annexation area. Maybe the "new Kirkland?" or "annexation area" for now
- Some people in the annexation area don't know it is passed or the effective date. Need to publicize in the annexation area.
- Bring together Kirkland and "new Kirkland" area leaders to discuss boundaries, benefits of organizing, and how to get things done in Kirkland (learn from each other)
- Hold a Neighborhood U – in September with a panel discussion or workshop
    - Food (donated by local grocery or Costco)
    - Location: McAuliffe Park (maybe too small?) Peter Kirk Community Center?
    - Welcome annexation area people – bring everyone together
    - Possible panels:
        - What is working in Kirkland neighborhoods and what isn't
        - Neighborhood picnics
        - Writing by Laws
        - Neighborhood Matching Grants
        - Neighborhood Connection Program
        - Working with Kirkland City Council
        - Neighborhood Planning

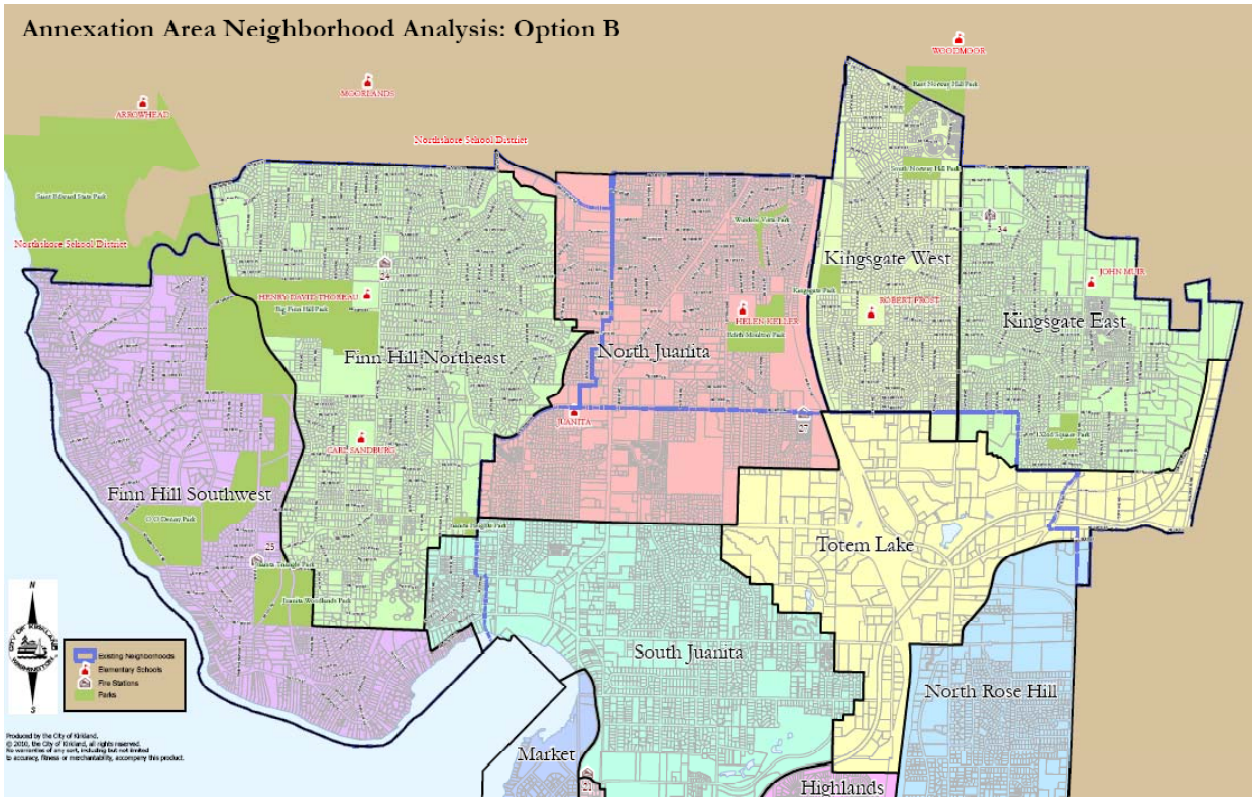
        - Possibly ask neighborhood leaders to speak (why did they get involved, what it means to be involved, how they benefit, how the community benefits)
        - Subcommittee to work on this over the summer: Lynda Haneman, Anna Rising, Karen Tennyson (Let Kari know if you are interested)
- Have open houses over the summer – bringing existing and annexation area residents together
- Suggest boundaries – then people will come – need something specific to bring people out
- Distribute and post a fact sheet about considerations for neighborhood boundaries
    - Functions of a neighborhood
    - Reasons for defining boundaries
    - Things to consider
    - How neighbors view a neighborhood (related to Neigh. Plan Updates)
- Finn Hill needs to be reduced in size –it's too big.
- Let KAN know when Kirkland Planning is going to annexation area for meetings – they may want to come

Miscellaneous E-mail Comments

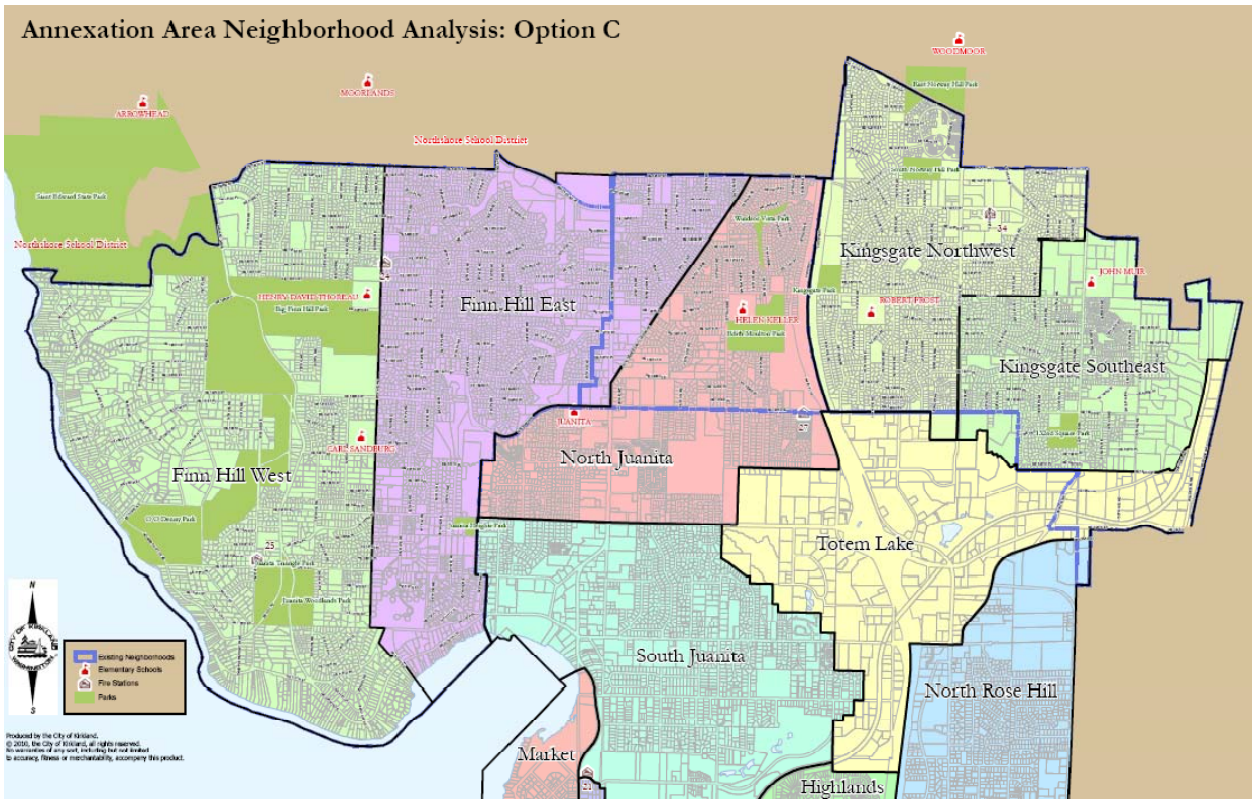
- From the Finn Hill perspective (or at least my own perspective) there isn't too much that brings the residents together, at this point. As we move into a possible neighborhood planning effort, the issues could be drawn out from the residents, however, they could be quite disparate (is that even the right term? I mean very different.) I don't support any subdivision of the Finn Hill neighborhood at this point - and without clear issues or planning purpose, there may be no need, either, for sub-sets.
- I basically think the residential areas of Kingsgate east of I-405 are all so similar that it should be all in one association, including the residential areas currently south of NE 132nd St but on top of the hill. I think the Totem Lake association should be modified to cover primarily the business areas and exclude the residential areas. I think the North Juanita area should be in one association as well, from I-405 to the base of Finn Hill, but it's hard to know where the southern boundary should be or if it should just be part of the existing Juanita association. The more complicated area is Finn Hill, which has some pretty distinct areas. My gut feel is that the waterfront/slope areas (Holmes Point, Champagne Point, Goat Hill) probably have a lot in common and should be considered one area, although Denny Park is a natural break if they were to be divided. The areas on top of Finn Hill are all pretty similar, and probably ought to be in one association. If we divided it that way, we'd have four associations (Kingsgate, North Juanita, Finn Hill, and Holmes Point/Champagne Point/Goat Hill).



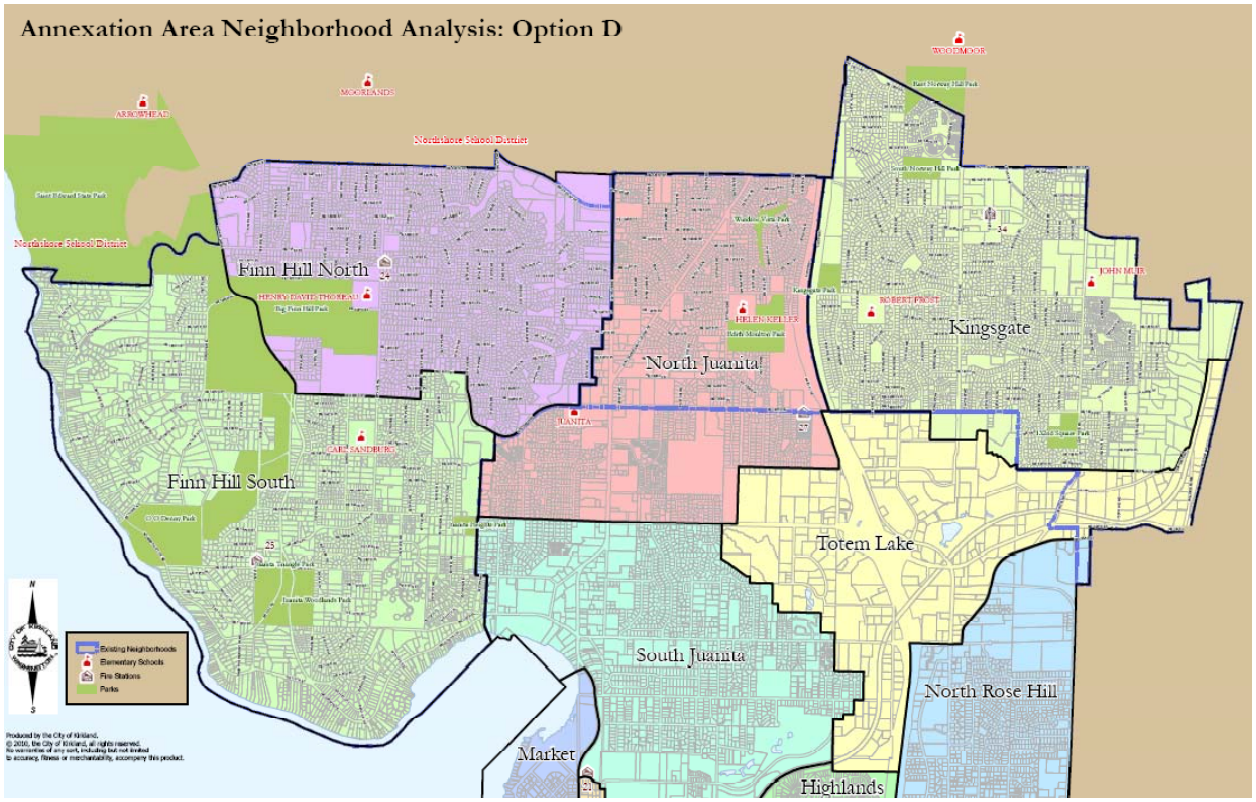
Option A – "Light Touch Boundaries"



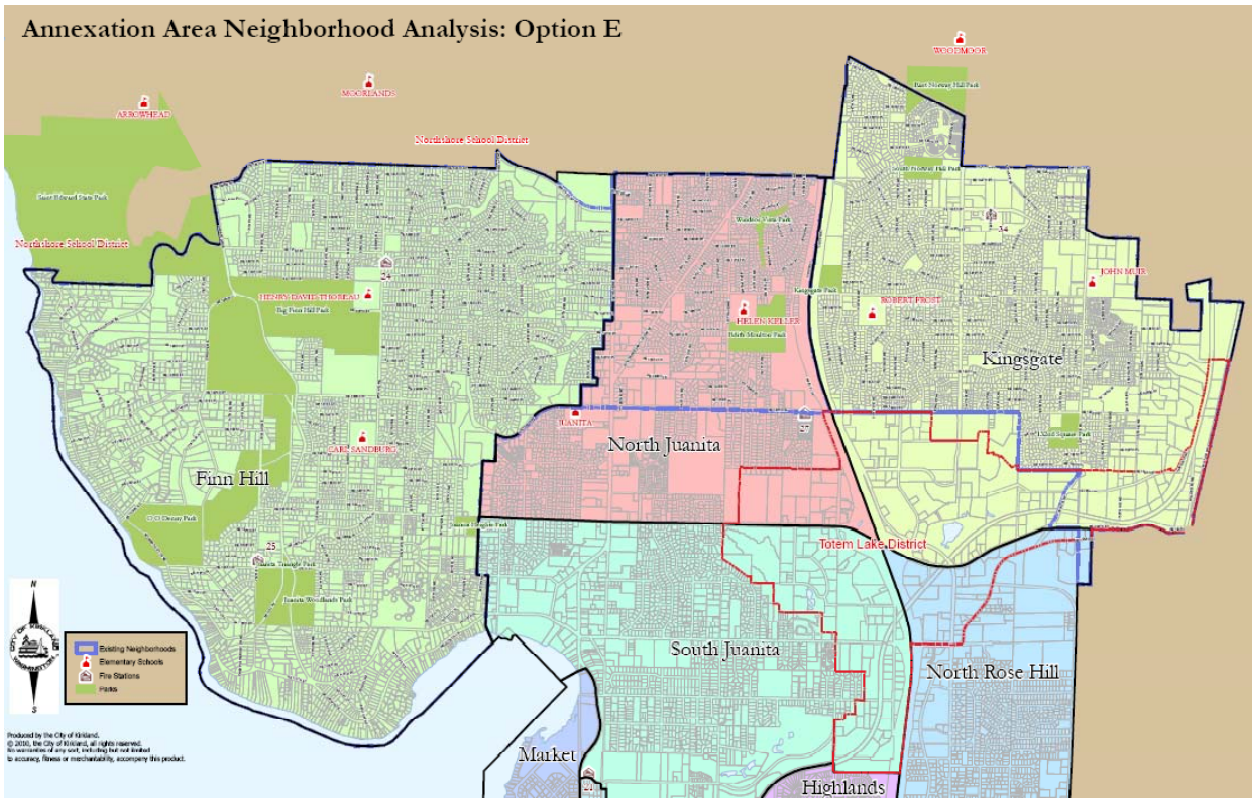
Option B – "North/South Boundaries"



Option C – "Diagonal Boundaries"



Option D – "Finn Hill East/West Boundaries"



Option D – "Totem Lake Quadrants"