
CITY OF KIRKLAND

CITY COUNCIL



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

Vision Statement

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

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

AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chamber
Tuesday, August 6, 2013
6:00 p.m. – Study Session
7:30 p.m. – Regular Meeting

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

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
 - a. Fire Strategic Plan
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
6. *COMMUNICATIONS*
 - a. *Announcements*
 - b. *Items from the Audience*
 - c. *Petitions*
 - (1) Notice of Dangerous Conditions on Lake Washington Blvd/Lake St. S:
Duty to Cure and Prevent Known Unsafe Conditions
7. *SPECIAL PRESENTATIONS*
 - a. Kirkland 2035 Update #5
 - b. Kirkland Bridges Report

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

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

QUASI-JUDICIAL MATTERS

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

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

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

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

NEW BUSINESS consists of items which have not previously been reviewed by the Council, and which may require discussion and policy direction from the Council.

- 8. *CONSENT CALENDAR*
 - a. *Approval of Minutes:* July 16, 2013
 - b. *Audit of Accounts:*
 - Payroll* \$
 - Bills* \$
 - c. *General Correspondence*
 - d. *Claims*
 - e. *Award of Bids*
 - (1) NE 112th Street Sidewalk Project, Danneko Construction, Kirkland, WA
 - f. *Acceptance of Public Improvements and Establishing Lien Period*
 - (1) 2012 Water System Improvement Project, Shoreline Construction Company, Woodinville, WA
 - g. *Approval of Agreements*
 - h. *Other Items of Business*
 - (1) Resolution R-4990, Related to Establishing a Formal Design Program to Guide Creation of a Totem Lake Park Master Plan.
 - (2) Department of Commerce Energy Efficiency Grant Award
 - (3) Accepting Library Board Resignations
 - (4) Accepting Tourism Development Committee Resignation
 - (5) Report on Procurement Activities
- 9. *PUBLIC HEARINGS*
- 10. *UNFINISHED BUSINESS*
- 11. *NEW BUSINESS*
 - a. Resolution R-4991, Adopting an Interest Statement on the King County Water Quality Assessment for Transmittal to the Sound Cities Association.
 - b. Marijuana Regulations Report
 - c. Plaza of Champions Nomination

- d. Resolution R-4992, Approving the Cross Kirkland Corridor Improvement and Use Agreement Between the City of Kirkland, SRMKII LLC and SRMKJVD LLC.

12. *REPORTS*

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.

a. *City Council*

- (1) Finance and Administration Committee
- (2) Public Safety Committee
- (3) Community Planning, Housing and Economic Development Committee
- (4) Public Works, Parks and Human Services Committee
- (5) Regional Issues
 - a) Sound Cities Association Nomination Discussion

b. *City Manager*

- (1) Calendar Update

13. *ITEMS FROM THE AUDIENCE*

14. *ADJOURNMENT*



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Marilynne Beard, Deputy City Manager
Date: July 19, 2013
Subject: FIRE STRATEGIC PLAN

RECOMMENDATION

City Council receives the staff response and recommended priorities for implementing findings contained in the Fire Strategic Plan and provides feedback regarding suggested next steps.

BACKGROUND

As part of the 2011-2012 Budget process, the City Council initiated an effort to conduct a series of organizational studies to evaluate the efficiency and effectiveness of City services. The Fire Strategic Plan was the first study and was jointly funded by then Fire District #41 and the City of Kirkland. A Request for Proposals was issued in September 2011 and the consulting firm of Emergency Services Consulting International (ESCI) was selected in November 2011 to conduct the study. The study was coordinated by the City Manager's Office and included the participation of a steering team composed of senior staff from the Fire and Building Department and a labor representative. Periodic reports to the Public Safety Committee were provided throughout the study period.

The consultant's report was transmitted to the City Council in September 2012 with the understanding that the Fire and Building Department would work with the City Manager's Office to prepare a response and implementation strategy, with a first review by the Public Safety Committee. The full text of the Fire Strategic Plan report can be viewed at www.kirklandwa.gov/depart/Fire_and_Building/Fire_Medical_Services/firestrategicplan.htm. From a resource standpoint, implementing the consultant's recommendations would require an additional 21 FTEs and approximately \$3.4 million in annual operating costs, along with significant capital costs and other one-time costs. As with any long range strategic plan, the recommendations would be implemented over time as resources are available, but funding a significant portion of the recommendations in the near term would likely require some sort of voter-approved revenue.

Over the past year, progress was made on some of the recommendations contained in the study through the budget process (see Attachment A, "Fire Strategic Plan Recommendations Reflected in the 2013-2014 Proposed Budget"). However, a comprehensive response was not available until now due to Chief Nalder's priority on involving a wide range of fire department staff in the development of that response.

The attached memo reflects the work of the department in consultation with the City Manager's Office. A draft of the staff report was provided to the Public Safety Committee and subsequent modifications and additions reflect their comments. The department has provided their

recommended priorities for implementation beyond what has already been accomplished. In particular, in-depth Standard of Coverage study is proposed to be undertaken to fully understand the current level of service and gaps between target levels of service and actual levels of service. That study will not only inform how new resources should be applied to achieve the greatest benefit for the system, but also provide a basis for determining whether regional partnerships, such as a Regional Fire Authority, are feasible and cost-effective strategies to provide the desired level of service. Analysis of a regional fire authority model and the potential Finn Hill station consolidation project are included as 2013-2014 work plan items.

The Fire and Building staff will continue to refine a detailed work plan and continue provide periodic updates to the Public Safety Committee. The full Council will be kept apprised as major work products emerge and through other important processes such as the biennial budget process and the Capital Improvement Program update.

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

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MEMORANDUM

To: Kurt Triplett, City Manager

From: Marilynne Beard, Deputy City Manager

Date: September 28, 2012

Subject: FIRE STRATEGIC PLAN RECOMMENDATIONS REFLECTED IN 2013-2014 PROPOSED BUDGET

INTRODUCTION

The City Council received the Fire Strategic Plan report on September 4, 2012. The Fire Strategic Plan presents 90 recommendations and suggests the highest priority actions the consultants (ESCI) believe will have the greatest impact on improving fire and emergency medical services. The plan is intended to cover a five to ten year time horizon. Staff is in the process of developing a response to the ninety recommendations.

An implementation strategy was presented to the City Council at the October 2 meeting that assures a thoughtful and accountable process for finalizing and implementing a Fire Strategic Plan. Staff is committed to following through on the implementation strategy as presented to Council. At the same time, the preparation of the 2013-2014 Budget preparation is occurring and presents an opportunity for the City Manager to recommend funding for selected recommendations. The City's continuing resource challenges necessarily limit the amount of new resources available to fund service level enhancement. The purpose of this memo is to describe the elements of the Fire Strategic Plan that are addressed in the proposed budget.

SUMMARY OF RECOMMENDATIONS FUNDED IN PROPOSED BUDGET

- *Recommendation 3: Increase emergency operations by adding a BLS aid unit staffed between 8:00 AM and 8:00 PM to maintain adequate personnel for a moderate risk fire event. (Implementation Order 5)*
- *Recommendation 75: Jointly construct and staff a new fire station with Northshore FD. The fire station should be located in an area to serve the Finn Hill neighborhood and Northshore FD. (Implementation Order 3)*

Budget Recommendation	2013	2014	One-Time or Ongoing	Notes
Finn Hill Staffing	324,481	324,481	One-time	50% of 12 hour coverage

One-time funding is recommended for 12-hour aid car staffing at Station 24 in Finn Hill in 2013 and 2014. The funding assumes that the aid car functions during peak hours, seven days per week with funding shared by Kirkland and Northshore Fire. The funding proposal is intended as a temporary measure to address recommendations about peak hour coverage and joint staffing of a station on Finn Hill. Over the coming biennium, the City will work with Northshore Fire and affected employee groups to determine the feasibility and cost of an ongoing partnership. Unless there is a significant economic recovery with resultant additional tax revenue to the City, it will be unlikely that the City can continue this staffing without some sort of voter approved funding. This is also a short-term investment to allow longer term exploration to identify options for providing financially sustainable service to "gap" areas in the City. These options could include partnerships, a voter approved levy, a fire benefit charge, or a regional fire authority.

- *Recommendation 31: Hire a full-time City emergency manager, shifting daily responsibilities from the Deputy Chief of Administration to the emergency manager. (Implementation Order 1)*
- *Recommendation 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. (Implementation Order 3)*
- *Recommendation 28: Complete and publish the COOP and COG plans. (Implementation Order 2)*
- *Recommendation 30: Involve KF&BD and other City of Kirkland employees in community-based emergency exercises at least annually. (Implementation Order 1)*

Budget Recommendation	FTE	Funding		One-Time or Ongoing	Notes
		2013	2014		
City Emergency Manager	1.00	159,839	162,975	Ongoing	Funded from unallocated liquor profits

The addition of 1.00 FTE City Emergency Manager will centralize and enhance emergency services functions and provide additional capacity for the Administration Deputy Chief to focus on management responsibilities. A dedicated manager can also be expected to complete some of the high priority emergency management tasks called out in the plan.

- *Recommendation 8: Add one FTE administrative assistant for EMS and one FTE financial analyst to administrative support functions. (Implementation Order 3)*
- *Recommendation 1: Amend job descriptions to accurately reflect roles and expectations for administration and support staff. (Implementation Order 1)*

Budget Recommendation	FTE	Funding		One-Time or Ongoing	Notes
		2013	2014		
Financial Analyst	1.0*	118,023	117,758	*One-Time	Full time position funded one-time
Administrative Assistant Reclassification	-	6,019	6,019	Ongoing	
Records Specialist	.25*	24,716	-	*One-Time	Pending outcome of other program changes

The addition of a full-time Financial Analyst (funded one-time) and reclassification of an Administrative Assistant to allow for a supervision of administrative staff will provide increased administrative capacity and relieve the Administrative Deputy Chief of finance and day-to-day administrative responsibilities that compete with managerial activities. Another reason for the proposed Financial Analyst is to provide financial and analytical support of potential voter approved options including a fire benefit service charge, creation of a regional fire authority or a voter-approved fire services levy.

The budget also continues the 0.25 FTE Records Specialist associated with the EMS transport fee program one-time in 2013.

- *Recommendation 11: Outsource development and maintenance of Administrative Rules and Standard Operating Guidelines to a third party. Development and maintenance of Administrative Rules and Standard Operating Guidelines should include involvement of the City human resource department. (Implementation Order 1)*

Budget Recommendation	2013	2014	One-Time or Ongoing	Notes
Policy and Procedure Manual	8,500	8,500	One-time	Requested on-going, funded one time

Funding is provided for a contract for template policies and procedures that are automatically updated to reflect national standards and customized for the local jurisdiction.

- *Recommendation 50: Develop an internal CIP for the maintenance and replacement of KF&BD capital equipment. (Implementation Order 27)*
- *Recommendation 36: Acquire and deploy electronic tablet devices for field data entry and rapid downloading to the records management system. (Implementation Order 4)*

Budget Recommendation	Funding		One-Time or Ongoing	Notes
	2013	2014		
Equipment Replacement	750,000	-	One-time	
Sinking Fund	375,000	375,000	Ongoing	
MDT/Tablets	68,548	68,548	Ongoing	Funded in IT computer replacement charges

The 2013-2014 Budget establishes ongoing funding for replacing public safety equipment such as personal protective equipment and self-contained breathing apparatus. Tablet computers and mobile data terminals (MDT) for vehicles have been included in the IT computer replacement charges for 2013-2014. Both one-time seed money and an ongoing contribution are included in the recommended budget.

- *Recommendation 26: Identify a location and develop a dedicated EOC; apply for a matching grant from the Washington EMD Emergency Operations Center Grant Program (requires a 25 percent local match). (Implementation Order 4)*

Budget Recommendation	2013	2014	One-Time or Ongoing	Notes
City Hall Remodel	200,000	10,000,000	One-time	

The acquisition of a new Public Safety Building will free up space in City Hall to reconsolidate City functions and provide an opportunity to dedicate space for an Emergency Operations Center.

CONCLUSION

The preliminary 2013-2014 budget includes recommendations that address a number of high priority needs identified in the Strategic Plan, despite the current financial limitations. The recommendations are the result of careful prioritization of selected one-time and on-going resources. Staff will report back to the Public Safety Committee on a regular basis on the status of the overall implementation plan.



CITY OF KIRKLAND
Fire & Building Department
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MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: July 25, 2013

Subject: STRATEGIC PLAN BREAKDOWN, STAFF ANALYSIS AND RESPONSE TO FINDINGS AND RECOMMENDATIONS

RECOMMENDATION:

City Council receives and provides feedback to the Department's draft prioritization, response and implementation strategies to the consultant's 91 recommendations contained in the Emergency Services Consulting International (ESCI) "Organizational Evaluation, Future Planning, Feasibility of Cooperative Service Deliver and Organizational Strategic Plan".

BACKGROUND INFORMATION:

In 2011, the City engaged the services of ESCI to conduct an organizational review of the Kirkland Fire and Building Department. The City Council received the consultant's report in September 2012. Since then, staff has developed a response and implemented certain recommendations through the budget process and Departmental work. Major findings in the consultant's review are:

- Response time analysis shows gaps in coverage in Finn Hill, Kingsgate and Bridle Trails neighborhoods
- Only meeting response standard 52% of incidents.....needs to be 90% per RCW
- Administrative support staff for the Fire Department has not kept up with operational growth and is insufficient
- Emergency Management plan has not been completed
- Fire Stations 22, 25 and 27 need Capital Improvement Plan for remodel or replacement
- Public Education and Community Outreach are limited and need improvement
- Policies and Procedures Manual needs updating

A three-day Strategic Plan Retreat was held on May 14-16, 2013 that included twenty-four participants with varied Departmental perspectives and responsibilities. Executive Staff, Administrative Staff, Training, Labor, Fire Officers and Firefighters met with the goal of achieving a consensus response to the recommendations listed in the Strategic Plan. The recommendations contained in this memo used the results of that retreat as a basis for the Chief's recommendation for going forward.

Establishing the Department's Mission, Vision and Values statements was viewed as a necessary first step in reviewing recommendations for the future. From November 2012 to February 2013, members of the Department participated in a process to define the Mission, Vision and Values. Department members embraced the following:

Mission Statement:

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

Vision Statement:

The Kirkland Fire Department is creating a safer community as a respected partner in our region and an innovative leader in the nation.

Values:

Supportive - Working together as a team toward a common goal.

Professionalism – Upholding industry standards and honoring the expectations of a professional firefighter both on and off the job.

Integrity – Maintaining consistency between actions and words at all times.

Respect - Treating others with understanding and compassion. Acknowledging there is strength in diversity.

Innovation – Providing a supportive work environment that encourages and empowers improvement through creativity.

Trust – Being fair, truthful, competent and honorable;
Confident that the actions of others are fair, truthful, competent and honorable.

Acronym S.P.I.R.I.T

Utilizing the adopted Mission, Vision and Values of the organization, the 91 consultant recommendations were sorted by priority, current status and estimated timelines for completion. The Department then identified probable assignments. Recommendations that were disagreed with, redundant or already completed were also identified.

The current status of the 91 consultant recommendations is broken down as follows:
14 recommendations, or 15%, that have been identified as already completed.
5 recommendations, or 6%, were disagreed with or identified as redundant.
36 recommendations, or 40% are currently in the process of being completed.
6 recommendations, or 7% are and have been ongoing. These are items that are currently being done and will continue to be done.
30 recommendations, or 33% have not yet been started and will need to be implemented over time, will require additional approval, information, resources, funding or staff.

In addition, the Department has added 5 additional high priority recommendations to bring the total to 96. These are discussed in detail later in this report. These recommendations are:

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

The Department broke down the 96 recommendations into three functional areas and a fourth category of additional Department recommendations. This was done in order to respond to all the recommendations comprehensively and to align them with their probable assignments for implementation. The four areas are:

1. Operations – the consultant’s operational concerns surrounded response times, Emergency Medical Services, facilities, apparatus and equipment.
2. Emergency Management – the primary concern of the consultant was the hiring of a City Emergency Manager and the completion of the City Emergency Management Plan, Continuity of Government Plan and a Continuation of Operations Plan.
3. Administration – these recommendations consisted of updating policies and procedures, increasing administrative staffing, employee training, fire prevention and public education.
4. Additional Department Recommendations – Recommendations not included in the consultant’s report that the Department places a high priority on include development of Incident Action Plans for special events and high hazard target occupancies. In addition, replacing staff positions responsible for public information and public education is a high priority and is necessary to meet all the consultant’s recommendations.

A matrix containing Department response to each of the 94 recommendations is included as Appendix #1 to this memo. Based on the recommendation of the Public Safety Committee, the matrix is now an excel spreadsheet and may be searched and sorted by any of its fields.

DEPARTMENT PRIORITY GOAL

The Department has always strived to provide the best service possible to the citizens of Kirkland. Based on the recommendations of the consultant, the Kirkland Fire Department is positioned to take the next step in becoming a world class Fire Agency. The consultant recommended seeking accreditation under the Commission on Fire Accreditation International (CFAI) which provides major benefits to the City and the citizens the Department serves. Also recommended is moving to reduce our Washington State Ratings Bureau (WSRB) rating from the current 4 to a 1. This is our highest priority and will require significant new resources to be implemented. 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.

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 and related programs.
- **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.

Some neighboring cities WSRB ratings are as follows:

WSRB Protection Class 2 – Bellevue, Seattle and Federal Way

WSRB Protection Class 3 – Woodinville, Shoreline, Redmond, Everett, Renton and Kent

WSRB Protection Class 4 – Sammamish, Kirkland, Marysville and Auburn

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 and a WSRB rating of 1 also meets or exceeds the consultant's recommendations in the areas of response times, deployment, Fire and EMS training, facilities, apparatus, records management, water supply, fire prevention and public education.

Consequently, achieving accreditation improves the overall performance of the fire and medical response systems and therefore is the highest recommended priority.

In order to accomplish these recommendations, the Department must redefine positions and modify the Department organizational chart. With EMS now generating 70% of our call volume reorganization is becoming increasingly necessary. Operational efficiencies, cost savings and increased service delivery can be realized with these modifications.

ADDRESSING THE STRATEGIC PLAN RECOMMENDATIONS:

The Consultant and Department recommendations and modifications need to be addressed as directed by Council which must make difficult choices with finite revenues and many competing needs throughout City services. Several of the consultant's recommendations have previously been identified by the Department as needs but have not been accomplished because of a lack of required resources, funding and/or staff. Appendix #1 identifies likely staff assignments or staffing needs to accomplish each recommendation. Fully funding the majority of recommendations is likely to require some form of voter approved revenues such as a property tax levy, a fire benefit charge or creation of a Regional Fire Authority.

Following are the key goals and objectives of the Strategic Plan, their current status and recommendations for implementation.

OPERATIONS

The Kirkland Fire Department has relied heavily on "cross-staffing" of apparatus. When a fire call comes in, the crew takes the fire engine and leaves the aid unit unstaffed and vice versa. This leaves key pieces of equipment unstaffed and response areas must be covered by the next closest available units. This occurs at every fire station, every day.

Following is a summary of the recommendations and related staff responses for Operations:

Response Times

- Increase emergency operations by adding a BLS aid unit staffed for 12 hours to maintain adequate personnel for a moderate risk fire event. (3)
- Monitor mutual and automatic aid for equity. (54)
- Track failure rate of units to respond to incidents in their first due area by fire station and apparatus. (56)
- 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. (79)
- 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. (80)
- Develop a long-term plan to become a CFAI accredited fire agency. (82)
- 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. (83)
- Determine the cause of the dramatic decrease in the percent of full alarm assignment deployments. Develop a plan to reach the stated deployment goal of 90 percent (84)
- Adopt two-tiered response time objectives for fire, EMS, hazardous materials, technical rescue, and specialized rescue incidents. (85)
- Develop and adopt response time intervals, benchmark, and review at a minimum annually. (87)
- Adopt turnout time standards based on incident type and time of day. (89)

Standard of Cover Study

The Department currently has a two-tiered response for fire and medical response with adopted turnout time standards. They are 5 minutes for medical response and 5.5 minutes for fire response. The consultant's report identified current response times were impacted by geographic area and station, however it was not detailed enough to truly understand the underlying factors impacting response times. The Department is conducting a Standard of Cover Study to obtain this information. This is an in depth evaluation of response times and resource allocation including dispatch times, turnout times and drive times to emergency incidents. The study will also look at Station location, deployment of resources and the steps necessary to achieve response time standards. It will provide valuable insight into the impacts of mutual and automatic aid, multiple false alarms, time of day, geographic hindrances, dispatching issues and non-emergent responses. Identifying possible regional consolidation and partnership strategies is also a necessary component in examining response times and attempts to improve them. Regional partnerships could also benefit other key areas of need in the organization including cost savings, inadequate staffing and other efficiencies.

The Commission on Fire Accreditation International (CFAI) accreditation is a comprehensive self-assessment and evaluation model that enables organizations to examine past, current, and future service levels and internal performance and compare them to industry best practices. This process can lead to improved service delivery.

The consultant recommends and staff agree that the Department explore potential partnerships with surrounding jurisdictions for interest and mutual benefits including but not limited to reduction in response times. These would include evaluating organizational and functional consolidations or a Regional Fire Protection Service Authority.

In the summary of stakeholder input, both internal and external customers identified the lack of marine fire suppression capabilities as an organizational weakness. The Department agrees with this based on the high dollar value of commercial, residential and marine structures. The consultant recommended expanding partnerships with King County Sheriff and Seattle Fire for marine services. The Department believes better service can be obtained by working cooperatively with neighboring waterfront communities (Northshore FD, Bellevue FD and Mercer Island FD), forming partnerships and seeking grant funding with those partners. The Department also recommends that this be placed on the unfunded CIP in order to assist us in the grant application process.

A lack of offshore water rescue capabilities was also identified as an organizational weakness. Kirkland has 13 miles of waterfront and unlimited access to the water for swimming and boating. On average, Kirkland suffers 10 drowning's a year. As water rescue responses increase and funding for lakeshore response by individual agencies continue to decrease the responsibility for providing this essential service becomes increasingly urgent. Kirkland Fire currently provides a limited Near Shore Water Rescue program and must enhance its response into deeper waters that are longer distances from the shoreline.

The lack of marine rescue and marine firefighting capabilities were also identified as a critical need in the 2000 Fire Strategic Plan.

Water rescue craft have ongoing staffing and maintenance funding element that needs to be addressed. In addition, strategic placement (where will it be located) must be identified. These will be examined in the Standard of Cover study and a resulting plan developed.

Council has placed the study of a Regional Fire Protection Service Authority (RFA) on the 2013-2014 work plan. The study will provide information on efficiencies and effectiveness that may or may not be gained. The staff recommendation is to wait on the RFA study until the Standard of Cover study is complete to see if any additional gaps in coverage are identified. Currently, response time gaps have been identified in the Finn Hill, Kingsgate and Bridle Trails neighborhoods.

Recommendation (84) seeks to determine the "dramatic decrease" in full alarm deployments in the Department's fire responses. This has been completed and was the result of restructuring the dispatching criteria. Three years ago, all calls for fires were dispatched as "full" responses. The Department now has two categories of fire response; "structure fires" and "full" responses. Full responses are now defined as unconfirmed structure fires. This allows us to dispatch additional units on fires that are confirmed "structure fires" more quickly and accounts for the decrease in full alarm responses.

Emergency Medical Services (EMS)

- Annually conduct a detailed analysis of revenue verses expenditure to validate EMS transportation activity is meeting stated goals established by the city (5)
- Add a Medical Service Administrator (MSA) at the rank of division chief to manage the medical division (6)
- Bill for EMS transport when responding and transporting patients outside of the City of Kirkland (7)
- Add one FTE administrative assistant for EMS and one FTE financial analyst to administrative support functions (8)

- Develop a comprehensive evaluation program to assess all aspects of the EMS system (76)
- Provide Advanced Life Support services within the City of Kirkland via the King County Medic One program (77)
- Participate in the King County Medic One Community Medical Technician (CMT) pilot (78)

Regional partnerships and focused program management should be pursued as a method to efficiently provide administrative support for EMS delivery. Emergency Medical incidents have risen to over 70% of total call volume. The Department agrees with the consultant's recommendation that an EMS division led by a Medical Service Administrator (MSA) be established to oversee EMS. The MSA would be responsible for training, quality assurance, quality improvement, regional medical protocol participation and implementation, risk management and grants. Currently, some of these functions are performed by a medical transport Captain and Operations staff.

Membership in the King County EMS leadership group primarily consists of highly-focused, professional Advanced Life Support (ALS) administrators. Hiring an MSA is essential to providing planning, development, implementation and management of programs in a regionally based emergency medical administration. It has been extremely difficult to represent Kirkland's needs and interests at a regional level with current staffing.

Reporting on all phases of operations is necessary to improve efficiency and service levels to the community. The consultant had numerous recommendations regarding records management and reporting for both Fire and EMS. A comprehensive evaluation of all aspects of the EMS system is advised. This includes all existing EMS services plus evaluating Kirkland's role in providing Advanced Life Support services, the Community Medical Technician pilot program and reviewing existing EMS protocols.

ESCI concludes, "It is our opinion that the number of KF&BD support staff is inadequate to meet the needs of the fire Department and the expectations of the City. While it is possible to assign a staff person responsibility to work directly with the fire Department from finance, IT, or HR, so far this approach has not been effective. Even if this assignment arrangement were successful, the KF&BD requires additional administrative and support positions. Support staffing has remained static or decreased even as the number of emergency operations personnel and the services of the fire Department have increased."

The Department agrees that hiring one FTE administrative support for EMS is a high priority. This position would handle transport billing, HIPPA compliance, records management and the coordination of scheduling for training and other requirements. Currently a .25 position is temporarily funded with transport fee revenue. A full FTE position could be funded through the transport fee billing revenue. Transport fee revenue has exceeded projected revenues and may be sufficient enough to fund a full time position.

Facilities, Apparatus and Equipment

- Dedicate a reserve engine to the training division, preferably a unit that can be shared by agencies (63)
- Store PPE in a separate, well ventilated room (53)

- Jointly construct and staff a new fire station with Northshore FD. The fire station should be located in an area to serve the Finn Hill neighborhood and Northshore FD (75)
- Develop a capital plan for the rebuild or replacement of Fire Station No. 25 (Finn Hill South) and Fire Station No. 27 (Totem Lake) (81)

A reserve engine has been identified and is awaiting formalization of the EMTG Interlocal agreement. Dedicating an engine to Training could occur regardless of whether formal consolidation occurs. Providing separate, ventilated rooms for PPE has been partially accomplished within the limitations of current facilities. Provisions in future building plans should be made to protect personnel from contaminated gear and to protect gear from UV, diesel exhaust and other contaminants.

Finn Hill Fire Station and Fire Station Capital Plan

The consultant recommends rebuilding or replacing Fire Stations 25 (Finn Hill) and 27 (Totem Lake). A capital plan would need to be developed for Station 27. The Standard of Cover Study should provide additional information to reinforce or modify existing plans for both Finn Hill and Totem Lake. The consultant has been reengaged to proceed with the Finn Hill Station siting. The consultant will look at single station and dual station options. In addition, the Department recommends that Station 22 (Houghton) also be considered in the capital plan as it is the same age and relative condition as Stations 25 and 27.

In addition, there were three coverage gaps identified by the consultant. The Standard of Cover study would identify whether these stations would move or stay in current location in order to better serve our community and meet our response standard.

Temporary funding was provided in the 2013-2014 budget to staff North Finn Hill Station 24. The Department feels that a more effective way to serve Finn Hill and provide a lower impact to other Kirkland neighborhoods will be by participating in a pilot staffing program. The pilot program calls for the staffing of the south Fill Hill Station 25 with a daily minimum of four firefighter/EMT's. Current daily minimum staffing is three firefighter/EMT's. This pilot provides two firefighter/EMT's for an aid response which leaves the other two to respond to subsequent alarms on Finn Hill. This provides for quicker response to subsequent alarms on Finn Hill and it eliminates the need to take other stations out of district to respond to Finn Hill. This approach is more cost effective as it provides this additional coverage on a 24 hour basis, not the proposed 12 hour model.

EMERGENCY MANAGEMENT

The consultant noted that a shift of responsibilities from the Deputy Chief of Administration to a full time City Emergency Manager needed to occur. In addition, the consultant recommends that the incomplete elements of the Emergency Management Plan take priority. Following is a summary of the recommendations and related staff responses for City Emergency Management:

Emergency Management Plan

- Identify a location and develop a dedicated EOC; apply for a matching grant from the Washington EMD Emergency Operations Center Grant Program (requires a 25 percent local match).(26)

- Develop and implement a plan outlining how volunteers will be used and managed during emergency events (25)
- Seek potential partner agencies to provide contracted emergency management services from KF&BD (27)
- Complete and publish the COOP and COG plans (28)
- 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. (29)
- Involve KF&BD and other City of Kirkland employees in community-based emergency exercises at least annually (30)
- Hire a full-time City Emergency Manager, shifting daily responsibilities from the Deputy Chief of Administration to the Emergency Manager (31)
- Integrate the New World RMS (records management system) with emergency management plans, records, and reports (90)

The "inefficient administrative structure" identified by the consultant has been partly addressed by the funding of a full time City Emergency Manager (CEM). The City Emergency Manager will be responsible for planning a dedicated Emergency Operations Center and developing a City Emergency Plan, a Continuity of Operations (COOP) and Continuity of Government Plan (COG). In addition, the CEM will develop funding mechanisms and prepare necessary budgets and/or CIP's for Council review.

Emergency Management is a critical function for the City and requires adequate support. In the past, the City has received some funding for an Emergency Preparedness Coordinator position through the Federal Emergency Management Performance Grant (EMPG) funding that is distributed through the State. The State has been in the process of redefining how the EMPG funding will be distributed. That process is nearly complete. The Department has submitted the application for 2013 and the State should announce the distribution amount sometime in August. Estimates are between \$30,000 - \$45,000. The Department recommends utilizing the emergency management grant funding and City funding to reinstate the Emergency Preparedness Coordinator position. This position was cut at the end of 2012 when the City was unable to continue the temporary funding that supported the remainder of the salary for the Coordinator position. The City funds and the EMPG funds together funded the Coordinator position for 5 ½ years.

ADMINISTRATION

Many of the consultant's recommendations surrounding fire Department administrative functions deal with fire prevention, public education, staffing, employee training and policies and procedures. While the City added emergency response personnel to serve the newly annexed area, there was not a corresponding increase in administration and support. In fact, there was a decrease in Administrative Assistant FTE's. The loss of the 0.9 Fire District 41 FTE has been significant. The consultant concludes this "hampers both strategic and day-to-day effectiveness". Ongoing and one-time staff additions approved in the 2013-2014 Budget met some of the consultant's recommendations.

Kirkland appears to be understaffed in administration when compared to neighboring cities. Staff will be developing comparisons for Council review as part of this process.

Despite many of the consultant's recommendations focusing on inadequate staffing, the consultant gives "kudos" specifically identifying Kirkland as being "among a select few" fire Departments who can provide "virtually all emergency services with a minimum of non-emergency staff". The conclusion is that the Department is understaffed, not that staff is inefficient.

Following is a summary of the recommendations (including the recommendation number for cross-reference purposes) and related staff responses for Administration:

Support Services

- Amend Job descriptions to accurately reflect roles and expectations for administration and support staff.(1)
- Add one FTE administrative assistant for EMS and one FTE financial analyst to administrative support functions (8)
- Outsource development and maintenance of Administrative Rules and Standard Operating Guidelines to a third party. Development and maintenance of Administrative Rules and Standard Operating Guidelines should include involvement of the City human resource Department (11)
- Update KF&BD Department Manual Directive Number 3.001 to accurately reflect current daily minimum staffing level (45)
- Develop a procedure and policy for reporting and retaining all employee exposure records.(19)
- Develop, validate and employ a physical evaluation process that is job related (21)
- Provide a fire service related Occupational and Health Program (24)
- Periodically review sick leave and work-related injuries for patterns and opportunities to reduce occurrences (49)

Department Policies and Procedures have been outsourced to Lexipol International and draft policies will be examined shortly by a group of internal representatives of the Fire Department for acceptance, modification and/or elimination. This process should be completed within one year. The policy on employee exposure records is nearly complete. Exposures, as defined by law, are documented and retained by Health Force Services. Staff's modified recommendation includes retaining records of exposures that technically don't meet the exposure definition set by law. The technical definition of an exposure to EMS providers must include either blood or bodily fluid contact through the skin or splashed into the eyes, nose or mouth. The Department believes it important to document and store "non-reportable" exposures that involve airborne or non-invasive contact contagions and contagions where sufficient study has not been completed on their long term effects to be currently classified as reportable.

The consultant identified several places where the organizational structure in the Department needed review. The Department agrees and is assessing current and future service needs and believes review and update of the organizational chart is necessary. Job descriptions are in the process of being updated as part of this review.

A temporary financial analyst was hired this year. The Department believes this position is essential and will be evaluating budget proposals in the 2015-2016 budget cycle to make this position permanent.

The current IAFF collective bargaining agreement states the City will “closely follow or meet the intent of the IAFC/IAFF Wellness Fitness Initiative.” This would satisfy the consultant’s recommendation for an Occupational Health program but would require funding through the budget process. This initiative includes comprehensive annual medical evaluations including establishing medical baselines, immunizations and tracking occupational exposures. It also includes a job related physical fitness program and evaluation guided by peer fitness trainers, injury prevention, behavioral health and counseling components. Many of these recommendations are authorized expenditures under Kirkland’s current health benefits program and implementation of the Wellness Fitness Initiative is an open issue in the current IAFF contract negotiations.

Mission, Vision and Values

- KF&BD review and validate the mission, vision, and values following completion of the 2012 strategic plan (9)
- Display the adopted mission, vision, and organizational values in City Hall and fire Department facilities (10)

Department Mission, Vision and Values were reviewed, modified and adopted by Fire Department members. The Department has begun placing these on employee identification, letterhead, Department documents, other printed materials and on apparatus.

Fire Prevention/Public Education

- 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. (13)
- Develop interactive content for the fire Department website: citizen training videos and downloadable documents (fire escape plans, preparedness, and self-help checklists). (16)
- Update existing content on the fire Department website and schedule regular maintenance. (17)
- Produce a live monthly informational broadcast meeting between the fire chief and Department personnel. (23)
- Anticipate controversies or events which may generate media or community interest and develop a media or messaging plan in advance. (14)
- Develop a proactive message file where the subject is not time-sensitive, but timely release may position the message to its greatest advantage. (15)
- Conduct a fire and life-safety inspection of all inspectable occupancies in the next 12 months. If necessary use emergency services personnel to complete inspections. (33)
- Develop and implement a self-inspection program for light risk occupancies where the occupants have demonstrated regular code compliance. (35)
- Develop and adopt a plan to actively solicit feedback from a representative sample of recipients of KF&BD inspection and enforcement services. (37)
- Adopt a local residential sprinkler ordinance for new residential construction.(38)
- Form a regional partnership to develop and deliver juvenile fire-setter intervention and counseling. (39)
- Develop, adopt, publish, and implement a KF&BD Public Education Plan. (40)
- 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.(41)

- Rotate emergency operations personnel to a temporary duty assignment as a public educator to deliver the public education curriculum. (42)
- Employ electronic information media from the United States Fire Administration and NFPA for linking or posting and making available on the Kirkland website.(43)
- Create partnerships with other public agencies and private sector companies to provide public education and information to the citizens of Kirkland. (44)
- Expand Chapter 21.35A of the Kirkland Municipal Code to include response by KF&BD to repeat false or malicious fire alarms. (57)
- Integrate pre-fire incident planning of community target hazards in training activities. (73)
- Establish proactive community risk reduction (**Dept. added**)

Several of these recommendations can be accomplished by Fire Prevention staff and others would require additional resources or reprioritization of duties. For instance, completing inspections of 5,279 identified occupancies within 12 months would require a shift in priorities to accomplish within the recommended time frame. In 2012, fire crews were able to inspect 1400 occupancies in their respective districts. Current fire prevention staff was unable to find staff hours to assist with inspections. The Department believes that this may be accomplished with current staff every 24 months but would need additional, dedicated Fire Prevention FTE's and a developed self-inspection program to accomplish every 12 months. A 12 month inspection cycle is necessary to obtain the highest WSBR rating and CAFI accreditation.

Community Relations Officer (CRO)

The consultant noted that management of external communication efforts are reactive in nature and extremely limited. The consultant didn't include a specific human resource recommendation for this body of work but noted "virtually all public education efforts outside some limited special requests have been discontinued since....the single fire Department community education specialist position was eliminated in 2010. Hiring a Community Relations Officer is the best way to determine avenues for material delivery, develop a marketing plan, develop strategies to meet public needs and implement outreach. A full-scope community education program would require additional staffing.

The CRO would be focused on making sure that the community and the City Council have the information about the Kirkland Fire Department and how the Department and the community partner together to create a safer community. This position will also become an on-scene and off scene Public Information Officer (PIO). The CRO will also update and maintain the Department website giving update information about incidents. This position will be responsible for providing dashboard reports to command staff and will also add to the City Emergency Operations Center (EOC) PIO position.

Several recommendations call for expanded use of various media types for both community and inter-departmental communications. This would include use of City website, "Currently Kirkland" and proactive media messages. Some of these had been done on a limited basis until the loss of the Community Education and Information Specialist position two years ago. These recommendations require subject matter experts in their related fields. The use of these tools could be enhanced by a Community Relations Officer.

The Department is challenged because it agrees with the majority of the consultant's fire education and prevention recommendations. However, without additional staff, the Department

can only continue to react on a limited basis to these needed services. The Department recommends hiring a subject matter expert in the field.

Risk Reduction Officer (RRO)

In addition to the CRO, the Department recommends hiring a Risk Reduction Officer who would focus on supporting the City Council stated goal of “providing public safety through a community-based approach that focuses on prevention of problems and a timely response”. This position would develop and lead preventative programs such as public and school life safety programs, a false alarm reduction program, fall prevention and intervention on repeat EMS alarms through the Citizen Advocate for Resources Education Support (CARES) program. The CARES program pairs frequent users of the 911 emergency system with appropriate care and social-services resources that can address the underlying cause of repeated calls to 911. Partnering with other cities to contract with a licensed Master of Social Work provides meaningful care to Kirkland’s most vulnerable citizens that have not traditionally been available through the EMS system. In Bellevue, one patient who had activated the 911 system 89 times was directed to appropriate services. The Risk Reduction Officer reported the patient hasn’t had another need to dial 911 since. The program has the potential of significant impact on call volume which reduces response times and at the same time increases appropriate care levels. Examples of patients that would typically benefit from CARES are patients with chronic health conditions that are not being managed effectively with their primary care physician, patients suffering from behavioral health conditions or addiction, and older patients in declining health. CARES programs are currently partnering with Bellevue, Seattle, South King F&R, Kent RFA, Tacoma FD, Olympia FD and SeaTac FD.

Risk reduction benefits everyone. Citizens are safer and responders are available to respond more often which improves service and reduces response times. Working with community and regional partners, programs like CARES have been making a significant impact to their communities and to response unit availability.

Residential Sprinkler Ordinance

The Fire Prevention Bureau, in cooperation with the Building Division, has initiated a public outreach process regarding residential sprinklers and will return with a report to the Public Safety Committee later this year. A residential sprinkler ordinance is a mandatory element of increased WSBR rating and CAFI accreditation.

Employee Training

- Create a formal mentoring program to develop for officers to use with subordinates. (59)
- Formalize the East Metro Training Group (EMTG) via an interlocal agreement between participating agencies, with Kirkland Fire & Building Department as a permanent member. (60)
- Develop a consistent program for training hazardous materials technicians. (62)
- Develop a joint recruit academy with other members of the EMTG. (64)
- In the absence of a combined EMTG training manual, KFD should develop its own training manual, in concert with the other members of the EMTG. (66)
- Establish a minimum number of annual training hours an individual or company is required to complete. (68)
- Conduct at a minimum two night drills per shift per year that involve all fire suppression personnel. (69)

- Establish a minimum requirement for annual company and individual training evaluations. Include shift battalion chief involvement in annual evaluations. (71)

Many of the consultant's recommendations are in process at the East Metro Training Group (EMTG) consortium. Joint recruit academies, mentoring programs and minimum training requirements are all either currently being worked on or completed within the consortium. The Department is awaiting formalization of the consortium through an Interlocal Agreement.

The Fire Department has no budget to fund training academies. For example, the Department will need to hire and send recruits to the joint EMTG academy in January of 2014. Currently, our funding options are limited to requesting additional funding during mid-year budget adjustments or utilizing funds designated for mandated operational training. The Department recommends that a funding mechanism be developed and money be budgeted and dedicated to this function.

The HazMat consortium is assessing options to solidify training consistency and funding options. Currently, they are receiving the mandated 40 hours per year and additional training as available.

The Department disagrees with recommendations establishing minimum number of hours of training opting instead for requiring demonstrated competencies. Current training is competency based and includes minimum hours when mandated by Federal, State or County law.

ADDITIONAL DEPARTMENT RECOMMENDATIONS

Staff has identified the following needs in addition to the consultant's recommendations.

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

Incident Action Plans (IAP) should be developed for events such as the 4th of July, Summerfest and other events that draw large numbers of people to Kirkland. In addition, occupancies such as Evergreen Hospital, adult care facilities and Kirkland City Hall all present unique challenges during an emergency event. Large events and target occupancies require preplanning and coordination between public safety and other City Departments to handle large-scale emergencies. Developing IAP's with corresponding training serves to better prepare responders, staff and the citizens the Department serves.

Currently, the Department does not have a central source for purchasing supplies and equipment. Because of limited resources, there is a long history of purchasing being done by operational firefighters out of fire stations. Firefighters have limited time and expertise in purchasing policies. This decentralization of the purchasing process has not produced the efficiencies and cost savings to the City that a central source would. Having a central purchasing specialist will allow more efficient and effective purchasing. This includes seeking economies of scale with other agencies, planning and coordinating procurement, establishing vendor relationships. This will reduce costs for the City, will improve compliance with internal

controls, and will reduce errors in processing purchases and accounts payable transactions. The Department will develop funding mechanisms and prepare necessary budgets to accomplish this high priority need.

The Department believes there are several benefits derived from forming a regional, Metro Fire Investigation Team. Economies of scale, federal grant funding possibilities, shared data and access to integrated information are a few of these benefits. The Department has begun to share investigations with Bellevue, Bothell, Redmond and Mercer Island and are tracking the hours it takes to fully investigate fires. Staff is working towards an Interlocal Agreement so the City might fully realize these benefits.

Joint regional apparatus purchasing has long been identified as having the potential for substantial savings in the cost of apparatus and sharing of reserve apparatus. The Department is discussing this possibility with Zone 1 representatives and hopes to reach mutual agreement to begin this process.

Department Disagrees with Five Consultant Recommendations

- ❖ Recommendation (68) advises “establish a minimum number of annual training hours”.
Individuals and companies are evaluated by competency and not by a set number of hours unless required by law.
- ❖ Recommendation (23) advises to shoot live, monthly informational broadcasts with the Fire Chief to Department personnel.
The Fire Chief prefers face-to-face contact and accomplishes that through executive staff meetings, monthly officer meetings and regular station visits.
- ❖ Recommendation (42) advises to rotate emergency operational personnel to temporary duty assignments as public educator to deliver curriculum.
Line personnel need to be backfilled with overtime so there is no cost savings. Line firefighters can deliver some curriculum but it requires a subject matter expert to develop.
- ❖ Recommendation (46) asks that the Department maintain two swing personnel at each rank to fill vacancies or step up.
Currently the Department trains and utilizes Acting Officers to fill these vacancies. This is less expensive and provides valuable training to firefighters pursuing organizational advancement.
- ❖ Recommendation (47) recommends using personnel at Capt. and Lt. levels to work down to fill vacancies.
The situation this deals with is extremely rare and is not permitted within the current collective bargaining agreement.

IMPLEMENTATION COMMUNICATIONS

Regular status updates will ensure accountability at all levels. Communication of those updates to Department staff and Council along with continued reinforcement of the content, purpose and objectives of the plan will verify the importance the City places on implementation.

Formal timelines will be established once approval for specific recommendations is given. The Fire Department website has a link to the Strategic Plan and will be updated as implementation progresses.

SUMMARY

The Department agrees with the consultant's recommendations to become an CAFI accredited Fire Department and to lower the Washington Survey and Ratings Bureau public protection class rating from the current 4 to the goal of a 1. This process will take a period of time and substantial resources to accomplish. The updates necessary to achieve these ratings will result in increased service, decreased response times, cost savings and staff efficiencies. In the process of working towards these two goals, the Department will set the following goals as priorities over the next two years:

- Determine best way to meet response time standard 90% of the time. Will conduct Standard of Cover Study
- Determine coverage strategies for identified gaps in Finn Hill, Kingsgate and Bridle Trails neighborhoods
- Complete Finn Hill Station Siting Study and begin construction of new Finn Hill Fire Station
- Hiring City Emergency Manager
- Reinstate the Emergency Preparedness Coordinator position
- Complete Policy and Procedure manual update
- Evaluate adoption of a residential sprinkler ordinance
- Develop and implement a Fire and Life Safety self-inspection program
- Develop Incident Action Plans for high hazard occupancies and events
- Improve our capabilities through partnerships with neighboring waterfront jurisdictions to respond to water related rescues
- Explore regional marine/shoreline fire suppression opportunities
- Engage Consultant for Regional Fire Authority (RFA) or alternative funding mechanism to increase efficiencies through regional partnerships
- Complete Emergency Management Plan (COOP and COG)
- Improve community risk reduction efforts
- Improve community outreach

Funding for the RFA study and the Station siting study have been approved and are budgeted. The Standard of Cover study is estimated at \$40,000 and is unfunded at this time. Costs for other recommendations will be developed as additional information is received and partnerships are solidified.

A side by side comparison of consultant and Department recommendations for staffing is attached as Appendix #2. This spreadsheet shows recommendations by source, the estimated annual costs for each staff position and possible funding strategies. It is important to note that the Department recommendation totals are significantly lower only because they do not include the operational staffing recommendations that will come from the Standard of Cover Study. Once that study is complete, it will likely result in recommendations for additional FTEs and operational costs that will be of a similar magnitude to the consultant's recommendations. Again, while some of these investments can be achieved as part of Kirkland's normal budget process, fully funding the majority of these recommendations in the near term would likely

require voter-approved revenues. Strategies for funding implementation will be an on-going conversation with the Council over the next several years.

OPERATIONS – Response Times

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
3	Increase emergency operations by adding a BLS aid unit staffed for 12 hours to maintain adequate personnel for a moderate risk fire event.	Firefighter	1-3 yrs	HIGH	Not yet Started	Are looking at other options. To be included in Standard of Cover Study	YES
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		Discard – 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		Discard – CBA would limit. Situation this deals with is rare	
48	Periodically (annually or more frequently) review minimum staffing levels and options for filling vacancies.				Complete	Is current practice	
54	Monitor mutual and automatic aid for equity "service impacts".	Current Staff	1-3 yrs	MED	In Process	Remove "equity" and replace with "Service Impacts"	NO
56	Track failure rate of units to respond to incidents in their first due area by fire station and apparatus.	Current Staff	1-3 yrs	HIGH	Not yet Started	To be included in Standard of Cover Study	YES
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.	Current Staff	1-3 yrs	HIGH	Not yet Started	Agree with dedicated staffing of aid units. Redeployment of one person responses should be reviewed in Standard of Cover Study	YES
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.	Current Staff	1-3 yrs	HIGH	Not yet Started	To be included in Standard of Cover Study. Pursue CIP & grant funding for possible off shore rescue equipment and additional partnerships with other agencies	YES
82	Develop a long term plan to become a CFAI accredited fire agency	Current Staff	1-3 yrs	HIGH	Not yet Started	High Priority. Need to find staff time to complete	YES
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.	Outsource	1-3 yrs	HIGH	Not yet Started	To be included in Standard of Cover Study	YES
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	NO
85	Adopt two tiered response time objectives for fire, EMS, hazardous materials, technical rescue, and specialized rescue incidents.	Current Staff		HIGH	Partly Complete	Currently have tiered response for Fire and EMS. To be included in Standard of Cover Study	NO

**KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Staff Recommendations**

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
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		
89	Adopt turnout time standards based on incident type and time of day.	Current Staff		HIGH	Partly Complete	Currently have turnout time standards based on incident type. Will conduct Standard of Cover Study re: time of day	YES

OPERATIONS - Emergency Medical Services

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
5	Annually conduct a detailed analysis of revenue versus expenditure to validate that EMS transportation activity is meeting stated goals established by the city.	Financial Analyst	1-3 yrs	MED	Ongoing	Revenue currently exceeds expenditures and forecast.	NO
6	Add a Medical Service Administrator (MSA) at the rank of division chief to manage the medical division.	Medical Service Adminstr	1-3 yrs	HIGH	Not yet Started	Funding and regional partnerships will be pursued	YES
7	Bill for EMS transport when responding and transporting patients outside of the City of Kirkland.	Medical Service Adminstr	3-5 yrs	MED	Partly Complete	Currently we bill for transport in those jurisdictions who also bill for transport. If they don't, we don't.	NO
8	Add one FTE administrative assistant support for EMS.....	EMS Support	1-3 yrs	HIGH	Not yet Started	Administrative support needed for EMS and billing	YES
36	Acquire and deploy electronic tablet devices for field data entry and rapid downloading to the records management system.	Current Staff	1-3 yrs	MED	In Process	Tablets have been purchased. RMS issues are in process with NORCOM.	
76	Develop a comprehensive evaluation program to assess all aspects of the EMS system.	Medical Service Adminstr	1-3 yrs	HIGH	Not yet Started	Requires MSA investment	YES
77	Provide Advanced Life Support services within the City of Kirkland via the King County Medic One program.	Medical Service Adminstr	3-5 yrs	MED	In Process	Updated KCEMS language to allow Kirkland participation in next levy cycle	
78	Participate in the King County Medic One Community Medical Technician (CMT) pilot.	Medical Service Adminstr	3-5 yrs	MED	Not yet Started	Request will be made when program funding becomes available	YES Medic One

**KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Staff Recommendations**

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
OPERATIONS – Facilities, Apparatus and Equipment							
#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
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 mostly complete	
51	Perform an energy audit on all fire stations and follow recommended energy efficiency measures.	Outsource	1-3 yrs	MED	Not yet Started	Potential long term costs savings could offset one time costs	YES
52	Replace apparatus using a combination of age, mileage (for gas powered units), engine hours (for diesel apparatus) and condition.				Complete	Reflects current practice	
53	Store PPE in a separate, well ventilated room.	Current Staff	5-10 yrs	HIGH	In Process	Should be included in future station planning	
55	Make upgrades to incident reporting RMS software to eliminate erroneous data entries.	Current Staff	1-3 yrs	MED	In Process	Exploring alternatives to New World which was purchased to meet this need	YES
63	Dedicate a reserve engine to the training division, preferably a unit that can be shared by agencies.	Current Staff	1-3 yrs	MED	In Process	Reserve engine has been identified for transfer	YES
75	Jointly construct and staff a new fire station with Northshore FD.	Outsource	1-3 yrs	HIGH	In Process	To be evaluated in Station Siting and Standard of Cover Studies	NO
81	Develop a capital plan for the rebuild or replacement of Fire Station 25 (Finn Hill South) and Fire Station 27 (Totem Lake).	Fire and Facilities	1-3 yrs	HIGH	In Process	Station Siting Study and Standard of Cover Study will define plan	YES

EMERGENCY MANAGEMENT

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
28	Complete and publish the COOP and COG plans	City Emergency Manager	1-3 yrs	HIGH	Not yet Started	High priority. Should be done asap. Assign City Emergency Manager	NO
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.	City Emergency Manager	1-3 yrs	HIGH	In Process	In Process with King County EOC	NO
30	Involve KF&BD and other City of Kirkland employees in community-based emergency exercises at least annually.	City Emergency Manager	1-3 yrs	MED	In Process	To be scheduled	NO
31	Hire a full-time City Emergency Manager, shifting daily responsibilities from the Deputy Chief of Administration to the	City Emergency Manager	1-3 yrs	HIGH	In Process	Position to be filled September of 2013	NO
25	Develop and implement a plan outlining how volunteers will be used and managed during emergency events.	City Emergency Manager	1-3 yrs	MED	Not yet Started		NO

**KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Staff Recommendations**

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
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).	City Emergency Manager	1-3 yrs	MED	Not yet Started	May be part of City Hall remodel	YES
27	Seek potential partner agencies to provide contracted emergency management services from KF&BD.	City Emergency Manager	5-10 yrs	LOW	Not yet Started	Last in implementation order	NO
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.	City Emergency Manager	1-3 yrs	HIGH	Ongoing	Provided on ongoing basis - Recommend partnering with outside agencies to continue to provide ICS training	NO
90	Integrate the New World RMS (records management system) with emergency management plans, records, and reports.	City Emergency Manager	3-5 yrs	MED	Not yet Started	Data for Emergency Management needs to be in RMS	YES

ADMINISTRATION – Support Services

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
1	Amend Job descriptions to accurately reflect roles and expectations for administration and support staff.	Current Staff	1-3 yrs	HIGH	In Process	Restructuring the organizational chart will effectively complete this recommendation	NO
2	Create a budget category for administrative services				Complete		
4	Request WSRB to conduct an evaluation of the fire and suppression capabilities of KF&BD	Current Staff	1-3 yrs	HIGH	Not yet Started	Dept recommends this be highest priority and foundation for all other recommendations in Strategic Plan	NO
8	And one FTE financial analyst to administrative support functions.	Financial Analyst	1-3 yrs	HIGH	In Process	Hired one FA completed on temp basis. Recommend FA become permanent	YES
11	Outsource development and maintenance of Administrative Rules and Standard Operating Guidelines to a third party.	Outsource	1-3 yrs	HIGH	In Process	Outsourced to Lexipol. Staff beginning review and editing	YES
18	Administer a stress test at the time of hire and periodically on incumbent employees/members based on age and risk factors.	Current Staff	1-3 yrs	HIGH	In Process	Stress test done at time of hire but not periodically thereafter	YES
19	Develop a procedure and policy for reporting and retaining all employee exposure records.	Current Staff	1-3 yrs	HIGH	In Process	Complete for "reportable" exposures. Need process for non-reportable as well	TBD
21	Develop, validate and employ a physical evaluation process that is job related.	Current Staff	1-3 yrs	MED	Not yet Started	Current Physical Fitness program not job related	TBD
22	Establish a medical baseline for new firefighters at the time of hire/appointment.				Complete	Reflects current practice	
24	Provide a fire service-related occupational and health program.	Current Staff	1-3 yrs	HIGH	In Process	Recommend IAFC/IAFF Wellness Fitness Initiative. In current CBA 20.3.	YES
45	Update KF&BD Department Manual Directive Number 3.001 to accurately reflect current daily minimum staffing level.	Current Staff	1-3 yrs	MED	In Process	To be included in Policy and Procedure update	NO

**KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Staff Recommendations**

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
49	Periodically review sick leave and work-related injuries for patterns and opportunities to reduce occurrences.	Current Staff	1-3 yrs	HIGH	Ongoing	Current Practice	NO

ADMINISTRATION - Mission, Vision and Values

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
9	KF&BD review and validate the mission, vision, and values following completion of the 2012 strategic plan.	Current Staff	1-3 yrs	HIGH	In Process	Updated and validated by department members	NO
10	Display the adopted mission, vision, and organizational values in City Hall and fire department facilities.	Current Staff	1-3 yrs	HIGH	In Process	Being added to printed materials as needed and updated	NO

ADMINISTRATION – Employee Training

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
12	Develop a succession plan to ensure employees are recruited and developed to fill each key role within the organization.	Current Staff	1-3 yrs	LOW	In Process	Improvements need to be made to area of Officer Development	NO
59	Create a formal mentoring program for officers to use with subordinates.	Current Staff	1-3 yrs	MED	In Process	Have started training, including management training to officers by Human Resources	NO
60	Formalize the East Metro Training Group via an interlocal agreement between participating agencies.	Current Staff	1-3 yrs	HIGH	In Process	ILS has been drafted. Four of five agencies have approved and signed	NO
61	Identify training competencies in writing, teach, train, test, and evaluate personnel regularly by the training division in concert	Current Staff	Ongoing	MED	Ongoing	Training is objective based and skills based. Depends on WAC 296-305	NO
62	Develop a consistent program for training hazardous materials technicians	Current Staff	Ongoing	HIGH	Complete	Techs receiving required minimums per year	NO
64	Develop a joint recruit academy with other members of the EMTG.	Current Staff	Ongoing	HIGH	Complete	Have participated in EMTG academy in past and will utilize Jan 2014 academy for next hiring process	YES
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.	N/A

**KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Staff Recommendations**

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
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.	Current Staff	1-3 yrs	MED	Ongoing	Training manuals have been and are currently being developed by EMTG consortium	NO
67	Refine and expand goals and purpose statements of training objectives	Current Staff	1-3 yrs	MED	In Process	Will be part of EMTG training manual	NO
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.	N/A
69	Conduct at a minimum two night drills per shift per year that involve all fire suppression personnel.	Current Staff	1-3 yrs	LOW	In Process	Will be incorporated into EMTG training schedule	NO
70	Develop lesson plans for core competencies requiring instructors to follow plans when instructing.	Current Staff	1-3 yrs	MED	In Process	Have lessons plans for recruit academy currently. Will use same format for all required training	YES
71	Establish a minimum requirement for annual company and individual training evaluations. Include shift battalion chief involvement in annual evaluations.	Current Staff	1-3 yrs	HIGH	Complete	Required minimum competencies are established.	NO
72	Include company level training activities by subject in the RMS.	Current Staff	1-3 yrs	HIGH	Complete	Entering in training division RMS	NO
74	Refine and expand goals and purpose of training objectives.	Current Staff	1-3 yrs	MED	In Process	Will be part of EMTG training manual	NO

ADMINISTRATION - Fire Prevention & Public Education

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
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.	Community Relations Officer	3-5 yrs	MED	Done on Limited Basis	Done occasionally as needed or requested	YES
14	Anticipate controversies or events which may generate media or community interest and develop a media or messaging plan in advance.	Community Relations Officer	3-5 yrs	MED	Done on Limited Basis	City Communication Manager assists on a limited basis	YES

**KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Staff Recommendations**

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
15	Develop a proactive message file where the subject is not time-sensitive, but timely release may position the message to its greatest advantage.	Community Relations Officer	3-5 yrs	MED	Not yet Started	This is accomplished whenever possible. Insufficient staff prevents a more proactive approach as recommended	YES
16	Develop interactive content for the fire department website: citizen training videos and downloadable documents (fire escape plans, preparedness, and self-help checklists).	Community Relations Officer	3-5 yrs	HIGH	In Process	Some documentation online but very limited.	YES
17	Update existing content on the fire department website and schedule regular maintenance.	Community Relations Officer	1-3 yrs	HIGH	Done on Limited Basis	Department web representative to work with IT and Communications Program Manager on how to develop and display updated content	YES
23	Produce a live monthly informational broadcast between the fire chief and department personnel.		3-5 yrs	DISAGREE		Fire Chief prefers face to face visits during regularly scheduled monthly mtgs and station visits	NO
32	Integrate KF&BD fire prevention records management with the EnerGov RMS software used by the Building Division.	Current Staff	1-3 yrs	HIGH	In Process	Looking at data transfer from New World to EnerGov and alternate software to include integrated pre-fire plans with other partner agencies	
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.	Current Staff	5-Mar	HIGH	Ongoing	Unable to accomplish every 12 months. Goal should be 24 month compliance w/current staff. 12 months requires add staff	YES
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	
35	Develop and implement a self-inspection program for light risk occupancies where the occupants have demonstrated regular code compliance.	Fire Inspector	3-5 yrs	MED	Not yet Started	As staff is available to accomplish	NO
37	Develop and adopt a plan to actively solicit feedback from a representative sample of recipients of KF&BD inspection and enforcement services.	Current Staff	3-5 yrs	MED	Complete	Done as part of Development Services Strategic Plan	TBD
38	Adopt a local residential sprinkler ordinance for new residential construction.	Current Staff	3-5 yrs	HIGH	In Process	Staff is initiating process to make recommendation based on stakeholder input	NO
39	Form a regional partnership to develop and deliver juvenile firesetter intervention and counseling.	Risk Reduction	3-5 yrs	MED	Not yet Started	Additional resources will be required. Will be incorporated into regional investigation unit.	YES
40	Develop, adopt, publish, and implement a KF&BD Public Education Plan.	Risk Reduction	3-5 yrs	MED	Not yet Started	Requires subject matter expert to initiate. Additional resources required.	YES
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.	Risk Reduction Officer	5-10 yrs	MED	Not yet Started	Additional staffing required to develop and implement.	YES

**KIRKLAND FIRE DEPARTMENT STRATEGIC PLAN
Staff Recommendations**

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
42	Rotate emergency operations personnel to a temporary duty assignment as a public educator to deliver the public education curriculum.	Current Staff		DISAGREE		Temp rotations need to be backfilled. No cost savings. Should be 3 yr rotation if implemented.	YES
43	Employ electronic information media from the United States Fire Administration and NFPA for linking or posting and making available on the Kirkland website.	Current Staff	3-5 yrs	MED	Not yet Started	Current staff will implement as time permits. Risk Reduction Officer needed to expedite.	NO
44	Create partnerships with other public agencies and private sector companies to provide public education and information to the citizens of Kirkland.	Risk Reduction Officer	5-10 yrs	MED	Not yet Started	Additional staff needed to manage program	YES
57	Expand Chapter 21.35A of the Kirkland Municipal Code to include response by KF&BD to repeat false of malicious fire alarms.	Current Staff	3-5 yrs	MED	Not yet Started	Work with City Attorney to develop code	NO
73	Integrate pre-fire incident planning of community target hazards in training activities.	Current Staff	3-5 yrs	MED	Not yet Started	Fire Prevention developing list of target hazards	NO
86	Risk assessment RMS should be managed by the KF&BD Fire Prevention Division.	Current Staff	3-5 yrs	MED	Not yet Started	Software system will need to be identified and purchased.	YES

ADDITIONAL DEPARTMENT RECOMMENDATIONS

#	DESCRIPTION OF CONSULTANTS RECOMMENDATIONS	ASSIGN	TIME LINE	PRIORITY	STATUS	NOTES	NEEDS FUNDS
	Develop Incident Action Plans for special events and high hazard target occupancies	Current Staff	1-3 yrs	HIGH	Not yet Started	High priority. Should be done asap. Assign City Emergency Manager	NO
	Centralize Department purchasing	Purchasing Specialist	1-3 yrs	HIGH	Not Yet Started	Reduce costs, improve compliance, reduce errors	YES
	Establish proactive community risk reduction	Risk Reduction Officer	1-3 yrs	HIGH	In Process	Requires Risk Reduction Officer to develop and lead programs to reduce risk to citizens	YES
	Establish regional Metro Fire Investigation Team	Current Staff/Fire Investigator	1-3 yrs	HIGH	In Process	Shared data, integrated access and possible grant funding are benefits	YES

Operations (Fire/EMS)	Consultant Recommendation			Department Recommendation			Status
	Consultant Recommendation	FTE	Annual Estimated Cost	Department Recommendation	FTE	Annual Estimated Cost	
	Community Medical Technician	1.00	125,000	Community Medical Technician	1.00	125,000	Apply through Medic One levy. Funding available in 2014
	12-hour aid unit	5.00	470,000	To be determined after standard of cover study	TBD	TBD	
	Jointly Staffed Finn Hill Station	8.00	1,815,000	To be determined after Finn Hill Siting Study	TBD	TBD	One time funding for 2013-2014 of \$325,000 per year (\$650,000 total) is available for 50% 12 hour team. \$1,815,000 is full cost of staffing and equipment
Subtotal Emergency Operations		14.00	2,410,000		TBD	TBD	

Emergency Management	Consultant Recommendation			Department Recommendation			Status
	Consultant Recommendation	FTE	Annual Estimated Cost	Department Recommendation	FTE	Annual Estimated Cost	
	City Emergency Manager (CEM)	1.00	160,000	City Emergency Manager (CEM)	1.00	160,000	Approved in budget
	Emergency Preparedness Coordinator (Temp. position had not been eliminated at time of study)	1.00	116,948	Emergency Preparedness Coordinator	1.00	116,948	This was the cost of the 2012 service package. Partially funded through EMPG Grant: \$32.5k in 2013 & \$42.5k in 2014
Subtotal Emergency Mgmt.		2.00	276,948		2.00	276,948	

Administration	Consultant Recommendation			Department Recommendation			Status
	Consultant Recommendation	FTE	Annual Estimated Cost	Department Recommendation	FTE	Annual Estimated Cost	
Administration	Financial Analyst	1.00	118,000	Financial Analyst	1.00	118,000	Approved with one-time funding thru 2014 - Fire recommends making position ongoing
	Administrative Support	-	-	Administrative Support	1.00	95,000	.9 FTE Administrative Assistant funded by Fire District 41. Position not continued once FD 41 was taken over
Subtotal Admin		1.00	118,000		2.00	213,000	
Community Risk Reduction*	Public Education*	1.00	140,000	Risk Reduction Officer	1.00	140,000	"Community Education Information Specialist" eliminated in 2010 - currently unfunded
	Community Relations Officer*	1.00	152,000	Community Relations Officer	1.00	152,000	Unfunded
Subtotal Prevention		2.00	292,000		2.00	292,000	
EMS Administration	Medical Services Administrator (MSA)	1.00	170,000	Medical Services Administrator (MSA)	1.00	170,000	Potential to access regional medic 1 funding or to reclassify existing position could significantly reduce net cost
	Administrative Support	1.00	95,000	Administrative Support	1.00	95,000	.25 FTE temp funding(\$21,000)
Subtotal EMS		2.00	265,000		2.00	265,000	
Subtotal Administration		5.00	675,000		6.00	770,000	

Grand Total		21.00	3,361,948		9.00	1,171,948	+ TBD operations costs and FTE's associated with Finn Hill Fire Station
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*Consultant recommendation did not specify number of FTEs. Department estimates 2 FTEs to accomplish tasks identified.

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THE PETITION

This petition is being assembled to reiterate Notice of Dangerous Conditions along Lake Washington Blvd and Lake Street South. These are conditions that the city is fully aware of, including excessive traffic and the conflicts with vehicular ingress and egress onto the boulevard between the Central Business District and Carillon Point.

These are unsafe conditions that the city has both the power and the duty to correct. It is the belief of the citizens that the municipality has the responsibility to ensure that the roadways and ingress and egress points are planned, engineered and maintained for the safe use of its citizens and visitors to the city.

=====

We, the undersigned, provide the City of Kirkland with this notice to supplement letters and emails that have been sent over the past several years and which have included comments about the traffic, ingress/egress and safety concerns of the citizens and users of Lake St S / Lake Washington Blvd.

We, the undersigned, provide the City of Kirkland with this notice to supplement videos and pictures provided to the city to demonstrate the traffic, ingress/egress and safety concerns of the citizens and users of Lake St S / Lake Washington Blvd.

We, the undersigned, provide the City of Kirkland with this notice to supplement letters sent by neighbors to the City of Kirkland Police Department wherein reports of unsafe parking, traffic, illegal turning and ingress/egress conflicts have been reported and the city's attention to correct these conditions has been requested.

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E-page 37

We, the undersigned, provide the City of Kirkland with this notice to supplement testimony that has been given under oath by neighbors as to the extent of traffic and dangerous ingress and egress conditions along Lake Washington Blvd / Lake Stree South.

-

We the undersigned, provide the City of Kirkland with this notice to supplement neighbor input and expertise in civil engineering, statistical and mathematical modeling and EIS expertise as it relates to faulty conclusions arising from poorly designed traffic studies and "Traffic Concurrency" methodology that does nothing to identify the hazards on Lake St S / Lake Washington Boulevard between downtown and Carillon Point. Again, such testimony has also been entered under oath.

-

We, the undersigned, feel that our prior emails, letters, pictures, videos and relevent expertise have been largely ignored and feel that we have provided sufficient evidence that the traffic studies used by the city are faulty and continue to allow dangerous conditions. These have been clearly demonstrated.

=====

We request that the city act on this notice as you have the power and the duty to remedy these conditions prior to vehicular accident(s) occuring with another vehicle(s) or pedestrian(s), bicyclist(s), or other mishaps that will likely occur if these dangerous conditions are not corrected by the City of Kirkland.

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1	Name: <i>Anonymous</i> on Jul 8, 2013 Comments: Flag
2	Name: Mark Miller on Jul 8, 2013 Comments: Flag
3	Name: Stephen Cullen on Jul 8, 2013 Comments: Flag
4	Name: Nancy Griswold on Jul 8, 2013 Comments: Flag
5	Name: Lisa Mushel on Jul 8, 2013 Comments: Flag
6	Name: Bruce Pym on Jul 8, 2013 Comments: That traffic conditions already are intolerable is obvious. Adding Potala would be catastrophic Flag
7	Name: Mary C. Wilson on Jul 8, 2013 Comments: Flag
8	Name: Pamela Goral on Jul 8, 2013 Comments: Flag
9	Name: Jill Robertson on Jul 8, 2013 Comments: Flag
10	Name: M. Joan Maguire on Jul 8, 2013 Comments: Flag
11	Name: Matt Peterson on Jul 8, 2013 Comments: Flag

<p>12 Name: Sharon Nelson on Jul 8, 2013 Comments: I agree wholeheartedly as a resident two doors down AND, in addition, feel the speed limit should be lowered to 25 from downtown Kirkland south to Carillon Point. We have seen many 'near accidents' with pedestrians/cars - especially during summer when lots of extra people are at or around the park. Flag</p>
<p>13 Name: Arlyn Nelson on Jul 8, 2013 Comments: Totally agree. Lower speed limit to 25, as well! Very dangerous. Flag</p>
<p>14 Name: Robin Herberger on Jul 8, 2013 Comments: Flag</p>
<p>15 Name: Laura Loomis on Jul 8, 2013 Comments: Flag</p>
<p>16 Name: Charles Loomis on Jul 8, 2013 Comments: Flag</p>
<p>17 Name: Charles Mitchell on Jul 8, 2013 Comments: Flag</p>
<p>18 Name: Heather Montpas on Jul 8, 2013 Comments: Flag</p>
<p>19 Name: Michelle Newhouse on Jul 8, 2013 Comments: Flag</p>
<p>20 Name: Shawn Greene on Jul 8, 2013 Comments: Flag</p>
<p>21 Name: Thomas H. Grimm on Jul 8, 2013 Comments: The combination of traffic, persons on the sidewalks, joggers, bicycles and cars attempting to access Lake St./Lake Washington Blvd. is an accident waiting to happen. Flag</p>
<p>22 Name: Patrick Barthe on Jul 8, 2013 Comments: Flag</p>
<p>23 Name: Sydne Rataushk on Jul 8, 2013 Comments: Flag</p>
<p>24 Name: Kenneth Lin on Jul 8, 2013 Comments: Flag</p>
<p>25 Name: Philipp Schonger on Jul 8, 2013 Comments: 3 close call accidents this weekend at Marsh Park this last weekend. This is becoming too dangerous if more cars are getting added to Lk. Washington Blvd. Flag</p>

26 **Name:** Philip L Carter on Jul 8, 2013
Comments: The Portola project is completely out of character with the rest of the neighborhood. It will have serious adverse impact on traffic which is already very bad. The density is completely contrary to the neighborhood and would constitute a "spot zone" and thus be illegal. It is inconceivable how the City allowed this change to the code to have occurred. I live at 6320 Lakeview Drive, Apt 400, Kirkland.

Flag
<p>27 Name: <i>Anonymous</i> on Jul 8, 2013 Comments: Flag</p>
<p>28 Name: Jack & Christy Arndt on Jul 8, 2013 Comments: The current traffic issue along lake street/lake Washington blvd is a mess with up to a 2 mile back-up during key traffic periods. The city really needs to understand the impact that this traffic issue, has both on the community and the businesses of downtown Kirkland. Your recent ESI traffic study was very much in error as shown by pictures the community citizens have shared with you. It's time to correct the issue and have an adequate EIS study done during key traffic periods in order for the city to truly understand the impact of your decisions before approval of any building permits which increases traffic flow. This also has a major impact to access the shoreline and is an accident waiting to happen for bikers and walkers. Flag</p>
<p>29 Name: Carol Hasman on Jul 8, 2013 Comments: Flag</p>
<p>30 Name: Daniel Ling on Jul 8, 2013 Comments: Flag</p>
<p>31 Name: Lee Obrzut on Jul 8, 2013 Comments: Flag</p>
<p>32 Name: Kathy Iverson on Jul 8, 2013 Comments: Flag</p>
<p>33 Name: Doris Cosley on Jul 8, 2013 Comments: Flag</p>
<p>34 Name: Diane Matlock on Jul 8, 2013 Comments: The traffic along Lake Street is already extremely congested during rush hour, especially in the evenings. Cross streets lead to Lakeview Avenue/State Street which are also congested during this period. For those who live in this area, leaving our homes or returning to them by auto during this period is very difficult. Cross walks are not signaled and hazardous for pedestrians, so even walking to and from our homes is difficult. Please do not allow significantly increased density along this street, further restricting access to our homes and community. Flag</p>
<p>35 Name: Gigi Graham Forbes on Jul 8, 2013 Comments: Flag</p>
<p>36 Name: <i>Anonymous</i> on Jul 8, 2013 Comments: Traffic is already a mess and out of control in Kirkland. Flag</p>
<p>37 Name: George And Linda Lamb on Jul 8, 2013 Comments: We agree completely and have written to the Council concerning this issue. The traffic on Lake Street is already gridlock at rush hour. Flag</p>
<p>38 Name: <i>Anonymous</i> on Jul 8, 2013 Comments: Flag</p>
<p>39 Name: Julia Brewer on Jul 8, 2013 Comments: the traffic along the boulevard this summer is already overwhelming at times and I worry about letting my children walk or scooter ahead of me Flag</p>

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<p>40 Name: John Rogers on Jul 8, 2013 Comments: In addition to the dangers presented herein, I would also like to cite the drive times, the wasted fuel and loss of productivity and pollution created. Flag</p>
<p>41 Name: John Rogers on Jul 8, 2013 Comments: Flag</p>
<p>42 Name: John Rogers on Jul 8, 2013 Comments: Flag</p>
<p>43 Name: Betty M. Bonnett on Jul 8, 2013 Comments: Flag</p>
<p>44 Name: Thomas Foley on Jul 8, 2013 Comments: The traffic that will be generated by the Potala project poses a serious problem. It is already almost impossible to navigate the area. It would put pedestrians in danger and will endanger residents of the area as it may very slow emergency responses to the neighborhood. Please remember this is a neighborhood. It seems many have forgotten that. This is not downtown. There are parks and many children in the area. Please consider this. Thank You for your time. Tom Foley Flag</p>
<p>45 Name: Thomas Foley on Jul 8, 2013 Comments: The traffic that will be generated by the Potala project poses a serious problem. It is already almost impossible to navigate the area. It would put pedestrians in danger and will endanger residents of the area as it may very slow emergency responses to the neighborhood. Please remember this is a neighborhood. It seems many have forgotten that. This is not downtown. There are parks and many children in the area. Please consider this. Thank You for your time. Tom Foley Flag</p>
<p>46 Name: Thomas Foley on Jul 8, 2013 Comments: The traffic that will be generated by the Potala project poses a serious problem. It is already almost impossible to navigate the area. It would put pedestrians in danger and will endanger residents of the area as it may very slow emergency responses to the neighborhood. Please remember this is a neighborhood. It seems many have forgotten that. This is not downtown. There are parks and many children in the area. Please consider this. Thank You for your time. Tom Foley Flag</p>
<p>47 Name: Thomas Foley on Jul 8, 2013 Comments: The traffic that will be generated by the Potala project poses a serious problem. It is already almost impossible to navigate the area. It would put pedestrians in danger and will endanger residents of the area as it may very slow emergency responses to the neighborhood. Please remember this is a neighborhood. It seems many have forgotten that. This is not downtown. There are parks and many children in the area. Please consider this. Thank You for your time. Tom Foley Flag</p>
<p>48 Name: Myra Vargas on Jul 8, 2013 Comments: Flag</p>
<p>49 Name: Tawny McLeod on Jul 8, 2013 Comments: Flag</p>
<p>50 Name: Shirley Miller on Jul 8, 2013 Comments: Flag</p>

City of Kirkland: NOTICE of Dangerous Conditions on Lake Washington Blvd / Lake St S: Duty to Cure and Prevent Known Unsafe Conditions

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51	Name: Joan Foster on Jul 8, 2013 Comments: Flag
52	Name: Vashti P. Ke on Jul 8, 2013 Comments: I am directly across from the proposed entrance to Portals. It is difficult to back out of my driveway now and I can't imagine what it will be in the future if it is built as proposed. Flag
53	Name: Maureen Kelly on Jul 8, 2013 Comments: Flag
54	Name: Joseph Kelly on Jul 8, 2013 Comments: Flag
55	Name: Stan Handaly on Jul 8, 2013 Comments: Flag
56	Name: Cynthia Nuebel on Jul 8, 2013 Comments: Flag
57	Name: Casey Sibert on Jul 8, 2013 Comments: Flag
58	Name: <i>Anonymous</i> on Jul 8, 2013 Comments: Flag
59	Name: Gloria Largent on Jul 8, 2013 Comments: Flag
60	Name: Gloria Largent on Jul 8, 2013 Comments: Flag
61	Name: Jack Danforth on Jul 8, 2013 Comments: traffic will be a real problem exacerbating an already bad situation! Flag

62	Name: Robert Gemmell on Jul 8, 2013 Comments: Flag
63	Name: Laine Loveland on Jul 8, 2013 Comments: Flag
64	Name: Phyllis Gemmell on Jul 8, 2013 Comments: Flag
65	Name: Marvin H. Scott on Jul 8, 2013 Comments: Flag
66	Name: Suzanne Scallon on Jul 8, 2013 Comments: please listen to the citizens of Kirkland! Flag
67	Name: <i>Anonymous</i> on Jul 8, 2013 Comments: Flag
68	Name: Amber Blmquist on Jul 8, 2013 Comments: Flag
69	Name: <i>Anonymous</i> on Jul 8, 2013 Comments: Flag
70	Name: Willis P Veazey on Jul 8, 2013 Comments: Flag
71	Name: Matt Gladney on Jul 8, 2013 Comments: Flag
72	Name: <i>Anonymous</i> on Jul 8, 2013 Comments: Flag
73	Name: Nicholas Blomquist on Jul 8, 2013 Comments: Flag
74	Name: Peter S. Robertson on Jul 8, 2013 Comments: Flag
75	Name: Trent Clark on Jul 8, 2013 Comments: Flag
76	Name: Richard McManus on Jul 8, 2013 Comments: Flag
77	Name: Amy Mosher on Jul 8, 2013 Comments: Flag
78	Name: Anthony Cowan on Jul 8, 2013

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<p>Comments: Flag</p>
<p>79 Name: <i>Anonymous</i> on Jul 8, 2013 Comments: Flag</p>
<p>80 Name: Wes Rataushk on Jul 8, 2013 Comments: Flag</p>
<p>81 Name: Gordon And Sally Granston on Jul 8, 2013 Comments: Flag</p>
<p>82 Name: Mike Phillips on Jul 8, 2013 Comments: Flag</p>
<p>83 Name: Mark Taylor on Jul 8, 2013 Comments: Flag</p>
<p>84 Name: Betty Taylor on Jul 8, 2013 Comments: Flag</p>
<p>85 Name: Barbara Canterbury on Jul 8, 2013 Comments: Flag</p>
<p>86 Name: Barry D. Gustafson on Jul 8, 2013 Comments: Flag</p>
<p>87 Name: Katie Davidson on Jul 8, 2013 Comments: Flag</p>
<p>88 Name: Diane Rogers on Jul 8, 2013 Comments: Flag</p>
<p>89 Name: Dione Godfrey on Jul 8, 2013 Comments: I was almost hit coming out of my driveway last week. It was the closest call I have experienced and was very frightening. It becomes worse every year and someone is going to be killed one of these days. Potala village will make traffic unbearable to live here. Flag</p>
<p>90 Name: Linda Donlin on Jul 8, 2013 Comments: Traffic studies were not done and if they were, they were done 20 years ago....! Flag</p>
<p>91 Name: James Cowan on Jul 8, 2013 Comments: This needs to be addressed before any more large capacity buildings are built and before anyone gets killed or hurt. Flag</p>
<p>92 Name: John Rogers on Jul 8, 2013 Comments: Flag</p>
<p>93 Name: BARRY GUSTAFSON on Jul 8, 2013 Comments: Flag</p>

94	Name: Susan Thornes on Jul 8, 2013 Comments: Flag
95	Name: Hilary Clark on Jul 8, 2013 Comments: Flag
96	Name: Eunice Chaffey on Jul 8, 2013 Comments: Flag
97	Name: Harold Garrett on Jul 8, 2013 Comments: Flag
98	Name: Steve Sperry on Jul 8, 2013 Comments: Flag
99	Name: Margaret Landon on Jul 8, 2013 Comments: please keep in mind the city codes on traffic ingress and egress. Flag
100	Name: John Rogers on Jul 9, 2013 Comments: Flag

City of Kirkland: NOTICE of Dangerous Conditions on Lake Washington Blvd / Lake St S: Duty to Cure and Prevent Known Unsafe Conditions

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101	Name: Kellie Rogers on Jul 9, 2013 Comments: Flag
102	Name: Desiree Gladney on Jul 9, 2013 Comments: Flag
103	Name: Kirk Mathewson on Jul 9, 2013 Comments: Please protect the scale of this neighborhood. Flag
104	Name: Paula Veazey on Jul 9, 2013 Comments: Flag
105	Name: <i>Anonymous</i> on Jul 9, 2013 Comments: Do the right thing for the pubic Flag
106	Name: <i>Anonymous</i> on Jul 9, 2013 Comments: Flag
107	Name: <i>Anonymous</i> on Jul 9, 2013 Comments: Flag
108	Name: Jeremy Meadows on Jul 9, 2013 Comments: Flag
109	Name: Betty Knutson on Jul 9, 2013 Comments: Flag
110	Name: Virginia De Forest on Jul 9, 2013 Comments: Hazardous traffic conditions on 10th Ave. So. if Potala is built under old zoning. It's bad now if cars are parked on both sides and have cars going east and west at the same time. Flag

111 **Name:** Rodney Vieira on Jul 9, 2013
Comments: As a resident of Lake Washington Blvd, I can attest to the insane conditions on the blvd, particularly in the Summer months. Currently, I commute to Seattle for work. When I come home in the evening my drive time from Carillon Point to Marsh Park is the longest part of my

	<p>commute. It also gets dangerous due to the bikes, pedestrian crossings and frustrated drivers. Adding additional densely packed apartments just makes a bad situation intolerable. Incidentally, because Lake Washington Blvd is packed....commuters migrate onto Lake View and cause it to get jammed, as well. Let's not destroy what made Kirkland desirable.... a semi peaceful lifestyle! Flag</p>
112	<p>Name: Lori Isch on Jul 9, 2013 Comments: Flag</p>
113	<p>Name: <i>Anonymous</i> on Jul 9, 2013 Comments: Flag</p>
114	<p>Name: Theodore Garman on Jul 9, 2013 Comments: Flag</p>
115	<p>Name: Charles Telford on Jul 9, 2013 Comments: Flag</p>
116	<p>Name: Gail Griffin on Jul 9, 2013 Comments: traffic is a disaster from 3 p.m. on during good weather, to exit our parking garage and turn left is nearly impossible. On street parking for guest is very difficult as walkers take all parking spots during nice weather Flag</p>
117	<p>Name: Nathaniel Magone on Jul 9, 2013 Comments: Flag</p>
118	<p>Name: JOHN STAPLES on Jul 9, 2013 Comments: Flag</p>
119	<p>Name: Wendy Ramirez on Jul 9, 2013 Comments: Flag</p>
120	<p>Name: Steven Corey on Jul 9, 2013 Comments: Flag</p>
121	<p>Name: Elizabeth McQueen on Jul 9, 2013 Comments: my husband car was hit at this intersection by a car failing to yield. It only a matter of time before a more serious incident occurs. Flag</p>
122	<p>Name: Christian Bratlien on Jul 9, 2013 Comments: Flag</p>
123	<p>Name: Reidun Crowley on Jul 9, 2013 Comments: Flag</p>
124	<p>Name: Thatcher Mathewson on Jul 9, 2013 Comments: Flag</p>
125	<p>Name: Charles Core on Jul 9, 2013 Comments: Flag</p>
126	<p>Name: Benjamin Garner on Jul 9, 2013 Comments: Please take notice and preserve our community.</p>

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Flag
<p>127 Name: Rochelle Nelson on Jul 9, 2013 Comments: The proposed density of this development should never have been approved by the city. The traffic studies done to uphold the approval are preposterous and should be reconsidered. It will cost the city much more by making downtown Kirkland so clogged that no one will want to endure it or, God forbid, someone will be severely hurt in a traffic accident that wouldn't have happened if Potala had been scaled down. Please do the right thing now and continue your appeal. Flag</p>
<p>128 Name: Rachel Welton on Jul 9, 2013 Comments: Flag</p>
<p>129 Name: <i>Anonymous</i> on Jul 10, 2013 Comments: Flag</p>
<p>130 Name: <i>Anonymous</i> on Jul 10, 2013 Comments: Flag</p>
<p>131 Name: <i>Anonymous</i> on Jul 10, 2013 Comments: Lake Washington Blvd is way too congested....often to the point of being unsafe. Flag</p>
<p>132 Name: <i>Anonymous</i> on Jul 10, 2013 Comments: Flag</p>
<p>133 Name: Constance L Winter on Jul 10, 2013 Comments: please consider the consequences of this development carefully when making your decisions. Flag</p>
<p>134 Name: Marchell Mathes on Jul 10, 2013 Comments: Flag</p>
<p>135 Name: Cynthia Telford on Jul 10, 2013 Comments: Flag</p>
<p>136 Name: Giuseppe Mascarella on Jul 10, 2013 Comments: Traffic is crazy and my kids cannot cross the street even on pedestrian stripes during summer. Flag</p>
<p>137 Name: Craig Morrison on Jul 10, 2013 Comments: Flag</p>
<p>138 Name: Kevin Morrison on Jul 10, 2013 Comments: Flag</p>
<p>139 Name: Debbie Halvorson on Jul 10, 2013 Comments: Flag</p>
<p>140 Name: Heather Tucker on Jul 10, 2013 Comments: My 19 year old son Sean drives his power wheelchair every summer day from our home in Houghton Beach to downtown Kirkland. I am very concerned about the traffic problems and his safety. I support anything that will be us safe in crosswalks, etc..... Flag</p>

141	Name: Ozzie Traff on Jul 10, 2013 Comments: I am totally againt this plan. Our traffic is bad enough as it is. Flag
142	 Name: Kit Ko on Jul 10, 2013 Comments: I saw 3 accidents related to near pedestrian hits in the crosswalk by marsh park. Dangerous conditions that need to be acted upon, not made worse by introducing significantly more traffic. Flag
143	Name: Dan Wentzel on Jul 10, 2013 Comments: Flag
144	Name: Frank Welton on Jul 10, 2013 Comments: Flag
145	Name: Daniel Powell on Jul 10, 2013 Comments: I live on Lake Street and can attest to the traffic problems. Flag
146	Name: Nate Brooling on Jul 10, 2013 Comments: Flag
147	Name: Marianne Smernis on Jul 10, 2013 Comments: Flag
148	Name: Rachel Beto on Jul 10, 2013 Comments: Flag
149	Name: Atis Freimanis on Jul 10, 2013 Comments: Flag
150	Name: Allan Bottemiller on Jul 10, 2013 Comments: Don't ruin Kirkland by adding more traffic. Flag

City of Kirkland: NOTICE of Dangerous Conditions on Lake Washington Blvd / Lake St S: Duty to Cure and Prevent Known Unsafe Conditions

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151	Name: Elie Goral on Jul 10, 2013 Comments: Isn't the traffice density excessive already?... Flag
152	Name: Ruth Norwood on Jul 10, 2013 Comments: Flag
153	Name: Kathleen Dier on Jul 10, 2013 Comments: Flag
154	Name: Noel Schuurman on Jul 10, 2013 Comments: Flag
155	Name: Martin Chvoj on Jul 10, 2013 Comments: Flag
156	Name: <i>Anonymous</i> on Jul 10, 2013 Comments: Flag
157	Name: Frank Haas on Jul 10, 2013 Comments: We live on Lake Street South and the traffic is already at full capacity for several times. I suggest that the city conduct complete studies to validate my daily observation. Flag
158	Name: Chris Morrison on Jul 10, 2013 Comments: Flag
159	Name: Gail Powell on Jul 10, 2013 Comments: Flag
160	Name: Linda Carrigan on Jul 11, 2013 Comments: I've walked for 30 years in Kirkland. Recently I was almost killed by a drunk driver while walking in a cross walk close to home. Lately, I've seen young people, while on my walk, sitting on benches all drugged not able to keep their heads up. This area is really going down hill. And will only get worse will more people squeezed in. Give me peace in my life again and everybody else s. Flag

<p>161 Name: Nancy K. Gode on Jul 11, 2013 Comments: Flag</p>
<p>162 Name: Nancy K. Godd on Jul 11, 2013 Comments: Flag</p>
<p>163  Name: Kevin Beto on Jul 11, 2013 Comments: Flag</p>
<p>164 Name: Anne Miller on Jul 12, 2013 Comments: Flag</p>
<p>165 Name: Karen Levenson on Jul 12, 2013 Comments: The length of the traffic queue seems to have increased tremendously and the attitude of those who are facing longer queue has become much more negative. On a recent trip home, I slogged through nearly 15 minutes of northbound traffic and came upon the Super 24 market (a great example of a neighborhood business / corner market). Picked up milk and tried to get back into traffic. Some guy leaned forward over the steering wheel and motioned that I must stay put.... I waited many more minutes and had drivers shaking their heads to indicate that they would not let me in. All this time my car is straddling the pedestrian/bike sidewalk and both peds and bikes are going either in front or in back of me. I finally decide I just have to get into traffic sooner or later and I decide to be more aggressive. I do get into traffic without a collision, but the driver honks the horn repeatedly. When I get to my driveway a block later, the driver is impatient with my slowdown to allow a pedestrian to cross before I enter. Leans on the horn again while I am trying to enter without running over this person who appears to be wanting to enjoy the walk rather than hearing angry honking horns. This is a new level of congestion on Lake Washington Blvd. We need to see if there is anything we can do to improve this and we need to take every step necessary to not make this worse. Flag</p>
<p>166 Name: Karen Levenson on Jul 12, 2013 Comments: The length of the traffic queue seems to have increased tremendously and the attitude of those who are facing longer queue has become much more negative. On a recent trip home, I slogged through nearly 15 minutes of northbound traffic and came upon the Super 24 market (a great example of a neighborhood business / corner market). Picked up milk and tried to get back into traffic. Some guy leaned forward over the steering wheel and motioned that I must stay put.... I waited many more minutes and had drivers shaking their heads to indicate that they would not let me in. All this time my car is straddling the pedestrian/bike sidewalk and both peds and bikes are going either in front or in back of me. I finally decide I just have to get into traffic sooner or later and I decide to be more aggressive. I do get into traffic without a collision, but the driver honks the horn repeatedly. When I get to my driveway a block later, the driver is impatient with my slowdown to allow a pedestrian to cross before I enter. Leans on the horn again while I am trying to enter without running over this person who appears to be wanting to enjoy the walk rather than hearing angry honking horns. This is a new level of congestion on Lake Washington Blvd. We need to see if there is anything we can do to improve this and we need to take every step necessary to not make this worse. Flag</p>
<p>167 Name: Gloria Wentzel on Jul 12, 2013 Comments: Flag</p>
<p>168 Name: Terri Campbell on Jul 12, 2013 Comments: I have lived on Lk WA Blvd for years and have always struggled to get out of my driveway with the traffic. And sometimes it takes an extra 20 mins to get home because the blvd is so backed up. been horrible for years. I cannot imagine how the council could even consider letting a complex as large as Potola be built. Flag</p>
<p>169 Name: Samuel L. Sibert on Jul 12, 2013 Comments: Flag</p>
<p>170 Name: <i>Anonymous</i> on Jul 12, 2013</p>

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<p>Comments: The traffic on Lake street south during commute hours is horendous (I live on Lake Sreet and see it each weekday). Why any government body would issue more building permits and compound the problem is in my opion immoral Flag</p>
<p>171 Name: Ulrich Kammholz on Jul 12, 2013 Comments: Flag</p>
<p>172 Name: Annegret Reichmann on Jul 12, 2013 Comments: Flag</p>
<p>173 Name: Lee Garcia on Jul 12, 2013 Comments: Currently dangerous and difficult to exit onto Lake Wash Blvd from east side of street and turn right (north) into town. Virtually impossible to exit onto Lake Wash Blvd from east side of street and turn left (south) towards Bellevue. Flag</p>
<p>174 Name: Robin Vogel on Jul 12, 2013 Comments: this sudden increase in unmitigated traffic is not acceptable for Amy reason Flag</p>
<p>175 Name: Andrea Mosa on Jul 12, 2013 Comments: Please find a way to undo this huge mistake. Let's keep Kirkland the fabulous, enjoyable place to live that it currently is. Thank you! Flag</p>
<p>176 Name: <i>Anonymous</i> on Jul 12, 2013 Comments: Flag</p>
<p>177 Name: Kaley Linton on Jul 12, 2013 Comments: Flag</p>
<p>178 Name: Madeleine And Harold Sherman on Jul 12, 2013 Comments: Flag</p>
<p>179  Name: Marv Scott on Jul 12, 2013 Comments: Flag</p>
<p>180 Name: Carol Rogers on Jul 13, 2013 Comments: The traffic any day on Lake Washington Blvd,. NE is so jammed - hundreds more cars would lock us in our driveways, trying to exit. Flag</p>
<p>181 Name: Ray Benezra on Jul 13, 2013 Comments: It is so hard to get out of drivewsy now. If it gets worse it could affect the value of my home Flag</p>
<p>182 Name: Doyle Sullivan on Jul 13, 2013 Comments: Flag</p>
<p>183 Name: Heather Bradford on Jul 13, 2013 Comments: Flag</p>
<p>184 Name: Charles Pilcher on Jul 13, 2013 Comments: Flag</p>

185	Name: Charles Pilcher on Jul 13, 2013 Comments: Flag
186	Name: Ken Fowles on Jul 13, 2013 Comments: Traffic impacts. Not on a bus line - King County Metro knows this isn't a high density area. No turn lanes, no room to widen road without bulldozing neighbors. Flag
187	Name: Judith Beto on Jul 13, 2013 Comments: We continue to express our concern for traffic and environmental effect of this development inconsistent with neighborhood. Flag
188	Name: Steven Beto on Jul 13, 2013 Comments: I am concerned about traffic impact on an already traffic congested lake Washington Blvd Flag
189	Name: Catherine Ferrera on Jul 13, 2013 Comments: I am very concerned about how this project will affect an already congested traffic way. Flag
190	Name: Joan Lindell on Jul 13, 2013 Comments: Flag
191	Name: Bill McNeill on Jul 13, 2013 Comments: Flag
192	Name: Paula Veazey on Jul 13, 2013 Comments: Flag
193	Name: Linda Shaughnessy on Jul 13, 2013 Comments: Flag
194	Name: Winston De Forest on Jul 13, 2013 Comments: Flag
195	Name: Bonnie Berry on Jul 13, 2013 Comments: Flag
196	Name: Steve Beto on Jul 13, 2013 Comments: Flag
197	Name: <i>Anonymous</i> on Jul 13, 2013 Comments: Midweek recently I attempted to drive from Metropolitan Market to Carillon Point via Lakeview Drive. Northbound traffic was backed up both on Lakeview Drive and Lake Washington Blvd as far as the eye could see and likely onto Bellevue Way. I've seen it before. Even if Lakeview Drive and Lake Washington Blvd were converted to one-way, 2 lane roads in opposite directions, the gridlock would be worse with 2 lanes merging onto single a single lane on Lake Street. State Street is just as bad at rush hour. Traffic gridlock in the summer months is the norm and pedestrians are out in full-force. Often pedestrians do not look when crossing the street (oblivious in earplugs, texting or conversation). Pedestrians rarely slow down to look when crossing the driveways off Lake St/Lake Wash Blvd. These conditions are accidents waiting to happen – and they have. How can the City ever have considered a 50-100++ unit village along this primary arterial? The City must get a grip on the traffic issues for the benefit of residents and downtown business owners. The City must get a grip on fixing the traffic gridlock. To make it worse is, bluntly, irresponsible. Flag

198 Name: Gayle Bond on Jul 13, 2013

Comments:
Flag

199 Name: Kay Plimpton on Jul 13, 2013

Comments: This project is far beyond what should be part of the city of Kirkland - the traffic impact alone on Lake Street and surrounding streets should be enough to stop irresponsible building if huge number of units.
Flag

200 Name: Robert L. Style on Jul 13, 2013

Comments: Please add this petition to what already has been submitted regarding the impacts of traffic on Lake Street, Lake Washington Blvd, NE, 10th Ave South, and the choke points already congested on the intersections downtown Kirkland.
Flag

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201	Name: Cathy Klug on Jul 13, 2013 Comments: Flag
202	Name: Julie Pederson on Jul 13, 2013 Comments: Flag
203	Name: Ray & Charlotte Kanemori on Jul 13, 2013 Comments: Flag
204	Name: Kim Pilcher on Jul 13, 2013 Comments: Flag
205	Name: Hugh Levenson on Jul 13, 2013 Comments: Flag
206	Name: John McCaslin on Jul 14, 2013 Comments: Flag
207	Name: Glen And Delpha Holden on Jul 14, 2013 Comments: Flag
208	Name: Susan O'Neill on Jul 14, 2013 Comments: Flag
209	Name: Jerry O'Neill on Jul 14, 2013 Comments: Flag
210	Name: Marianne Smernis on Jul 14, 2013 Comments: Flag
211	Name: Lee Drechsel on Jul 14, 2013 Comments: Flag

212	Name: Tom Drechsel on Jul 14, 2013 Comments: Flag
213	Name: Dr. Cynthia Morrow-Hattal on Jul 15, 2013 Comments: Congestion, safety, and the very nature of Kirkland are at stake here. This lovely village enticed those of us who bought our homes here because of its lack of density, its very drivable roads, and now because of greed and possible corruption we are the victims of a hideous bait and switch. Please respect the nature of our town by looking into the traffic and congestion issues which Potlatch will cause to those already living here. Thank you. Flag
214	Name: Lisa Rohrback on Jul 15, 2013 Comments: Flag
215	Name: Richard Satre on Jul 15, 2013 Comments: Flag
216	Name: Richard Satre on Jul 15, 2013 Comments: Flag
217	Name: Cary Badger on Jul 15, 2013 Comments: Permitting and Construction that impacts our neighborhood in this way needs to be addressed by our City representatives and changes/opposed in all forums and legal venues. Flag
218	Name: Connie Sperry on Jul 15, 2013 Comments: We have enough congestion in that area that the code needs to be enforced for safety of all. Flag
219	Name: Stan Handaly on Jul 15, 2013 Comments: Flag
220	Name: Ryan Levenson on Jul 16, 2013 Comments: Flag
221	Name: Stan Christie on Jul 16, 2013 Comments: Flag
222	Name: Sandra Hart on Jul 16, 2013 Comments: Flag
223	Name: Bahman Raisdana on Jul 16, 2013 Comments: Flag
224	Name: <i>Anonymous</i> on Jul 16, 2013 Comments: Flag
225	Name: Mary Toy on Jul 16, 2013 Comments: The people who live in Kirkland definitely feel that the problems with traffic, noise, pollution etc. will make this a less than desirable place to drive. You have a duty as our representatives to abide by their wishes. This is not the place I would have chosen to live if I had known what the city fathers had in mind. Please reconsider. Flag
226	Name: Thomas And Carol Armitage on Jul 16, 2013 Comments:

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Flag
<p>227 Name: Kevin Dunlap on Jul 16, 2013 Comments: Flag</p>
<p>228 Name: Brian Rohrback on Jul 17, 2013 Comments: Flag</p>
<p>229 Name: <i>Anonymous</i> on Jul 17, 2013 Comments: I currently get a black film on my window from the current pollution probably resulting from congested traffic downtown Kirkland. There are many documented health studies reporting these environmental hazards to my personal well-being. How are we mitigating this health problem with added traffic with two proposed major projects? I am not opposed to these projects, only the consequences of them. Flag</p>
<p>230 Name: Michael Keyes on Jul 17, 2013 Comments: Flag</p>
<p>231 Name: ONE WEEK COMMENT PERIOD CLOSED on Jul 19, 2013 Comments: Flag</p>
<p>232 Name: _____ COMMENTS CLOSED _____ on Jul 19, 2013 Comments: _____ COMMENTS ON THIS PETITION _____ CLOSED RESPONSE MUCH MORE ROBUST THAN EXPECTED Flag</p>
<p>233 Name: Teresa Pliskowski on Jul 21, 2013 Comments: Flag</p>
<p>234 Name: Larry Granston on Jul 25, 2013 Comments: Flag</p>



CITY OF KIRKLAND
City Manager's Office
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www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Marilynne Beard, Deputy City Manager
Date: July 19, 2013
Subject: KIRKLAND 2035 PUBLIC INVOLVEMENT PLANNING UPDATE #5

RECOMMENDATION

City Council receives an update on recent and upcoming public outreach and communication efforts related to the Kirkland 2035 plan updates.

BACKGROUND

This report is the fifth in a series monthly updates to keep City Council and the public informed about the results of recent public involvement activities and upcoming opportunities to get involved.

Comprehensive Plan Public Involvement Plan

Planning staff is working with outreach consultant Penny Mabie of Enviroissues to develop a public involvement plan for the update of the Comprehensive Plan. A draft plan was presented to the Planning Commission on June 27 (see Attachment A). The Planning Commission had the following comments:

- They had many good comments about the Community Planning Day
- On the City's website home page can there be some text above the Kirkland 2035 logo that says something like Now is the time to participate! There is no description about what Kirkland 2035 is.
- Before the new and improved Kirkland 2035 webpage and online conversation program goes live can they see the test product? Is there a way to quantify how many new subscribers we have who have never commented to the City?
- They support the on-line conversation because it will allow people to enter into the process at all times to voice their opinion.
- They want to take a more active role in participating and facilitating our public events (for the fall we will put together a more detailed list of public and community events that staff and they can attend)
- They would like more information regarding how the Transportation Master Plan will be integrated into the update process.
- To avoid so many press releases from the City about all the long range plans, is there a way to group the announcements to once a week? Can the press releases be more about what kind of response we want from people?

The outreach plan was also presented to the Houghton Community Council at its July 22 meeting. Their comments will be summarized for the City Council at the August 6 meeting. Staff is seeking City Council feedback on the draft plan.

Central to the Comprehensive Plan update is the visioning process whereby the community is invited to envision Kirkland in twenty years for the update of the City's vision statement to reflect the new time horizon. The vision statement was last updated in 2005. Visioning exercises will be carried out with a variety of stakeholder groups. The Fall Community Planning Day scheduled for October 19 will include three sessions where small groups will focus on the vision update. Each session will begin with a short introduction to comprehensive plan, continue with a brief one-word brainstorming session about what participants expect to see in Kirkland in 2035 and then continue with table discussions about specific topics. Each group will be assigned one or two topic areas (e.g. transportation, environment, parks). Flip chart notes from each group will be posted after each session so that Community Planning Day participants can read what others have said.

Planning Department staff also anticipates conducting a similar exercise with neighborhood groups, business groups, youth groups and other stakeholders. Emerging themes can then be incorporated into an updated vision statement.

On-Line Dialogue and Connections

Staff is implementing an on-line dialogue tool using which is hosted by the vendor, but designed and managed by City staff. The site, to be named "IdeasForum," enables multiple levels of dialog ranging from very broad "ideas" to "discussions" about specific questions. The site will allow participants to comment on each other's ideas and comments and is expected to be live by August 1. In the meantime, presentations to the Planning Commission and Transportation Commission and at the Kirkland Business Roundtable will have been made to introduce the site and encourage participation. Examples of other cities' sites can be viewed at <http://speakupaustin.org/> and <http://thinkreno.org/>. Kirkland's site will be accessible at www.ideasforum.kirklandwa.gov.

The Kirkland 2035 listserv subscriptions continue to increase as are listserv subscriptions for related plans and projects. Staff is also responding to questions and requests submitted the Kirkland 2035 email address.

Recent Public Involvement Activities

Staff has continued to conduct outreach activities during the summer months:

Joint Meeting of Planning Commission, Park Board and Transportation Commission – July 17

A joint meeting of the commissions was held at O.O. Denny Park the evening of July 17. The board and commission members were provided a brief update on the status of the plan updates and then participated in small group discussion about shared interests. A sample of the comments received at the joint meeting will be included in the August 6 staff presentation.

Google Day – July 18

City staff was invited to display interactive and informational materials outside Google's cafeteria. Displays were available on the Comprehensive Plan Update, the Cross Kirkland Corridor Master Plan, the interactive CIP tool, and the transportation master plan. Approximately 30 Google employees visited the displays.

North Rose Hill Neighborhood Picnic – July 20

Planning staff was able to attend the North Rose Hill Neighborhood Picnic to provide informational materials about the Kirkland 2035 efforts.

“Neighborhood University” Video Available

The videotaped [Neighborhood U session provided by Joe Tovar](#) at the June 8 Community Planning Day is now available on the Kirkland 2035 webpage. Notice was sent out through the neighborhood list serv with a link to the video and [a Currently Kirkland segment](#) announced the session was posted on the web.

Upcoming Events

Neighborhood Associations

City staff contacted the neighborhood associations regarding attendance at annual picnics to provide information and answer questions. In addition to the North Rose Hill neighborhood picnic, staff hopes to attend

- Highlands/Norkirk picnic (August 24)
- Everest Picnic (August 25)
- Central Houghton picnic (September 2)
- Finn Hill Neighborhood Denny Fest (September 8)
- Evergreen Hill Picnic (September 2)
- Market Street Neighborhood Association meeting in September.

Planning staff will be requesting time on the September KAN agenda to learn more about their ideas on how to get the community involved with vision update process.

Kirkland Downtown Association – Late August

An open house format meeting will be held in late August for downtown merchants. The Kirkland Downtown Association has expressed an interest in creating a venue for merchants that is easy to access at a time that does not impact their business operations. Plans are still in progress. Kirkland 2035 displays will be set up and staff will be available to answer questions and provide opportunities for participants to share ideas.

Kirkland Wednesday Market – August 21

Staff will set up a booth at the August 21 Wednesday Market. Staff is also coordinating an informational booth at the Juanita Friday Market.

Fall Community Planning Day – October 19, 10 am to 2 pm, Peter Kirk Community Center

The next Community Planning Day will be held on Saturday, October 19 at the Peter Kirk Community Center. As mentioned earlier, the focus for group sessions will be the Comprehensive Plan vision update. Three different groups will cycle through the visioning exercise. In addition, displays on other plans and projects in process will be available throughout the event. It is anticipated that, by that time, conceptual alternatives may be available for the Cross Kirkland Corridor Master Plan and conceptual designs for the Totem Lake Park Master Plan will be in process. One of the important objectives of the Community Planning

Day is to bring forward comments made at earlier events and demonstrate how those comments are being applied to the development of the plans and projects.

The Community Planning day will be marketed again through posters, a direct mail postcard, City Update (scheduled for publication October 1) and an advertisement in the City's Parks Brochure scheduled for publication in mid-August.

In response to a request from Council, staff will advise the City Council of presentations that are planned at various events and meetings should the Council wish to participate. Staff will email Council directly with the time and place for future meetings.

Attachment A

COMPREHENSIVE PLAN UPDATE



COMMUNITY OUTREACH PLAN

Join the Conversation...

KIRKLAND
2035 | YOUR VOICE.
YOUR VISION.
YOUR FUTURE.
WWW.KIRKLANDWA.GOV/KIRKLAND2035

For Information Contact:
Janice Coogan, Senior Planner
Planning and Community Development
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Comprehensive Plan Update: Project Description

Beginning in 2013, the City of Kirkland will undertake updating its Comprehensive Plan in compliance with the requirements of the Growth Management Act (GMA). Since the last major update in 2005, the City has grown, bringing 30,000 more people into its boundaries who have not participated in the City's planning process. The Comprehensive Plan needs to be updated to reflect the Kirkland community's vision for Kirkland in 2035 and to provide guidance for moving the community toward that vision. The plan will identify Kirkland's desired character and attributes, including existing community values that should be retained, as well as desired changes. The plan will determine how we manage anticipated growth and direct it in a manner consistent with the envisioned future.

The Comprehensive Plan is an important planning tool for the City because it defines a future vision for Kirkland – 20 years from the present day. Its goals ensure the City is able to provide the necessary facilities and services to direct and manage growth. In twenty years, Kirkland is expected to have 13,000 new residents with an approximate total population of 94,000. The State Growth Management Act requires that the Plan be updated every eight years. Kirkland's Update is due by June 2015. The King County Countywide Planning Policies (CPP) have assigned Kirkland growth targets for the years 2006 through 2031 of 8,570 new housing units and 20,850 new jobs. The Plan must address how these growth targets will be accommodated. These have been adjusted to the year 2035 – the planning horizon year – with a 2035 household target of 8,361 and employment at 20,400 new jobs.

Over the years we have seen greater interest in the public desire to be involved in the decision making process. It is essential that Kirkland residents and businesses participate in this update process to shape the future city they want.

Decision process

The Planning Commission will take the lead on the update using the City's Process IV zoning permit review process and considering all public comments. The final decision will be made by the City Council. Other City Boards and Commissions and the Houghton Community Council will be involved in the process as well. The Comprehensive Plan will not be entirely rewritten, rather updated to reflect changes in the city and future visioning.

Purpose of Comprehensive Plan Update Community Outreach Plan

This Community Outreach Plan describes the public involvement activities that will be used during the two year process to update the Comprehensive Plan. The chart in Appendix 1 summarizes the key steps in the update process and related public involvement objectives, techniques, targeted audiences and time frame for each phase. The chart is intended to be a working document that will be refined over the course of the update process. This Outreach Plan will be coordinated and integrated into the overall city wide *Communications Plan and Comprehensive Engagement Plan* developed in consort with the other long range plans for the Kirkland 2035 effort (see below).

Public Involvement Goals

The public involvement goals will be to educate, inform, involve and consult with the public to encourage their participation in the decisions that need to be made related to the Plan update. During the update process the Planning Department is committed to the following overall goal:

“The goal is to provide the public with timely information to educate the public about the importance of planning for the future of the city and provide the public with many opportunities to review and comment on the update decisions before they are made.”

Inform and Educate

- To explain the requirements of the Growth Management Act and Comprehensive Plan and why planning matters to the future of Kirkland.
- To explain the process for the update.
- To provide objective information to assist stakeholders in understanding issues and solutions.
- To inform interested stakeholders of the progress, status, and key policy discussions throughout the update.

Involve, Consult, Participate

- To encourage public participation in the update and associated plans and studies; including elected and appointed officials.
- To involve, consult, compile and understand citizen’s values, identify key concerns and work with citizens at key steps during the decision making process to incorporate their input to the fullest extent practical and show we are listening.
- To foster a sense of community and trust in government by providing timely and accurate information and opportunities to be involved.
- To provide information to those traditionally not reached in City communications.
- To ensure all public meetings are held in buildings that are accessible to people with disabilities.

Regulatory Requirements Governing Public Participation Under GMA

The Growth Management Act (RCW 36.70A.140) requires cities to provide early and continual citizen participation in the development and update of local comprehensive plans. RCW 36.70A.020 GMA Goal 11 states: *“Encourage the involvement of citizens in the planning process and coordination between communities and jurisdictions to reconcile conflicts.”*

Process IV of the Kirkland Zoning Code establishes the noticing, public hearing requirements and approval criteria for amendments to the Comprehensive Plan and Zoning Code. All public inquiries related to the Comprehensive Plan Update will be forwarded to Teresa Swan in the Planning Department (or other staff) for a response and documentation and forwarded as part of the record to the Planning Commission and City Council.

Implementation of Community Outreach Plan

Beyond the legal state and local requirements to notify, record, and collect public comments, people expect a variety of opportunities to express their values and opinions and to influence the decisions that are made about the future of their community. With this major update, we are striving to provide new and meaningful ways to communicate and involve the increasingly busy public in the process.

This next section describes the methods that will be used to communicate with the public and the public involvement activities to implement this outreach plan. See Appendix 1 for an outline of the techniques to be used at each phase.

At a minimum, the key messages we hope to get across to the public regarding how they can be involved in the update process are:

- Sign up and subscribe to listservs to receive email updates on upcoming meetings and events
- Attend and participate in workshops and open house events
- Read City publications including “About Growth,” an educational publication dedicated to the Comprehensive Plan
- Attend City Council, Planning Commission, Transportation Commission, Park Board and other study session meetings and share their ideas during public comment opportunities
- Attend public hearings
- Submit written or email comments that will be forwarded to the decision makers
- Participate in online discussions and surveys

Kirkland 2035 Your Voice, Your Vision, Your Future...Join The Conversation...

Over the next two years various other long range plans are in progress that may be integrated into the Comprehensive Plan goals and policies (such as the Cross Kirkland Corridor, Transportation Management Plan and Parks and Open Space Plan). To avoid confusion and overloading the public with public involvement opportunities and information, the City Manager’s office is coordinating communication and public involvement activities for the various planning efforts. Staff meets on a regular basis to integrate public outreach implementation. While each plan or project has its own public involvement plan unique to its process, public outreach will be a coordinated effort under the umbrella of the “Kirkland 2035 - Your Voice, Your Vision, Your Future” logo and tagline.

All city produced materials (e.g. newsletters, dedicated publications, fact sheets) will contain the “Kirkland 2035: Your voice, Your vision, Your future” branding so that readers begin to familiarize themselves with it. Each long range planning project or plan will have a unique icon symbol for easy identification.

For example the Comprehensive Plan Update icon looks like this:



A companion overall Comprehensive Engagement Plan and Communication Plan documents describe the methods by which the City will communicate with the public, the key stakeholders (target audiences) and how to encourage their participation in all the other long range planning efforts.

Dedicated Project Website

The dedicated Kirkland 2035 webpage is located within the City of Kirkland website at www.kirklandwa.gov/kirkland2035. Here people may sign up to receive email announcements about upcoming public involvement opportunities and status of the Update and other long range plan projects. The site will be a central repository for all related information about the Comprehensive Plan Update. Content uploads will be made by Planning & Community Development (PCD) and other staff. All printed materials (e.g. publications, news releases, stakeholder feedback, staff memos) will be posted to the webpage. The page will include an email address (kirkland2035@kirklandwa.gov) that will be received by CMO and PCD members of the Project Team to ensure timely response. Other features will provide social media integration, embedded videos, online surveys, and calendar. In process is the development of an innovative interactive on-line technique to allow people to comment and discuss issues and conduct surveys.

Events or Activities

At certain phases of the update process it will be necessary to bring people together to engage the public and stakeholders for educational purposes, community visioning, issue identification related to each element of the Comprehensive Plan, and to consult the public and allow for comments on the draft plan. Appendix 1 lists when public events will be conducted. The following is a summary of events or activities that will be conducted to bring people together during the Update process:

- **Community Planning Day I (June 8, 2013)** - The focus of this event was to inform the public about the update process and the importance of planning and growth management. In response to the Kirkland Alliance of Neighborhoods request for education on Growth Management in Washington and Kirkland, a portion of the day was spent on an education session about GMA and a town hall discussion on neighborhood business districts.
- **Community Planning Day II (Fall 2013)** - The focus will be on community visioning and issue identification.
- **Visiting Lecturer Series or Expert Panel**- Presentations on topics such as smart growth, multimodal transportation systems, and the economics of growth will be held during 2013-2014 to engage and consult with the public on key issues facing Kirkland's future.
- **Targeted Audience Focus Groups**- Key focus group discussions will be held with top employees, youth, schools and interest groups to seek input on their vision for the future and key issues that should be addressed with the Update.
- **Open House, Workshop or Other Format**- The public will have an opportunity to attend an open house or workshop (format to be determined) to provide input on the draft plan elements and draft environmental impact statement (EIS)
- **Study Sessions and Public Hearings**- The public will be encouraged to attend public meetings and public hearings before the Planning Commission and other Boards and Advisory Groups.

- **Ongoing Public Involvement Opportunities**

- **Briefings before Neighborhood and Business Associations-** There are 13 formal neighborhood associations and several business organizations and service clubs in Kirkland (see Key Stakeholders list). The Kirkland Business Roundtable and Chamber of Commerce will be involved. All associations hold regular meetings throughout the year and staff will seek their input at these meetings. Some associations have websites, social media sites and/or email distribution lists. Briefings will be made to each association at various phases of the update process.
- **Community events and festivals-** Staff will attend ongoing or special events such as the Friday Juanita Market, or Kirkland Wednesday Market which offer “community information” booth space throughout their seasons (May – October) to inform and receive input.

Communication Tools

The following techniques will be used to communicate with the public. See the overall Communication Plan for the City for more options.

City Publications

All printed materials will be available in electronic formats.

- **Posters, postcards, brochures and flyers** will be developed to raise awareness about the Comprehensive Plan update, encourage public involvement, announce meetings and promote the project website. These materials will be available at **Informational Kiosks** at the community centers, libraries, grocery stores and parks.
- **City Update articles** will be published at the end of March, June, September and December and will be a primary source of project update information.
- **“About Growth” dedicated educational publications** are available on the following topics:
 - GMA/Comprehensive Plan
 - Comprehensive Plan & Zoning
 - Concurrency, Level of Service (LOS) and Transportation master plan
 - Density/Growth Targets
 - History of Planning in Kirkland
 - Totem Lake Urban Center

Future topics will include smart growth and housing.

- **Other publications** will allow the City to share its achievements and challenges in the Comprehensive Plan Update. Possible online and printed publications include:

Video Media

In addition to news stories on the City’s Currently Kirkland, the City’s information news program, educational videos on a variety of topics related to growth management and community visioning are available on the Kirkland 2035 website.

Meeting Notices and Mailings

The Planning Commission will take the lead on overseeing the Comprehensive Plan update process and ultimately make a recommendation to the City Council for final adoption. The Houghton Community Council works in concert with the Planning Commission and often participates in joint meetings, workshops and hearings. The Zoning Code contains certain legal requirements for notifying the public of public meetings for Boards and Commissions and land use actions related to the update process. Public comment at public meetings and public testimony at public hearings are encouraged along with written correspondence in letter or email format.

Media Press Releases and Advertising

For major public events paid advertising will be made to encourage attendance or participation. City news releases will be distributed the City's Communication Manager to the following:

- Internal staff, City Council, and City Boards and Commissions.
- Posted to the News Room webpage
- Linked from the homepage of the City website
- Typically Tweeted (<https://twitter.com/kirklandgov>)
- Emailed to News Room and Neighborhood news listserv subscribers
- Posted at City Hall, City community centers and libraries
- Emailed to newspapers, local news, community and opinion blogs, Seattle TV and radio stations

Surveys and Interactive On-line Conversations

Surveys and interactive on-line conversations will be a vital communications and public involvement tool to obtain feedback from citizens regarding issues pertaining to the Update, to gauge current understanding of the update and to learn if the City's communications and public involvement efforts are effective. Often for long range planning projects there is low attendance at public meetings or open houses. Surveys and on-line conversations provide citizens with an alternative way to participate especially when they are not able to attend public involvement events. Staff is in the process of working with the Information and Technology Department, City Manager's Office and EnviroIssues consultants to develop an interactive product such as MeetingSphere. Surveys and on-line conversations are recommended at these key points in the process:

- In the beginning, to survey the public's ideas on how they would like to be communicated with or involved in the update process (conducted in spring of 2013). A sample stakeholder telephone interview survey will also be conducted to fine tune this Community Outreach Plan.
- Issue identification for each element to identify key concerns or challenges to be addressed with the update.
- At draft Comprehensive Plan or draft EIS stage.

How Will We Evaluate The Success of the Outreach Plan?

The following measures will be used to determine the effectiveness of the public involvement efforts throughout and after the completion of the update process. With each code update project we learn new opportunities for improvement. Evaluation forms, questions or interviews will be conducted at the end of each public meeting. For example, evaluation cards and personal questions were asked of the participants at the June Community Planning Day to evaluate how successful they felt the event was, and to gather suggestions as to how to improve the event.

Community Outreach Objectives	Performance Measures
Effectiveness of Community Outreach Plan	<ul style="list-style-type: none"> • Number of participants who attended meetings • Number of comments received • Public satisfaction with the public participation activities; did they feel their input contributed to the final decision?
Effectiveness of project website	<ul style="list-style-type: none"> • Number of visitors to the site • Number of listserv addresses • Number and types of comments received
Use a variety of media (website, printed materials, email updates, social media, multi-media) to provide information about the project.	<ul style="list-style-type: none"> • Communication methods other than public meetings were used when appropriate to obtain feedback from stakeholders and participants. • Variety of posting locations for meeting/educational materials • Number of notices mailed
Provide information to those traditionally not reached in City communications.	<ul style="list-style-type: none"> • Conduct assessment at the outset to identify populations or focus groups traditionally not engaged in citywide public involvement efforts.
Provide responses to citizen, media, and elected officials in a timely manner.	<ul style="list-style-type: none"> • Project Team members will respond to all inquiries regarding the Comprehensive Plan Update within 5-7 business days and record all comments.

Debriefing Report

As is typical at the end of a code amendment process, staff will prepare a debriefing report for the Planning Commission and City Council assessing the strengths, weaknesses and opportunities of the outreach plan.

Key Stakeholders Or Audiences

The City will strive to use multiple means of communications to educate, communicate, and encourage participation in the Comprehensive Plan Update and will seek out the following key stakeholders:

All City Departments (C-Team, Directors, Green Team, Development Review)

Neighborhoods

- Neighborhood Associations

Business Community

- Chamber of Commerce
- Business Service Groups Kiwanis-Rotary
- Top Businesses
- Business Roundtable

Real Estate

- Apartments-Management Companies
- Realtors
- Master Builders Association
- Developers Forum

Education

- Lake Washington Technical College
- Lake Washington School District
- Northshore School District
- Northwest University
- UW Business School Yarrow Bay
- Eastside Preparatory School
- PTSA

Age Specific

- Youth Council
- Senior Council

Public Facilities

- Evergreen Hospital
- King County Library

City Boards, Commissions, Advisory Boards

- Planning Commission
- Houghton Community Council
- Design Review Board
- Transportation Commission
- Park Board
- City Council
- Cultural Arts Commission

Non-Profit-Faith Based- Human Services

- Friends of Youth
- Youth Eastside Services
- Boys and Girls Club of Kirkland
- Eastside Human Services Forum
- ARCH
- Churches
- KITH
- Hopelink
- Kirkland Heritage Society
- Youth Eastside Services
- YMCA of Seattle (Kirkland Teen Union Building)

Utilities

- Woodinville Water District
- Northshore Water District
- Olympic Pipeline
- Puget Sound Energy
- Fire Districts
- Cascade Water Alliance
- Seattle City light

Adjacent Cities

- Redmond
- Bellevue
- Bothell

- King County
- Woodinville
- Hunts Point
- Town of Yarrow Point
- Kenmore
- Medina

King County

- King County Member District 1 and 6
- Development & Environmental Services
- Metro Transit
- Parks and Recreation
- Housing Authority
- WRIA8/Lake Washington – Cedar-Sammamish Watershed
- King County Conservation District (WA State Conservation Commission)

Regional/State Agencies

- Dept of Ecology
- Dept of Natural Resources
- Dept of Fish and Wildlife
- Dept of Commerce
- Dept of Parks (Bridle Trails/St Edwards Park)
- Washington State Dept of Transportation
- Office of Financial Management
- Puget Sound Regional Council (PSRC)
- Office of the Land Commission
- Legislators Districts 1, 45, 48
- Association of Washington Cities

Federal Government

- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency
- U.S. Federal Highway Administration
- U.S. Fish and Wildlife

Environmental

- Park Rangers/Green Kirkland Partnership
- Muckleshoot Indian Tribe
- Audubon Society
- Future Wise
- Forterra
- Sustainable Kirkland
- King County Conservation District

Special Interests

- Boaters
- Feet First
- Pea Patch Groups
- Railroad- Eastside Trail Advocates
- KDOG
- Little League Baseball
- Equestrian Community
- Kirkland Heritage Society

Transportation

- Sound Transit
- Kirkland Greenways (Bicycle focus)
- Cascade Bicycle Club
- Metro Transit
- Eastside Trail Advocates

Media

- Highland Views
- Kirkland Patch
- Seattle Times
- Eastside Journal of Commerce
- Kirkland Reporter

Appendix I Community Outreach Plan Techniques For Each Phase

Appendix I Comprehensive Plan Update-Community Outreach Objectives And Techniques For Each Phase

Draft June 19, 2013



The Kirkland Comprehensive Plan needs to be updated to reflect the Kirkland community’s vision for Kirkland in 2035 and provide guidance for moving the community toward that vision. The plan will identify Kirkland’s desired character and attributes, including existing community values that should be retained, as well as desired changes. The plan will determine how we manage anticipated growth and direct it consistent with the envisioned future. The Planning Commission will take the lead with the City Council making the final decision. To accomplish this it is essential that the community be involved in this process. Below is a summary of the community outreach objectives and corresponding techniques for each step of the update process. See also the Community Outreach Plan and Communications Plan for more detail on the implementation of the outreach program.

 This symbol signifies a public meeting, event or activity.

Legend:

PC = Planning Commission

TC = Transportation Commission

HCC = Houghton Community Council

CC = City Council

Steps	Work Program Tasks	Public Outreach Objective	Level of Participation	*Target Audiences	Outreach Techniques **	Timeframe
1.0	Outline approach to the plan update	Inform the community that we need to update the Comp Plan over the two year process	Inform	City Council, City Boards and Commissions, Neighborhood Assoc.	<ul style="list-style-type: none"> Community briefings & presentations Information posted on web page 	Feb – June 2013
2.0	Develop work plan & organizational framework	Inform and consult with the public to describe the work plan and validate that this is the right approach	Inform/Consult	Planning Commission Community at large	<ul style="list-style-type: none"> Planning Commission review work plan Internal Communications “C” Team established to coordinate plan updates and community outreach Create Kirkland 2035 Webpage Establish listserve and e-mail address Develop initial handouts and informational materials Produce About Growth Brochures City Update Articles Attend community meetings and events such as Chamber of Commerce luncheons and Policy Committee Provide monthly status reports to City Council 	April 25, 2013 Dec. 2013, April 2013 & June 2013 Started on April 2, 2013 1st Council meeting of each month March – June 2013
3.0 	Prepare community outreach plan	Inform public about the Community Outreach Plan, and how and when they can participate in influencing the decisions that need to be made. <i>"How to be part of the conversation"</i> Ask the community for suggestions on how they want to participate and validate the public	Inform/Consult	PC/City Council/HCC Targeted stakeholders Neighborhood Associations/KAN	<ul style="list-style-type: none"> Review and discuss with audiences Add to webpage Standard distribution to community at large Conduct stakeholder interviews On-line survey about public participation techniques Conduct Community Planning Day I Open House on June 8 (provide handouts on 	June 2013 May 2013 Completed April June 2013

Appendix I Comprehensive Plan Update-Community Outreach Objectives And Techniques For Each Phase

Draft June 19, 2013



Steps		Work Program Tasks	Public Outreach Objective	Level of Participation	*Target Audiences	Outreach Techniques **	Timeframe
			involvement process.			process, timing; provide list of data to be collected; provide interactive opportunities to ask questions and receive input) <ul style="list-style-type: none"> • Distribute COP to listserve and allow for comments • See Task 7 	
4.0	4.1	Conduct data collection, identify trends, update Community Profile and land use capacity and identify trends	Provide an opportunity for the public to identify the data to be collected and validate if additional data is needed.	Inform/consult	Brief HCC/PC/CC/Boards and Commissions Neighborhood Associations/KAN Business Community	<ul style="list-style-type: none"> • Post Community Profile on webpage • Post Land Capacity Analysis on webpage 	June - Oct 2013
	4.2	Analyze and summarize	Review the preliminary data collected and conclusions we've drawn from the preliminary analysis. Share and validate that our conclusions our sound	Consult	Same as above	<ul style="list-style-type: none"> • Distribute summary fact sheet • Add to webpage and allow for comment 	Sept-Oct 2013
5.0	5.1	Establish vision program & process;	Design a visioning process that builds community interest and enthusiasm	Inform	Check in with HCC/PC/CC Community at large Neighborhood Associations/KAN	<ul style="list-style-type: none"> • Develop informational materials • Attend Business Roundtable • Table at Walk & Roll event • Table at farmer's markets • City Update Article • Video • Neighborhood U • Neighborhood briefings • Currently Kirkland 	May 14, 2013 June 7, 2013 June – Sept 2013 June 2013
	5.2	Educate & inform community prior to visioning exercise	Provide information to the public about the purpose and importance of a vision statement and framework goals and how it is used.			<ul style="list-style-type: none"> • Provide on webpage • Introduction at visioning event below • Create Video • Introduce to Boards and Commissions 	July-Sept 2013
	5.3	Conduct visioning event or activities to develop a shared vision.	Consult and work with the community to develop a shared vision of the future of Kirkland that will guide the comprehensive plan update. Develop some targeted questions to seek input on values and various opinions if we are on the right track? Where should new jobs and	Involve/consult	Community at large* Neighborhood Associations/KAN Business Community	<ul style="list-style-type: none"> • Mail out invitations to event • Press Release • Video • Article in Kirkland Reporter • Conduct Community Planning Day II with focus on community visioning (format to be determined) • Conduct Online Survey 	Sept 2013 Sept 2013 Sept 2013 Oct 2013

Appendix I Comprehensive Plan Update-Community Outreach Objectives And Techniques For Each Phase

Draft June 19, 2013



Steps		Work Program Tasks	Public Outreach Objective	Level of Participation	*Target Audiences	Outreach Techniques **	Timeframe
			housing go? What needs to change?			<ul style="list-style-type: none"> • Conduct focus groups with top businesses, Youth Council, schools, school curriculum 	
	5.4	Develop draft vision statement and framework goals	Ask public to validate the vision statement and framework goals	Inform/consult	PC/HCC/CC Feedback to attendees of visioning event	<ul style="list-style-type: none"> • Staff drafts vision statement • Post draft on webpage and allow for comments • Review at PC/HCC/CC meetings 	Nov 2013 – Jan 2014
6.0	6.1	Assess existing plan. Analyze and identify gaps to determine what revisions are needed. Initial issue discussion	Educate the public and identify the issues and changes that need to be made to the Comprehensive Plan. Consult with public to determine if additional issues need to be studied.	Involve/consult	PC/HCC/CC Community at large	<ul style="list-style-type: none"> • Study sessions • Conduct expert panel or visiting lecturer series on topics such as economic development, transportation, housing (format TBD) 	Jan – Feb 2014
	6.2	Prepare issue papers for each element, identify key policy issues. Scope environmental issues to be analyzed with EIS.	Share the gaps and issues we've identified in the current comprehensive plan that need to be addressed	Involve/Consult	PC/HCC/TC/PB/CC	<ul style="list-style-type: none"> • Study sessions, discussion & direction 	Jan – June 2014
	6.3	Conduct public outreach activities on issues	Ask public have we included the right gaps and issues for each element of the comprehensive plan update? Use public to identify issues related to topic areas What are the environmental affects that should be analyzed in the EIS?	Involve/Consult	See staff stakeholders/Issues chart Community at large	<ul style="list-style-type: none"> • Informational materials on webpage • Survey • Workshop or other event (format TBD) • Interactive on-line technique or survey 	Feb – June 2014
	6.4	Develop land use & transportation alternatives	Work with the community to develop the elements (alternatives within the elements)	Involve/Consult	PC/HCC/TC/PB/CC	<ul style="list-style-type: none"> • Study sessions 	Jan – March 2014
7.0	7.1	Neighborhood plan approaches	Consult with the public to develop a new approach to the neighborhood planning process that is inclusive, results in an efficient, timely and meaningful update process.	Involve/Consult	Neighborhood Associations KAN PC/HCC/CC	<ul style="list-style-type: none"> • Planning Commission discussion • Workshop or other event (format TBD) 	March 2013 TBD
	7.2	Incorporate into draft comprehensive plan (Task 11)		NA – staff work		<ul style="list-style-type: none"> • Staff work 	
8.0	8.1	Retain consulting services	Advertise for consultant services for EIS	NA – staff work			Nov – Dec 2014
	8.2	Prepare draft EIS	Obtain public input on scoping for	Consult	PC/HCC/CC	<ul style="list-style-type: none"> • Conduct EIS scoping 	Feb – Nov 2014

Appendix I Comprehensive Plan Update-Community Outreach Objectives And Techniques For Each Phase

Draft June 19, 2013



Steps	Work Program Tasks	Public Outreach Objective	Level of Participation	*Target Audiences	Outreach Techniques **	Timeframe
		environmental analysis and allow public comment on draft EIS.		Community at large	<ul style="list-style-type: none"> Provide public comment period Conduct public hearing 	
8.3	Prepare final EIS	Respond and incorporate public comments into final EIS	Inform		<ul style="list-style-type: none"> Staff work Distribute 	Jan – Feb 2015
9.0	Incorporate the results of the Transportation Master Plan process into the draft transportation element	See separate Transportation Master Plan public involvement plan.		PC/TC	<ul style="list-style-type: none"> Community engagement activities coordinated with Transportation Master Plan process 	
10.0	Incorporate the results of the PROS Plan process into the draft parks and open space element	See separate PROS Plan public involvement plan		Park Board Community at large	<ul style="list-style-type: none"> Informational materials Community survey Community engagement activities coordinated with PROS plan process 3 community meetings 	April 2013-Jan 2014
11.0	11.1 Prepare draft plan elements	Share the preliminary draft comprehensive plan and draft environmental review document with the community and ask for their feedback on both.	Inform/Consult	PC/HCC/CC Community at large	<ul style="list-style-type: none"> Study sessions Public comment period Conduct public event such as a workshop (format TBD) 	March- Sept 2014
	11.2 Prepare draft land use and transportation plans	Share the preliminary direction and implications of proposed land use and transportation changes	Inform or Consult	PC/HCC/TC	<ul style="list-style-type: none"> Study sessions Share on webpage Public comments 	Jan – Aug 2014
	11.3 Identify map and code changes	Notify property owners and residents of potential land use changes and encourage them to comment on changes	Inform or Consult	PC/HCC Affected property owners	<ul style="list-style-type: none"> Publications Public notice signs, notices Allow for public comment 	July – Aug 2014
12.0	12.1 Prepare final Draft Plan	Provide opportunity for public input on draft plan Inform the community about how their input and suggestions were considered and included in the draft final comprehensive plan.	Inform/Consult	PC/HCC/CC Community at large	<ul style="list-style-type: none"> Study sessions/PC Recommendations Share on webpage Public noticing and comments Notice to State Conduct Public Hearings 	Sept – Dec 2014
	12.2 City Council and HCC action	Council and HCC take final action on Comprehensive Plan	Inform	Community at large	<ul style="list-style-type: none"> Study session Final Adoption 	Jan – April 2015
	12.3 Printing & distribution	Inform the community about the decision made by the council regarding the final	Inform	Community at large	<ul style="list-style-type: none"> Share on webpage 	January-February 2015

Appendix I Comprehensive Plan Update-Community Outreach Objectives And Techniques For Each Phase

Draft June 19, 2013



Steps	Work Program Tasks	Public Outreach Objective	Level of Participation	*Target Audiences	Outreach Techniques **	Timeframe
		comprehensive plan update.				
13.0	Evaluate process	Contact public and boards and commissions involved in the process to provide input on how effective the outreach plan was and opportunities for improvement.	Consult	PC/HCC/CC Community at large	<ul style="list-style-type: none"> • Study sessions • Online public comments • Follow up survey 	2015

* See Community Outreach Plan for more detailed list of stakeholders and groups information will be distributed to.

**Includes attending community events such as neighborhood picnics, special events, Friday and Wednesday markets, 4th of July, Marina Park events, Kiosks at shopping centers, schools when appropriate

COMPREHENSIVE PLAN UPDATE



Thank you for your interest and involvement in the Comprehensive Plan Update. The Comprehensive Plan is an important planning tool for the City because it defines a future vision for Kirkland – 20 years from present day. Its goals ensure the City is able to provide the necessary facilities and services to direct and manage growth. In twenty years, Kirkland is expected to have 13,000 new residents with an approximate total population of 94,000.

The State Growth Management Act requires that the Plan be updated every eight years. Kirkland's Update is due by June 2015 and must show how Kirkland will manage its growth targets for 2006 to 2031 of 8,570 new housing units and 20,850 new jobs. The plan will identify Kirkland's desired character and attributes, including existing community values that should be retained, as well as desired changes. The plan will determine how we manage anticipated growth and direct it consistent with the envisioned future. Under the guidance of the Planning Commission, the update process involves the following key steps.

Join the Conversation...

COMMUNITY PLANNING DAY

Saturday, Oct. 19, 2013

10 a.m. – 2 p.m.

at the Peter Kirk
Community Center

352 Kirkland Avenue

www.kirklandwa.gov/kirkland2035

Update Key Milestones and Schedule

- | | |
|-------------|---|
| Summer 2013 | <ul style="list-style-type: none"> • Collect and analyze data to understand current conditions, future planning efforts, and inform the public about the process |
| Fall 2013 | <ul style="list-style-type: none"> • Community Visioning process to develop a shared vision statement for Kirkland's future • Identify issues and analyze each chapter of the Comprehensive Plan (Housing, Land Use, Economic Development) to determine what needs to be changed, amended |
| Fall 2014 | <ul style="list-style-type: none"> • Develop draft updated Plan • Scope environmental issues, evaluate alternatives and assess draft plan through an Environmental Impact Statement process • Public hearings |
| Spring 2015 | <ul style="list-style-type: none"> • Final adoption by Kirkland City Council |

Concurrent with the Comprehensive Plan Update, other city-wide efforts are occurring that will contribute to the long range plan for transportation, surface water management, the Cross Kirkland Corridor, and parks, recreation and open space.

How to share your voice, vision and future

- **Add** www.kirklandwa.gov/kirkland2035 to your favorites and subscribe to receive email updates
- **Attend** City Council, Planning Commission, Transportation Commission, Park Board meetings and share your ideas during public comment opportunities.
- **Attend** the Community Planning Day October 19, 2013 to help develop a vision statement
- **Participate** in public involvement activities such as workshops and public meetings.
- **Read** city publications including "About Growth," an educational publication dedicated to the Comprehensive Plan.



Public Involvement Opportunities for 2013: Master, Long Range and Strategic Plans



Planning & Community Development Department Comprehensive Plan

Contact

Teresa Swan, 425-587-3258

tswan@kirklandwa.gov



Totem Lake Transfer of Development Rights Study

Dorian Collins, 425-587-3249

dcollins@kirklandwa.gov



Public Works Department

Transportation Master Plan

Contact

David Godfrey, 425-587-3865

dgodfrey@kirklandwa.gov



Cross Kirkland Corridor Master Plan

David Godfrey, 425-587-3865

dgodfrey@kirklandwa.gov

100th Avenue Corridor Plan

Flora Lee, 425-587-3840

flee@kirklandwa.gov



NE Juanita Drive Corridor Plan

Rod Steitzer, 425-587-3826

rsteitzer@kirklandwa.gov



Surface Water Master Plan Update

Jenny Gaus, 425-587-3850

jgaus@kirklandwa.gov



Parks & Community Services Department

Parks, Recreation, Open Space Plan Update

Contact

Michael Cogle, 425-587-3310

mcogle@kirklandwa.gov



Totem Lake Park Master Plan

Michael Cogle, 425-587-3310

mcogle@kirklandwa.gov

Edith Moulton Park Renovation Plan

Michael Cogle, 425-587-3310

mcogle@kirklandwa.gov

Waverly Beach Park Renovation Plan

Michael Cogle, 425-587-3310

mcogle@kirklandwa.gov

Detailed information will be posted to www.kirklandwa.gov/kirkland2035

Alternate Formats: Persons with disabilities may request materials in alternative formats —please call Kari Page, Neighborhood Outreach Coordinator at 425-587-3011 or KPage@kirklandwa.gov. Persons with hearing impairments may access the Washington State Telecommunications Relay Service at 711.

Title VI: It is the City of Kirkland's policy to ensure full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin or sex in the provision of benefits and services resulting from programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with the City of Kirkland. For questions regarding Kirkland's Title VI Program, or to file a complaint with the City of Kirkland, contact Kari Page, Neighborhood Outreach Coordinator at 425-587-3011 or KPage@kirklandwa.gov"

**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
Pam Bissonnette, Interim Public Works Director

Date: July 25, 2013

Subject: Kirkland Bridges Report

RECOMMENDATION:

It is recommended City Council receive a report on the status and condition of Kirkland's various bridges, including those owned by the City, as well as those within Kirkland but under the control of and managed by the State Department of Transportation (WSDOT).

BACKGROUND DISCUSSION:

The state of Washington has a total of approximately 7,600 bridges that handle vehicular traffic on a regular basis and certified bridge inspectors believe 96 percent of those bridges are in good or fair condition¹. Unfortunately, that leaves around 300 aging bridges state-wide that are considered to be in poor condition and could collapse under certain events. On Thursday, May 23, a catastrophic bridge event did occur on the Skagit River Bridge, along Interstate 5 near Mount Vernon, when an oversized load being hauled by a truck struck a critical member of that bridge. As a result of the impact, a large section of the bridge collapsed. The Skagit River Bridge had previously been identified by the state as a "fracture critical" truss bridge, meaning that the truss structure of the bridge was designed without structural redundancies to keep the bridge standing when a single critical structural bridge member failed.

Of the states 7,600 bridges, nearly 3,900 are locally owned and maintained and, of that number, Kirkland owns, manages and maintains an inventory of three vehicular bridge spans; all three are classified within the Federal Highway Bridge Program (HBP), which is a national program to ensure public safety through regular bridge inspection, rehabilitation and replacement. The three bridges include: the Forbes Creek Bridge on 98th Ave NE, the Central Way Bridge above the Cross Kirkland Corridor (CKC) and the 116th Street Bridge, also over the CKC (Attachment A). All three bridges are concrete structures with vehicular traffic travelling on the top-deck -- no regular truck or other vehicular traffic occurs below the bridge spans. The City's bridges are not steel truss or "fracture critical" bridges, such as the Skagit River Bridge; all City HBP bridges are reinforced concrete.

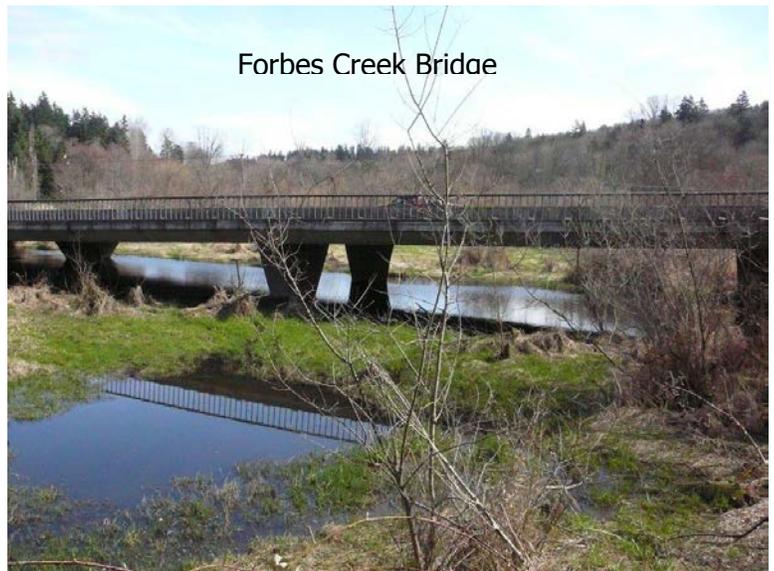
1 Washington's Local Bridge Needs – An Overview, Fall 2012

The safety of bridge structures in Washington State is ensured through a thorough and routine inspection system, incorporating both state and local agency cooperation through an established [Bridge Rating System](#). Unfortunately, there are several bridges along Interstates 5 and 90 that are considered "fracture-critical," with others being deemed as "structurally deficient," meaning they have some kind of defect that needs attention to varying degrees. When compared with other states, Washington ranks sixth-best for having the lowest percentage of bridges needing repair; however, the states bridges are aging fast with more than one-third being at least 50 years old.

For Kirkland and the surrounding cities, none of the WSDOT bridges along I-405 are on the Washington State Structurally Deficient Bridge List (Attachment B – abbreviated King County).

Kirkland's General Purpose Bridges

In order for all bridges in the state, including Kirkland's three general purpose bridges, to be eligible for assistance under Federal HBP guidelines, they must be inspected and reported on to the Federal Highway Administration (FHWA) every 24-months. In compliance with that requirement, Kirkland's bridge inspection services are contracted out on a biennial basis to a licensed engineer qualified by the State to perform such inspections. The City's most recent bridge inspections were completed in April of this year, including the 98th Avenue NE Forbes Creek Bridge and the Central Way Bridge (Attachment C & D). The NE 116th Street Bridge was all new in 2012/13 as a part of the WSDOT's new half-diamond interchange at I-405. As a result, the City's NE 116th Street Bridge was not required to be inspected in 2013, but will be included in the next bridge inspection year of 2015.

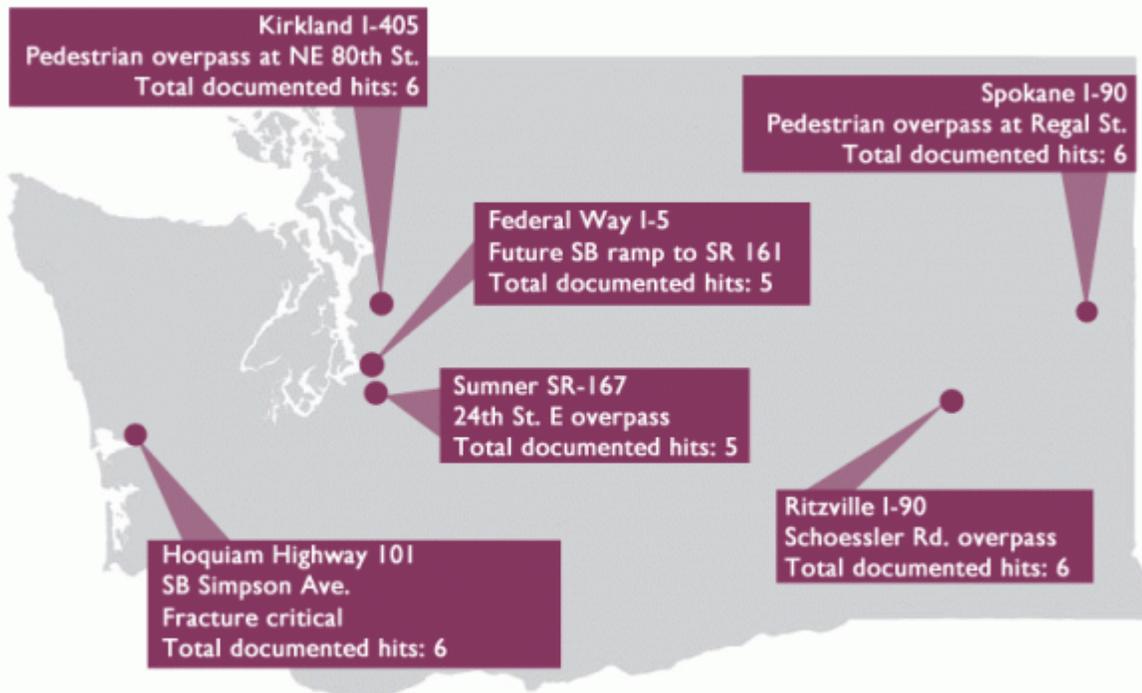
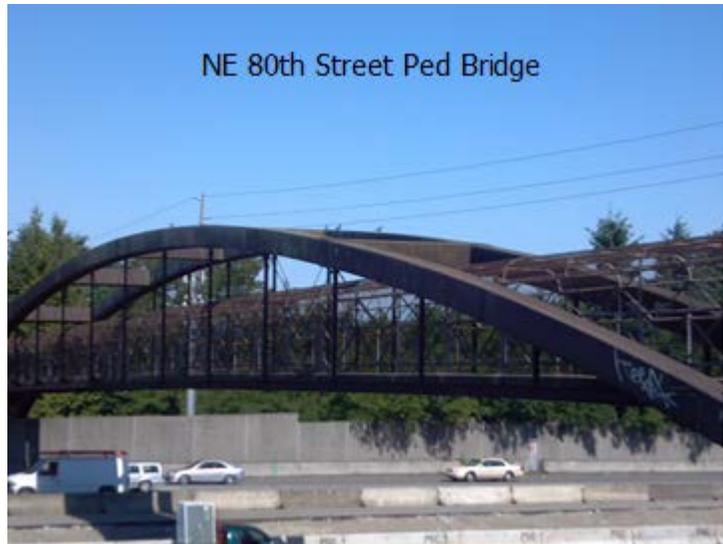


WSDOT General Purpose and Pedestrian Bridges

The state manages its I-405 general purpose overpass bridge structures in Kirkland that are located at NE 70th, NE 85th, NE 116th, NE 124th and NE 128th Streets. As bridges within the right-of-way of I-405, WSDOT has the responsibility for all inspections and FHWA reporting to meet the requirements of the federal HBP. In addition to these bridges, there are three pedestrian bridges that also span I-405, serving to connect Kirkland Neighborhoods; two of those bridges are located at NE 60th and 80th Streets. A third bridge, located at NE 100th Street, is a combination pedestrian and emergency vehicle access bridge. Once again, as bridges within the I-405 right-of-way, WSDOT conducts regular inspections of these three bridges. As bridges that do not carry regular vehicular traffic (NE 60th and NE 80th), and only occasional emergency vehicle traffic (NE 100th), these three pedestrian bridges are inspected

on a 4 to 5-year frequency with the most recent inspection for the NE 100th St Emergency/Pedestrian Bridge occurring in January of this year.

State officials also record bridge strikes during regular inspections and/or when a collision is reported. If the strike is not witnessed or reported, the impact may not be known until an inspection. The state does not have a comprehensive way to record every bridge hit; however, from WSDOT records, the WSDOT Pedestrian Bridge in Kirkland at NE 80th Street is on a list of bridges most frequently hit between 2007 and 2012, with 6 documented hits. That bridge is a "weathered steel" structure with a clear height of 16.4 feet; however, from the inspection report for the structure (Attachment E), it is not considered "fracture critical" and has been successfully repaired after each strike.



Source: Washington State Department of Transportation

Credit KUOW

Figure 1: Most Frequently Hit Bridges between 2007 and 2012

Kirkland CKC Bridges

In addition to the three Kirkland vehicular bridge structures, there are two other bridge spans that the City acquired as part of the acquisition of the CKC; the concrete abutment elevated crossing at Kirkland Way and the wood and steel bridge that carries the corridor above NE 68th Street near State Street. Unlike the other City owned bridge structures, the Kirkland Way/CKC Bridge appears to have experienced numerous impacts in its 86-year history, mostly by over-height trucks at this relatively low vertical (11.5-ft) and horizontal (24-ft) clearance structure. The City's two CKC bridges do not qualify as Federal HBP bridges because they carry no vehicular load and, consequently, have not previously been included within the City's biennial bridge inspection program; however, both bridges were inspected by King County Bridge Inspectors in 2011 as the City was doing its due-diligence activities prior to purchasing the CKC. In general, both bridges were rated as satisfactory, with some deficiencies noted (see Table 1 below; Attachment F & G).

Bridge Report Summary

The [Bridge Rating System](#) used for general purpose vehicular bridge conditions is known as Sufficiency Rating (SR). The SR is a score calculated for each bridge using a multitude of ratings (i.e. component conditions, geometric layout, safety, traffic volume, and the length of the detour route in the event of a closure). The SR ranges from zero to 100, with zero being the worst and 100 being the best rating.

The following table is a summary of the bridge inspection results for all bridges within the City, including the three Kirkland general purpose bridges, the 2 CKC bridge structures, the 5 WSDOT general purpose vehicular bridges and the state's 3 pedestrian bridges:



Kirkland Way CKC Bridge

NE 68th Street CKC Bridge

Table 1: Bridges within Kirkland City Limits

Bridge Name	Owner	Year Built	Length	Last Inspected	Sufficiency Rating (SR)	Repairs and Observations	COK Action/Response
HBP -City owned							
Central Way-CKC	Kirkland	1965	149 LF	Spring 2013	79.75	Washout at Abutment. Plugged Storm Drain.	City crew maintenance
Forbes Creek	Kirkland	1974	245 LF	Spring 2013	93.15	Worn Pavement (wheel path) at abutment joints	Future Overlay
116th St CKC	Kirkland	2012	200 LF	New	NA	New Bridge construction completed in 2013	None

HBP-State Owned Structures							
NE 72nd PL over I-405	WSDOT	1970	424 LF	Summer 2012	73.71	Ramp the SE & NE sidewalk approaches. ACP has cracks.	N/A
Kollin Nielson Memorial Br (116th Street)	WSDOT	2007	132 LF	Summer 2011	91.8	Repair or replace damaged SW terminal	N/A
NE 124th St. over 120th	WSDOT	1990	36 LF	Fall 2011 / Summer 2012	97.05/81.92	Approaches have settled.	N/A
NE 128th Street over I-405	WSDOT	2006	128 LF/ 124 LF	Spring 2012	94.85/94.82	Deck at east end has some spalling	N/A
I-405 over NE 85th Street	WSDOT	1970/1971	211 LF/ 223 LF	Spring 2012	97/99	Deck has transverse cracks over abutments.	N/A

Other Kirkland Structures							
SB-1 (NE 68th Street)	Kirkland	1969	126 LF	Spring 2011	NA *	Timber in satisfactory condition w/certain deficiencies noted.	Part of Interim Trail/Master Plan
SB-2 (Kirkland Way)	Kirkland	1927	43 LF	Spring 2011	NA *	Low vertical (11'6") and Horizontal clearances (24" WB lane)	Part of Interim Trail/Master plan

WSDOT Pedestrian Bridges							
NE 60th St. Ped UC	WSDOT	1978	447 LF	Fall 2009	NA *	Pavement on West Approach needs feathering	None
NE 80th St. Ped Over I-405	WSDOT	1970	525 LF	Fall 2012	NA *	Floor beam connections need to be reassembled with new steel angles	Staff to address hits w/ WSDOT
Ped/Emergency Vehicle UC	WSDOT	2002	200 LF	Fall 2010	NA *	Barrier has protruding bolts that need to be torched off.	None

* No Federal "SR" number for bridges without general purpose vehicular traffic.

Conclusion

As noted in Table 1 above, all Federal HBP bridges within the City, both city owned and state controlled, come with SR Ratings above 70, with only minor deficiencies noted and as documented within their most recent Bridge Inspection Report. The basis for determining a bridge's sufficiency rating is a measure of evaluating a bridge's "sufficiency" to remain in service, based on a combination of several factors. The result of the formula used by the FHWA in determining the actual SR number is a percentage in which 100 percent represents an entirely sufficient bridge and zero percent represents a deficient bridge.

The sufficiency rating (SR) doesn't necessarily indicate a bridge's ability to carry traffic loads being based more on factors including traffic volume, roadway width, structure type, roadway alignment, and the condition of the road deck and structure. The SR Rating number helps determine which bridges may need repair or replacement. In assisting the state to keep the FHWA informed on the condition of its bridges, Kirkland submits its bridge reports on a biennial

basis that contain all of the required information for each Federal HBP eligible bridge in order to qualify for federal funding on maintenance, rehabilitation, or replacement matters.

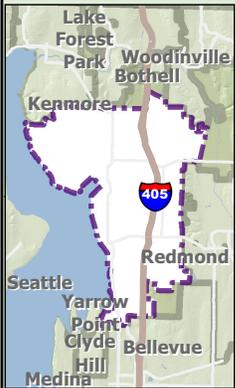
At their meeting of June 4, 2013, City Council approved the receipt of a federally issued seismic upgrade grant for the City's 98th Ave NE – Forbes Creek Bridge, as a bridge that is in "good" condition and has a high SR score. In other words, the bridge is viewed as a bridge worth preserving and staff is in the consultant selection process for a 2014 construction phase.

- Attachment A – Vicinity Map
- Attachment B – WSDOT Deficient Bridge List
- Attachment C – Kirkland HBP Report – Forbes Creek
- Attachment D – Kirkland HBP Report – Central Way
- Attachment E – WSDOT NE 80th Ped Bridge Report
- Attachment F – CKC/68th Street Bridge Report
- Attachment G – CKC/Kirkland Way Bridge Report

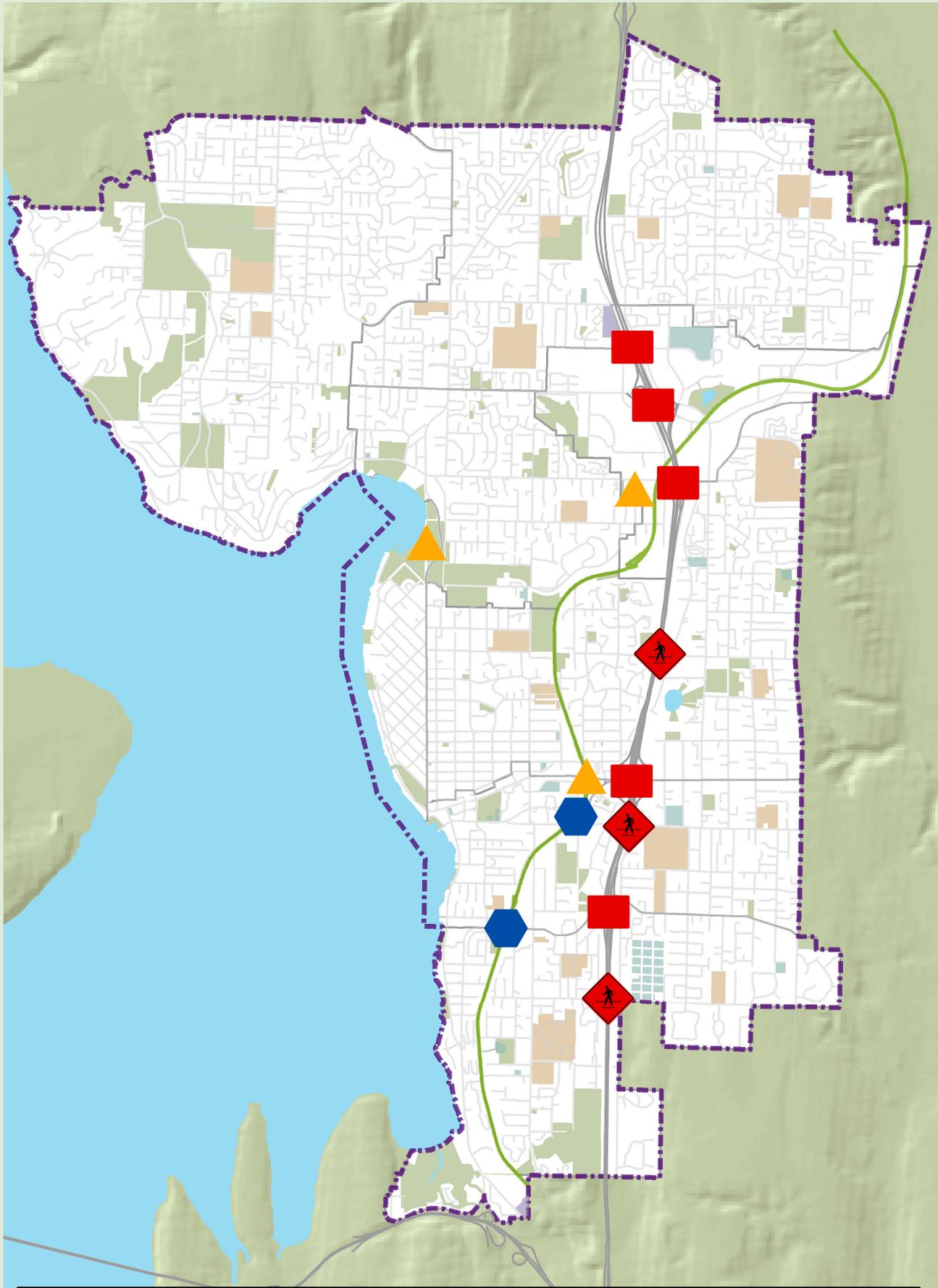
Legend

-  COK Bridge
-  COK Bridge
-  WSDOT Bridge
-  WSDOT Bridge (Ped)

-  Streets
-  Park & Rides
-  Kirkland City Limits
-  Cross Kirkland Corridor
-  Lakes
-  Facilities
-  Kirkland Neighborhoods
-  Schools
-  Parks



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Report on City of Kirkland Bridges

ATTACHMENT B

WSDOT Structurally Deficient Bridges



County	State Route	Milepost	Bridge Name	Year Built	Bridge Type	SD Problem	Status
Franklin	395	20.04	COURT ST OVER US 395	1966	Pre-Tensioned Concrete Beam	Superstructure	Contract Work in progress - 3rd party damage
Grays Harbor	12	0.08	HERON STREET BRIDGE	1949	Steel (open) Girder - Swing Span	Substructure	Prioritized for Bridge Rehabilitation
Grays Harbor	101	83.22	CHEHALIS RIVER BRIDGE	1955	Bascule Lift Span	Scour	Prioritized for Bridge Rehabilitation
Grays Harbor	101	109.00	HUMPTULUPS R	1950	Steel Thru Truss	Deck	Monitor thru Insp - Program Future Repairs
Grays Harbor	107	7.79	SLOUGH	1953	Treated Timber Trestle	Substructure	Prioritized for Bridge Replacement
Grays Harbor	109	35.17	WRECK CREEK	1957	Concrete Slab/Timber Piling	Substructure	Monitor thru Insp - Program Future Repairs
Jefferson	20	12.56	PORT TOWNSEND SLIP 1	1982	Steel Movable Lift	Superstructure	Programmed for Bridge Replacement
Jefferson	20	12.56	PORT TOWNSEND SLIP 2	1955	Steel Movable Lift	Superstructure	Monitor thru Insp - Program Future Repairs
King	5	161.28	S-W RAMP OVER LUCILE ST	1967	Concrete Box	Deck	Prioritized for Bridge Rehabilitation
King	5	162.98	NB VIADUCT STA 2064	1966	Concrete Slab	Superstructure	Monitor thru Inspection
King	5	162.98	NB I5 to WB W SEA FRWY	1967	Concrete Box	Deck	Prioritized for Bridge Rehabilitation
King	5	162.99	SPOKANE ST WB OVER I-5	1967	Concrete Box	Deck	Prioritized for Bridge Rehabilitation
King	5	163.00	SPOKANE ST EB OVER I-5	1966	Concrete Box	Superstructure	Prioritized for Bridge Rehabilitation
King	18	6.62	GREEN R (NEELEY BRIDGE)	1959	Steel Thru Truss	Deck	Prioritized for Bridge Rehabilitation
King	18	20.34	SR 18 OVER HOBART RD/CRK	1961	Concrete Box	Deck	Prioritized for Bridge Rehabilitation
King	90	4.28	HOMER M. HADLEY	1989	Concrete Floating Pontoon	Superstructure	Prioritized for Bridge Rehabilitation
King	90	4.28	LACEY V. MURROW BRIDGE	1940	Concrete Floating Pontoon	Superstructure	Prioritized for Bridge Rehabilitation
King	90	25.66	I-90 OVER SR 18	1963	Pre-Tensioned Concrete Beam	Deck	Prioritized for Bridge Rehabilitation
King	90	25.65	I-90 OVER SR 18	1975	Pre-Tensioned Concrete Beam	Superstructure	Maintenance Repair Complete
King	90	27.33	I-90 OVER WINERY RD	1976	Post-Tensioned Concrete Box	Deck	Programmed for Bridge Rehabilitation
King	99	28.61	SPOKANE ST OC	1959	Steel Beam	Timber Appr Span	Programmed for Bridge Span Replacement
King	99	29.84	ALASKAN WAY V NORTHBOUND	1952	Steel Beam	Substructure	Contract Work in progress
King	99	29.84	ALASKAN WAY V SOUTHBOUND	1952	Steel Beam	Substructure	Contract Work in progress
King	203	3.76	GRIFFIN CR	1945	Treated Timber Trestle	Substructure	Monitor thru Insp - Program Future Repairs
King	203	15.68	SLOUGH	1945	Treated Timber Trestle	Substructure	Monitor thru Insp - Program Future Repairs
King	203	17.07	SLOUGH	1945	Treated Timber Trestle	Substructure	Monitor thru Insp - Program Future Repairs
King	203	17.22	CHERRY CR	1946	Concrete T-Beam	Deck	Monitor thru Insp - Program Future Repairs
King	519	1.31	SEATTLE SLIP 3	1964	Steel Movable Lift	Superstructure	Programmed for Bridge Replacement
King	520	2.45	ALBERT D. ROSELLINI BR	1963	Concrete Floating Pontoon	Superstructure	Contract Work in Progress
King	900	21.58	SR 900 OVER I-90	1970	Steel Beam	Deck	Program Future Repairs
Kitsap	303	0.26	MANETTE BRIDGE CS1841	1930	Steel Thru-Deck Truss	Substructure	Contract Work in progress
Kittitas	10	90.10	BRISTOL FILL	1937	Steel Beam	Deck	Prioritized for Bridge Rehabilitation

BRIDGE INSPECTION REPORT

ATTACHMENT C

E-page 87

WO CC WE PD
BAM

Status: Released

Ver Date 4/15/2013
Printed on: 4/22/2013

Agency: KIRKLAND
Program Mgr: Grant D. Griffin

Bridge No. 00001123A **Page 1 of 3** **Structure Type** CS
Bridge Name FORBES CREEK **Route** 00625 **Intersecting** FORBES CREEK
Structure ID 08556100 **MilePost** 100.00 **Location** 1.5 MI N CENTRAL W

Inspector's Signature DRS Ident# A1099 Co-Inspector's Signature DRS

								Inspections Performed:				
7		N		1974		Year Built	(332)	IT	NT	HRS	Date	Rep Type
7	Structural Adqcy (657)	N	Pier/Abut/Protect (679)	1974		Year Built	(332)	Y	24	1.2	3/30/2013	Routine
7	Deck Geometry (658)	8	Scour (680)	0		Year Rebuilt	(336)					Fract Crit
9	Underclearance (659)	8	Approach Rdwy (681)	L 49		Oper Rating	(551)					Underwater
5	Operating Level (660)	9	Retaining Walls (682)	L 36		Inv Rating	(554)					Special
8	Alignment Adqcy (661)	9	Pier Protection (683)	A		Open Close	(293)					Interim
8	Waterway Adqcy (662)	1	Bridge Rails (684)	9999		Vert Over Deck	(360)					Equipment
7	Deck Overall (663)	0	Transition (685)	0000		Vert Under	(374)					Damage
6	Drains Condition (664)	0	Guardrails (686)	N		Vert Und Code	(378)					Safety
7	Superstructure (671)	0	Terminals (687)	0.00		Asphalt Depth						Short Span
0	Number Utilities (675)	N	Revise Rating (688)			Speed Limit						
7	Substructure (676)	D	Photos Flag (691)								Total: 1.2	
8	Chan/Protection (677)		Soundings Flag (693)								Suff Rating: 93.15	93.15
9	Culvert (678)		Measure Clearance (694)									

BMS Elements 12 to 800

Element	Element Description	Total	Units	State 1	State 2	State 3	State 4
12	Concrete Deck	13,104	SF	13,104	0	0	C
105	Concrete Box Girder	245	LF	245	0	0	C
215	Concrete Abutment	129	LF	129	0	0	C
227	Concrete Submerged Pile/Column	6	EA	6	0	0	C
310	Elastomeric Bearing	14	EA	12	2	0	C
331	Concrete Bridge Railing	504	LF	504	0	0	C
340	Metal Pedestrian Railing	504	LF	494	0	10	C
800	Asphaltic Concrete (AC) Overlay	13,104	SF	13,104	0	0	C

BRIDGE INSPECTION REPORT

E-page 88
WO CC WE PD

Ver Date: 4/15/2013
Printed on: 4/22/2013

Agency: KIRKLAND
Program Mgr: Grant D. Griffin

BAM

Status: Released

Bridge No.	00001123A	Page 2 of 3	Structure Type	CS	
Bridge Name	FORBES CREEK	Route	00625	Intersecting	FORBES CREEK
Structure ID	08556100	MilePost	100.00	Location	1.5 MI N CENTRAL W

Notes 0 to 800

0 Need waders to inspect. Piers are numbered South to North. Pier 1 is closest to fire station.

12 Edges of deck slab have vertical cracks. Some of these cracks are leaking.

105 This superstructure appears to be a CBOX. Bottom of box in span 1 has several transverse leaching cracks and longitudinal leaching cracks, some are rust stained and others are starting to form stalactites. Span 1 has 2 diagonal leaching cracks approximately 10' long that run to pier 2A and are forming stalactites. Spans 2 and 3 have several transverse leaching and rusty cracks. At pier 3 east side a vertical crack in sloping web of C-Box has a stalactite 8" in length. Span 4 transverse leaching cracks and longitudinal leaching cracks. Repetitive transverse cracks at 2' centers in bottom of box in spans 1 and 2.

215 A few vertical hairline cracks in abutment.

227 A few horizontal leaching cracks in a couple of the columns.

310 A few are bulging and out of plane bending (deforming) at pier 5.

331 Several spalls at concrete rail joints with exposed longitudinal rebar.

340 Pedestrian rail on east side of the bridge has traffic impact damage at north abutment. Photo taken today.

664 Partially plugged with dirt and debris.

673 A few transverse cracks in the top of sidewalks. 1" toe tripper at Southeast & Southwest sidewalk approach.

681 ACP strip patch 12" - 16" wide with tarred edges at both abutments. Patch is raveling full roadway width.

692 Bridge would be better inspected at low water in summer season.

800 2" ACP worn in wheel lines. ACP patched at both abutment joints the full width of the road.

BRIDGE INSPECTION REPORT

E-page 89
WO CC WE PD

Ver Date 4/15/2013
Printed on: 4/22/2013

Agency: KIRKLAND
Program Mgr: Grant D. Griffin

BAM Status: Released

Bridge No. 00001123A	Page 3 of 3	Structure Type CS
Bridge Name FORBES CREEK	Route 00625	Intersecting FORBES CREEK
Structure ID 08556100	MilePost 100.00	Location 1.5 MI N CENTRAL W

Repairs 14504 to 17529

Repair No	Pr	R	Repair Description	Date Noted	Verified
14504	2	B	On the WSBIS Inventory Report Coding Form provide the following data: Load rating method used and ADT data that is less than 4 years old.	12/2/1999	
17519	2	B	On the WSBIS Inventory Report Coding Form provide the following data: Load rating method used and ADT data that is less than 4 years old.	12/2/1999	
17525	2	B	North Asphalt expansion joint extensive cracking over 90% of length should be replaced	3/30/2011	
17526	2	B	Repair metal pedestrian rail N.E. Corner	4/11/2013	
17527	2	B	Barrier Cover plate N.W. corner missing @ transition pt.	4/11/2013	
14503	3	B	Repair metal pedestrian rail on east side of the bridge at north abutment.	12/2/1999	
17518	3	B	Repair metal pedestrian rail on east side of the bridge at north abutment.	12/2/1999	
17520	3	B	Repair metal pedestrian rail n.e. corner of bridge	1/29/2007	
17521	3	B	Cover plate missing on East side barrier expansion joint	1/29/2007	
17522	3	J	Reset west barrier	4/10/2009	
17523	3	J	Un plug drains west side	4/10/2009	
17524	3	B	Repair metal pedestrian rail NE corner of bridge	3/30/2011	
17528	3	B	Un plug west side drains	4/11/2013	
17529	3	B	Move NW barrier back to positio to set cover plate	4/11/2013	

Inspections Performed and Resources Required

Report Type	Date	IT	Frq	Hrs	Insp	CertNo	Coinsp	Note
Routine	3/30/2013	Y	24	1.2	DRS	A1099	DRS	

Sticky Notes

Creator	Created	Table Reference	Notes
Shearer Design Consultants/ShearerD	4/10/2009	Photos	Ped rail NE corner damaged since mid 1990's

WO CC WE PD

Ver Date: 4/15/2013

Agency: KIRKLAND

BAM

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Status: Released

Printed on: 4/22/2013

Program Mgr: Grant D. Griffin

Bridge No. 00001123A

Page 12 of 16

Structure Type CS

Bridge Name FORBES CREEK

Route 00625

Intersecting FORBES CREEK

Structure ID 08556100

MilePost 100.00

Location 1.5 MI N CENTRAL W

SI-23

2013

Photo Type: R - Repair

Orientation:

Dates: 3/30/2013

Repairs:

Missing barrier cover plate



SI-24

2013

Photo Type: R - Repair

Orientation:

Dates: 3/30/2013

Repairs:

Damaged ped rail



	WO	CC	WE	PD
BAM				

Status: Released

Ver Date: 4/15/2013

Printed on: 4/22/2013

Agency: KIRKLAND

Program Mgr: Grant D. Griffin

Bridge No. 00001123A

Page 13 of 16

Structure Type CS

Bridge Name FORBES CREEK

Route 00625

Intersecting FORBES CREEK

Structure ID 08556100

MilePost 100.00

Location 1.5 MI N CENTRAL W

SI-25

2013

Photo Type: E - Elevation

Orientation:

Dates: 3/30/2013

Repairs:

Facing East



SI-26

2013

Photo Type: R - Repair

Orientation:

Dates: 3/30/2013

Repairs:

Asphalt joint failure NE corner



WO CC WE PD

Ver Date: 4/15/2013

Agency: KIRKLAND

BAM

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Status: Released

Printed on: 4/22/2013

Program Mgr: Grant D. Griffin

Bridge No. 00001123A

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Structure Type CS

Bridge Name FORBES CREEK

Route 00625

Intersecting FORBES CREEK

Structure ID 08556100

MilePost 100.00

Location 1.5 MI N CENTRAL W

SI-27

2013

Photo Type: G - General

Orientation: W

Dates: 3/30/2013

Repairs: 17529

Barrier Transition



SI-28

2013

Photo Type: G - General

Orientation: S

Dates: 3/30/2013

Repairs:

Roadway



BAM

WO	CC	WE	PD

Status: Released

Ver Date: 4/15/2013

Printed on: 4/22/2013

Agency: KIRKLAND

Program Mgr: Grant D. Griffin

Bridge No. 00001123A

Page 15 of 16

Structure Type CS

Bridge Name FORBES CREEK

Route 00625

Intersecting FORBES CREEK

Structure ID 08556100

MilePost 100.00

Location 1.5 MI N CENTRAL W

SI-29

2013

Photo Type: G - General

Orientation: N

Dates: 3/30/2013

Repairs:



BRIDGE INSPECTION REPORT

WO CC WE PD
 E-page 95
 BAM

Status: Released

Ver Date 4/15/2013
 Printed on: 4/22/2013

Agency: KIRKLAND
 Program Mgr: Grant D. Griffin

Bridge No. 90863 **Page 2 of 3** **Structure Type** PCB
Bridge Name CENTRAL WAY-BNRR OC (NP) **Route** 00625 **Intersecting** NP RY
Structure ID 0007548A **MilePost** 3.25 **Location** 3.3 N JCT SR 520

Notes 12 to 803

- 12 Rock pocket and patched area in bottom of deck between stringers 3F and 3G.
- 115 Girder end diaphragms have leaching cracks. A few girders have top flange leaching cracks. Several square pop outs on the bottom of bottom flange of girders.
- 210 (234) Vertical leaching cracks in pier walls and caps at piers 2 and 3. Swiss cheesy pattern cracking in span 3 WB. Caps are wet.
- 217
Washout under abut 4 appears stable but should be filled in
- 217 Washout under bridge rock slope protection needs repair
- 310
Bearing 1J has not moved .
- 310 10% of bearings showing bulging. Bearing 1J overhangs grout pad 1 3/8". Bearings impacted with dirt and debris. Bearing 2A overhanging girder edge
- 340 Metal bridge rail missing end cap S.W. corner
- 404
Seals have been repaired between 2009 & 2011
- 672 Bridge has curbs and they are in good condition.
- 681 Both approaches are rutting in wheel lines and have longitudinal cracking.
- 684 NE rail not attached to bridge rail.
- 803 LMC worn to aggregate in wheel lines. A few longitudinal cracks in top of deck, typically 4" long and open 1/32". Pattern cracking in westbound lanes in span 3.

Repairs 17234 to 17237

Repair No	Pr	R	Repair Description	Date Noted	Verified
17234	1	B	Unplug storm drain N.E. corner approach road.	1/29/2007	
14266	2	B	Direct roadway runoff from East end of bridge away from bridge. Repair erosion gullies in embankments.	12/2/1999	
14267	2	B	On the WSBIS Inventory Report Coding Form provide the following data: Load rating method used and ADT data that is less than 4 years old.	12/1/1999	
17232	2	B	Direct roadway runoff from East end of bridge away from bridge. Repair erosion gullies in embankments.	12/2/1999	
17233	2	B	On the WSBIS Inventory Report Coding Form provide the following data: Load rating method used and ADT data that is less than 4 years old.	12/1/1999	
17235	2	J	Washout under Abut 4 , plugged storm drain NE corner	3/31/2009	
17236	2	J	Washout under Abut 4 , plugged storm drain still a problem	3/30/2011	
17237	2	J	Washout under Abut 4, getting worse. storm drain on N.E. road corner still plugged	4/11/2013	

Inspections Performed and Resources Required

Report Type	Date	IT	Frq	Hrs	Insp	CertNo	Coinsp	Note
Routine	3/30/2013	Y	24	1.0	DRS	A1099	DRS	

BRIDGE INSPECTION REPORT

WO	CC	WE	PD
E-Page 96			

Status: Released Ver Date 4/15/2013
 Printed on: 4/22/2013

Agency: KIRKLAND
 Program Mgr: Grant D. Griffin

Bridge No. 90863	Page 3 of 3	Structure Type PCB	
Bridge Name CENTRAL WAY-BNRR OC (NP)	Route 00625	Intersecting NP RY	
Structure ID 0007548A	MilePost 3.25	Location 3.3 N JCT SR 520	

Sticky Notes

Creator	Created	Table Reference	Notes
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WO CC WE PD

Ver Date: 4/15/2013

Agency: KIRKLAND

BAM

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Status: Released

Printed on: 4/22/2013

Program Mgr: Grant D. Griffin

Bridge No. 90863

Page 9 of 11

Structure Type PCB

Bridge Name CENTRAL WAY-BNRR OC (NP)

Route 00625

Intersecting NP RY

Structure ID 0007548A

MilePost 3.25

Location 3.3 N JCT SR 520

Central Way

2013
 Photo Type: R - Repair
 Orientation:
 Dates: 3/30/2013
 Repairs:
 Abut 4 Erosion



SI-10

2013
 Photo Type: (none)
 Orientation:
 Dates:
 Repairs:



WO CC WE PD
 BAM

Status: Released

Ver Date: 4/15/2013

Printed on: 4/22/2013

Agency: KIRKLAND

Program Mgr: Grant D. Griffin

Bridge No. 90863

Page 10 of 11

Structure Type PCB

Bridge Name CENTRAL WAY-BNRR OC (NP)

Route 00625

Intersecting NP RY

Structure ID 0007548A

MilePost 3.25

Location 3.3 N JCT SR 520

SI-11

2013
 Photo Type: (none)
 Orientation:
 Dates:
 Repairs:
 Pier 3 Grafitti



SI-Central Way

2013
 Photo Type: E - Elevation
 Orientation:
 Dates: 3/30/2013
 Repairs:
 Facing South



WO CC WE PD
 BAM

Status: Released

Ver Date 10/26/2012
 Printed on: 10/29/2012

Agency: Washington State

Program Mgr: Harvey L. Coffman

Bridge No. 405/51P

Page 1 of 3

Structure Type SA CS

Bridge Name NE 80TH PED OVER I-405

Route 00405

Location 3.0 N JCT SR 520

Structure ID 0008674C

MilePost 17.84

Intersecting I-405

Inspector's Signature *Dave Sharp* WDS IDent# G0910

Co-Inspector's Signature *Paul F M* PFK

										Inspections Performed:				
										IT	NT	HRS	Date	Rep Type
	Structural Adqcy (657)	N		Pier/Abut/Protect (679)	1970			Year Built (332)						
9	Deck Geometry (658)	N		Scour (680)	0			Year Rebuilt (336)						Routine
2	3 Underclearance (659)	9		Retaining Walls (682)	0			Oper Rating (551)						Fract Crit
5	Operating Level (660)	9		Pier Protection (683)	0			Inv Rating (554)						Underwater
9	Alignment Adqcy (661)	N		Bridge Rails (684)	A			Open Close (293)						Special
9	WaterwayAdqcy (662)	N		Transition (685)	9999			Vert Over Deck (370)						Interim
7	Deck Overall (663)	N		Guardrails (686)	1500			Vert Under (374)						Equipment
8	Drains Condition (664)	N		Terminals (687)	H			Vert Und Code (378)		N				Damage
4	6 Superstructure (671)	N		Revise Rating (688)	0.00			Asphalt Depth		Y	24	2.0	8/15/2012	Safety
0	Number Utilities (675)			Photos Flag (691)				Design Curb Height						Short Span
7	Substructure (676)			Soundings Flag (693)	60			Speed Limit						
9	Chan/Protection (677)			Measure Clearance (694)										
9	Culvert (678)													
										Total: 2.0				
										Suff Rating:				

BMS Elements

Element	Element Description	Total	Units	State 1	State 2	State 3	State 4
12	Concrete Deck	2,840	SF	2,840	0	0	0
35	Concrete Deck Soffit	2,840	SF	2,840	0	0	0
38	Concrete Slab	1,622	SF	1,622	0	0	0
141	Steel Arch	650	LF	650	0	0	0
152	Steel Floor Beam	273	LF	273	0	0	0
202	Steel Pile/Column	4	EA	4	0	0	0
205	Concrete Pile/Column	5	EA	5	0	0	0
215	Concrete Abutment	20	LF	20	0	0	0
311	Moveable Bearing (roller, sliding, etc)	4	EA	4	0	0	0
313	Fixed Bearing	4	EA	4	0	0	0
340	Metal Pedestrian Railing	930	LF	930	0	0	0
362	Impact Damage	4	EA	1	3	0	0
403	Poured Rubber and Bulb-T	20	LF	20	0	0	0
705	Bridge Luminaire Pole and Base	1	EA	1	0	0	0
910	Weathering Steel Patina	11,880	SF	11,870	0	10	0

WO	CC	WE	PD
BAM 0	0	0	0

Status: Released

Ver Date 10/26/2012

Printed on: 10/29/2012

Agency: Washington State

Program Mgr: Harvey L. Coffman

Bridge No.	405/51P	Page 2 of 3	Structure Type	SA CS	
Bridge Name	NE 80TH PED OVER I-405	Route	00405	Location	3.0 N JCT SR 520
Structure ID	0008674C	MilePost	17.84	Intersecting	I-405

Notes

0 Bridge is oriented west to east over I-405. For layout, see photo #30.
Best access is from northbound I-405 right shoulder.

1 Bridge is not fracture critical since the loss of a single hanger would not result in the loss of the main span. However, kids in 1970 were able to get bridge swaying and matched it's natural frequency. The 'X' bracing rods were added between verticals but they were not sufficient to dampen dynamic motion. Pedestrian rail was added with double row of 'K' bracing down each side. The 'K' bracing was successful in dampening bridge motion. This rail is galvanized pipe with field fillet welds. For the full length of arch, all rail post anchor bolts to the deck were re-torqued and nuts welded. In addition, all rail expansion joints were fully welded. These live load dampening systems are secondary members and not considered 'Fracture Critical'. However, any weld cracks noted or connection defects should be repaired and maintained. See attached files for arch dampening details.

12 Concrete Deck is in Span 7.

38 Concrete Slabs are in the approach spans.

141 Steel Arch, in Span 7, has 16 ft. long panel sections extending from Points R0 and T0 at Pier 7 to Points R18 and T18 at Pier 8. The arch and bottom tie beams intersect and are concurrent at Points R2/T2 and R16/T16. However, Points T2 and T16 aren't actually labeled on the plan elevations.

Previous problems with excessive deflection, bounce and sway were addressed by the installation of the additional pedestrian rail and diagonal bracing to act as an arch dampening system.

Primary and secondary truss members have areas of corrosion throughout with surface rust and shallow pitting, but no significant section loss.

Diagonal brace attachment gussets in the west portion of bridge have rough welds, see photo #28. REPAIR #13108.

The north and south tie-beams T2 through T8 have been replaced (impact damage):

South T3-T4, see photos #17, #45 and #77. REPAIR #13112 verified 8/15/2012.

South T4-T6, see photos #59, #60, #61, #62, #63, #70, #71, #72, and #77. REPAIR #13115 verified 8/15/2012.

South T6-T7, see photo #75. REPAIR #13116 verified on 8/15/2012. See photo #77.

North T4-T5, see photos #36, #37, #38, #53, #54, #67, #68, #69, and #77. REPAIRS #13114 verified 8/15/2012.

North T5-T6, see photos #67, #68, #69, and #77. REPAIR #13115 verified 8/15/2012.

At R6, the diagonal bracing lock nut and turnbuckle tensioner has been tightened, see photos #27 and #76. REPAIR #12653 verified 8/15/2012.

South tie-beam T15-R16 has the bottom flange bent north 2" over 16 ft., approximately 4 ft. east of T15.

152 Steel Floor beams have areas of surface rust and shallow pitting throughout.

At T5, both end connections have been repaired, see photos #55, #64, #65, #73, and #77. REPAIR #13110 verified 8/15/2012.

At T6, the south connection has been repaired, see photos #74 and #77. REPAIR #13117 verified 8/15/2012.

205 Concrete Columns are at Piers 2 through 6. See photo #29.

Column at Pier 6, on the north side, has 4" long delamination where floorbeam rests.

311 Moveable bearings are at Piers 6 and 9.

313 Fixed Bearings for the arch, at the Piers 7 and 8 thrust blocks, have retrofitted covers. When these covers were lifted, there was typical laminar rust and some minor debris build up. See photo #47. REPAIR #12660.

340 Metal Pedestrian Railing and chain link fence spans the full length of the bridge, but in Span 7 is considered part of the bridge damping system. There are many areas of surface rust throughout and areas where the double wrapped lashing is missing or broken. See photo #23. REPAIR #12652.

362 See element notes 141 and 152 for impact damage and repairs.

403 Poured Rubber Joint at the west end is pulled away from header in two places, for a total of 2 ft.

671 Superstructure Overall is coded "6" after replacement of members damaged from traffic impact.

694 Bridge is posted at 14' 9" for controlling minimum clearance over west curb line of ramp lane, measured to be 15' 0".

Added vertical clearance card to correspondence tab.

910 Weathering Steel has been painted with an epoxy sealer. There are areas of surface rust and surface pitting throughout with laminar rust at the arch bearings.

BRIDGE INSPECTION REPORT

WO CC WE PD
 BAM

Status: Released

Ver Date 10/26/2012

Printed on: 10/29/2012

Agency: Washington State

Program Mgr: Harvey L. Coffman

Bridge No. 405/51P

Page 3 of 3

Structure Type SA CS

Bridge Name NE 80TH PED OVER I-405

Route 00405

Location 3.0 N JCT SR 520

Structure ID 0008674C

MilePost 17.84

Intersecting I-405

Repairs

Repair No	Pr	R	Repair Description	Noted	Maint	Verified
12652	2	B	Replace missing or damaged triple wrapped lashing of chain link fence which is part of bridge damping system.	11/17/2004		
12653	2	B	Tighten nuts and turnbuckles of cross bracing rods which are part of bridge damping system.	11/17/2004		8/15/2012
12660	2	B	Arch bearings at thrust blocks need to be coated to prevent further corrosion	11/19/2008		
13108	1	B	Grind out all unsatisfactory field welds. Re-fabricate components as necessary. Properly grind and prepare surfaces for welding by certified welder in accordance with AWS standards.	10/17/2010		
13110	1	B	Floor beam connections at T5 south and north need to be disassembled and reassembled with new steel angles on each side. Heat straighten the vertical gusset plates prior to assembly and reinstall all bolts. Report any unseen distress or damage to the bridge preservation supervisor at 360-570-2557.	12/3/2011		8/15/2012
13112	1	B	Heat straighten the south tie beam section between T3 and T4 south.	12/3/2011		8/15/2012
13114	1	B	Replace the damaged section of tie beam at the north side of structure between T4 through T6, and replace welded connection plate at the north side of the tie beam at T5. Replace the diagonal brace gusset plate welded to south face of the tie beam between T5 and T6 and both diagonal braces extending across to the floor beam connections. (Repair replaces Repair #12655)	1/12/2012		8/15/2012
13115	1	B	Replace the damaged section of tie beam at the south side of structure between T4 through T6, with the tie plate at T6. Replace the diagonal brace gusset plate welded to north face of the tie beam between T5 and T6 and both diagonal braces extending across to the floor beam connections. (Repair replaces Repair #13111)	1/12/2012		8/15/2012
13116	1	B	Heat straighten the south tie beam section between T6 and T7 south.	1/12/2012		8/15/2012
13117	1	B	Floor beam connections at T6 south and north need to be disassembled and reassembled with new steel angles used on the south side. Heat straighten the vertical gusset plates prior to assembly and reinstall all bolts. Report any unseen distress or damage to the bridge preservation supervisor at 360-570-2557.	1/12/2012		8/15/2012

Inspections Performed and Resources Required

Report Type	Date	IT	Frq	Hrs	Insp	CertNo	Coinsp	Note
Safety	8/15/2012		24	2.0	WDS	G0910	PFK	

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION
 NBI STRUCTURE INVENTORY AND APPRAISAL REPORT (ENGLISH UNITS)

DATE 10/29/2012

IDENTIFICATION		WSBIS DATA	
(1) STATE NAME - WASHINGTON	530	BRIDGE NUMBER	405/51P
(8) STRUCTURE NUMBER	# 0008674C0000000	BRIDGE NAME	NE 80TH PED OVER I-405
(5) INVENTORY ROUTE (ON/UNDER) - Under	2 1 1 00405	CUSTODIAN	Washington State
(2) HIGHWAY AGENCY DISTRICT -		CROSSING DESC	I-405 UNDER NE 80TH ST PED
(3) COUNTY CODE 33 - King County	(4) PLACE CODE 63000	CROSSING KEY	00405 00 01784 00 M Y
(6) FEATURES INTERSECTED	I-405	SUFFICIENCY RATING	
(7) FACILITY CARRIED	NE 80TH ST PED	CLASSIFICATION	
(9) LOCATION	3.0 N JCT SR 520	(112) NBIS BRIDGE LENGTH	
(11) MILEPOINT	17.84	(104) HIGHWAY SYSTEM - On the NHS	1
(12) BASE HIGHWAY NETWORK - Part of network	1	(26) FUNCTIONAL CLASS - Principal Arterial - I/S	11
(13) LRS INV ROUTE AND SUB ROUTE	000000040500	(100) DEFENSE HIGHWAY - Is an Interstate STRAHNET route	1
(16) LATITUDE	47 Deg 40 Min 30.00 Sec	(101) PARALLEL STRUCTURE - Not a parallel bridge	N
(17) LONGITUDE	122 Deg 11 Min 6.00 Sec	(102) DIRECTION OF TRAFFIC - 2-way traffic	2
(98) BORDER BRIDGE STATE CODE - Not a border bridge		(103) TEMPORARY STRUCTURE - Not Applicable	
(99) BORDER BRIDGE STRUCTURE NO. - Not a border bridge		(105) FEDERAL LANDS HIGHWAY -	
STRUCTURE TYPE AND MATERIAL		(110) DESIGNATED NATIONAL NETWORK - Part of network	1
(43) STRUCTURE TYPE MAIN: MATERIAL - Steel		(20) TOLL - Non-toll structure	3
DESIGN - Arch - Thru	312	(21) MAINTAIN -	
(44) STRUCTURE TYPE APPR: MATERIAL -		(22) OWNER -	
DESIGN -		(37) HISTORICAL SIGNIFICANCE -	
(45) NO. OF SPANS IN MAIN UNIT		CONDITION	
(46) NO. OF APPROACH SPANS		(58) DECK	
(107) DECK STRUCT TYPE -		(59) SUPERSTRUCTURE	
(108) WEARING SURFACE / PROTECTIVE SYSTEM:		(60) SUBSTRUCTURE	
(A) TYPE OF WEARING SURFACE -		(61) CHANNEL AND CHANNEL PROTECTION	
(B) TYPE OF MEMBRANE -		(62) CULVERTS	
(C) TYPE OF DECK PROTECTION -		LOAD RATING AND POSTING	
AGE AND SERVICE		(31) DESIGN LOAD -	
(27) YEAR BUILT	1970	(63) OPERATING RATING METHOD -	
(106) YEAR RECONSTRUCTED	0000	(64) OPERATING RATING	
(42) TYPE OF SERVICE ON - Pedestrian & bicycle	3	(65) INVENTORY RATING METHOD -	
UNDER - Highway w/wo pedestrian	1	(66) INVENTORY RATING	
(28) LANES: ON STRUCTURE 0	UNDER STRUCTURE 10	(70) BRIDGE POSTING -	
(29) AVERAGE DAILY TRAFFIC	161875	(41) STRUCT OPEN, POSTED, CLOSED -	
(30) YEAR OF ADT 2010	(109) TRUCK ADT 7%	APPRAISAL	
(19) BYPASS, DETOUR LENGTH	1.0 mi	(67) STRUCTURAL EVALUATION	
GEOMETRIC DATA		(68) DECK GEOMETRY	
(48) LENGTH OF MAXIMUM SPAN	325 ft	(69) UNDERCLEARANCES, VERTICAL & HORIZONTAL	
(49) STRUCTURE LENGTH	525 ft	(71) WATERWAY ADEQUACY	
(50) CURB OR SIDEWALK: LEFT	RIGHT	(72) APPROACH ROADWAY ALIGNMENT	
(51) BRIDGE ROADWAY WIDTH CURB TO CURB		(36) TRAFFIC SAFETY FEATURES	
(52) DECK WIDTH OUT TO OUT		(113) SCOUR CRITICAL BRIDGE	
(32) APPROACH ROADWAY WIDTH (W/SHOULDERS)		PROPOSED IMPROVEMENTS	
(33) BRIDGE MEDIAN -		(75) TYPE OF WORK -	
(34) SKEW Deg	(35) STRUCTURE FLARED	(76) LENGTH OF STRUCTURE IMPROVEMENT	
(10) INVENTORY ROUTE MIN VERT CLEAR	18 ft 00 in	(94) BRIDGE IMPROVEMENT COST	
(47) INVENTORY ROUTE TOTAL HORIZ CLEAR	99 ft 12 in	(95) ROADWAY IMPROVEMENT COST	
(53) MIN VERT CLEAR OVER BRIDGE RDW		(96) TOTAL PROJECT COST	
(54) MIN VERT UNDERCLEAR		(97) YEAR OF IMPROVEMENT COST ESTIMATE	
(55) MIN LAT UNDERCLEAR RT		(114) FUTURE ADT	
(56) MIN LAT UNDERCLEAR LT		(115) YEAR OF FUTURE ADT	
NAVIGATION DATA		INSPECTIONS	
(38) NAVIGATION CONTROL -		(90) INSPECTION DATE	(91) FREQUENCY MO
(111) PIER PROTECTION - Not Applicable		(92) CRITICAL FEATURE INSPECTION:	(93) CFI DATE
(39) NAVIGATION VERTICAL CLEARANCE		(A) FRACTURE CRIT DETAIL - NO -	Month (A) _/ _
(116) VERT-LIFT BRIDGE NAV MIN VERT CLR		(B) UNDERWATER INSP - NO -	Month (B) _/ _
(40) NAVIGATION HORIZONTAL CLR		(C) OTHER SPECIAL INSP - NO -	Month (C) _/ _

ATTACHMENT F

King County Park Bridges BNSF East Side Corridor: Bridge Name: SB-1 NE 68th Street

Report on Bridge Safety Inspection: by King County Bridges and Structures Unit

Staff: Tim Lane, Richard Hovde, Margaret Holwegner

Date: March 31, 2011

Inspection Time: 1 hour

Year Built: 1969

Location: Accessed from NE 68th St. 0.25 mi. east of 104th Ave NE, Kirkland. Thomas Brothers Pg 536D5

Orientation: South abutment = bent 1; north abutment = bent 6

Length: Steel 56', timber trestle 70'. 126' overall. Spans NE 68th Street

Limits to Inspection: Timber stringers sounded on sides where accessible through deck ties. All piles sounded from ground line up to 7'. Timber caps sounded from ground, caps 2 and 5 ground and where accessible through deck ties. Concrete pier walls and steel stringer visually inspected from ground line.

Structure Type: Timber trestle with steel girder main span:

Timber trestle – 4 timber bents:

Six timber piles at bent 2 and 5, diameter 12" x 14" each, labeled A-F (A is west)

Five timber piles at abutment 1 and 6

Timber caps double caps measure 8" x 17" each

8 timber stringers 10" x 17 ½" labeled A – H (A is west). Four lines under each rail track.

Main Span – 4 lines weathering steel girders on concrete pier walls, 8 bearing.

Horizontal clearance in eastbound lane of NE 68th street is 7'-6"

Deck Type: Timber decking over steel main span, approach spans no deck, ties sit on timber stringers. Train rails still in place on timber ties. Timber plank walkway on west side of deck.

Pedestrian Rail Type: Steel angles with two lines 1" diameter pipe, 42" high on west side of deck.

Structure Condition: Timber piles caps and stringers have been treated with preservatives by Osmose, last treatment indicated was 1997. Timber overall in satisfactory condition.

In span 4 many of the stringers have top rot. Several piles have rot and splits.

Abutment Condition: Soldier piles in place at wingwalls, all are rotten. Only cap is exposed at abutment 1, piles are buried.

NOTED DEFICIENCIES –

- Top rot in timber stringers; 2G, 4B, 4D, 4E and 4H.
- Moderate rot in pile 6C, advanced rot in 6E.
- Piles with splits; 2D, 5F and 6E.
- Gouge in east face of pile 5F.

ATTACHMENT G

King County Park Bridges BNSF East Side Corridor: North Bridge Name: SB-2 Kirkland Way

Report on Bridge Safety Inspection: by King County Bridges and Structures Unit

Staff: Richard Hovde, Margaret Holwegner

Date: April 1, 2011

Inspection Time: .5 hours

Year Built: 1927

Location: Accessed from Kirkland way 0.5 mi. south of NE 85th St, Kirkland. Thomas Brothers Page 536-E3

Orientation: South abutment = bent 1; north abutment = bent 2

Length: Concrete and steel 43'.

Limits to Inspection: Visual inspection from deck and ground line of abutments, girders and deck.

Structure Type: Cast in place concrete deck, abutments and two outside girders. Five lines of steel girders labeled B – F. Concrete girders are A (west) and G (east).

Bridge is skewed to traffic.

Deck Type: Concrete deck, steel train rails, timber ties and ballast still in place on deck. No curb along concrete deck to contain ballast.

Pedestrian Rail Type: Steel angles with two lines of 1" diameter tubing. Rail is 42" high on east and west side of deck.

Structure Condition: Overall fair condition.

Deck Condition: The deck is in good condition.

Abutment Condition: Concrete cast in place, numerous scrapes from traffic impact.

MAJOR DEFICIENCIES –

- Low vertical and horizontal clearance for under traffic on Kirkland Way. Vertical clearance is 11'-6" westbound, 11'-7" eastbound. Horizontal clearance westbound right is 24".
- Damage to concrete girders A and G from high load impact. Large spalled areas on both girders with exposed rebar, spalled area on girder G is over half the length of the girder.
- Traffic impact to steel girders, scrapes and slight bends in lower flanges of all girders.



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
July 16, 2013

1. CALL TO ORDER
2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION
 - a. Totem Lake Park Master Plan Update

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Deputy Director of Parks and Recreation Michael Cogle, and Guy Michaelson and Andy Mitton from the Berger Partnership.

4. EXECUTIVE SESSION

None.
5. HONORS AND PROCLAMATIONS

None.

6. COMMUNICATIONS
 - a. Announcements
 - b. Items from the Audience

Peter Davidson

6. COMMUNICATIONS
 - c. Petitions

7. SPECIAL PRESENTATIONS
 - a. Kirkland Senior Council Special Presentation

Kirkland Senior Council Vice Chair Betty Stevens and Secretary Dave Wagar shared information about recent and upcoming activities and events.

8. CONSENT CALENDAR

a. Approval of Minutes: July 2, 2013

b. Audit of Accounts:

Payroll \$2,741,810.48

Bills \$4,555,761.29

run #1226 checks #544798 - 544802

run #1227 checks #544803 - 545012

run #1228 check #545013

run #1229 checks #545037 - 545189

c. General Correspondence

d. Claims

A claim received from Nettleton Commons was acknowledged via approval of the Consent Calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) 2011 Emergency Sewer Construction Project (ESP), Shoreline Construction Inc., Woodinville, WA

g. Approval of Agreements

h. Other Items of Business

(1) 2012 Annual Transportation and Park Impact Fees Report

(2) Resolution R-4988, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A UTILITY EASEMENT, IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS KEITH TOUGAS AND KATE SAVITCH."

(3) Resolution R-4989, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SUBDIVISION AND FINAL PLAT OF WISTI LANE BEING DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SUB13-01028 AND SETTING FORTH CONDITIONS TO WHICH SUCH SUBDIVISION AND FINAL PLAT SHALL BE SUBJECT."

(4) Report on Procurement Activities

Motion to Approve the Consent Calendar.

Moved by Councilmember Amy Walen, seconded by Councilmember Penny Sweet

Vote: Motion carried 7-0

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

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

a. Public Disclosure Ordinance and Resolution:

(1) Ordinance O-4414 and its Summary, Relating to the Establishment of a New Chapter 3.15 in the Kirkland Municipal Code, Access to Public Records.

Motion to Amend Ordinance 4414 to include the following language:

"WHEREAS, other essential City functions are determined by state law and by the City Council and include, but are not limited to, providing public safety, financial stability, balanced transportation, dependable infrastructure, environmental protection, housing, human services, neighborhood services, economic development, parks, recreation and open space and the administrative systems necessary to provide effective government services; and"

Moved by Councilmember Toby Nixon, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

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

Motion to Approve Ordinance O-4414 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE ESTABLISHMENT OF A NEW CHAPTER 3.15 IN THE KIRKLAND MUNICIPAL CODE, ACCESS TO PUBLIC RECORDS."

Moved by Councilmember Toby Nixon, seconded by Councilmember Amy Walen

Vote: Motion carried 7-0

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

(2) Resolution R-4987, Relating to Compliance With the Public Records Act, Specifically, Adopting Public Records Act Rules, Issuing a Formal Order That Maintaining an Index Would be Unduly Burdensome, Ordering Publication of this Resolution and the Public Records Act Rules and Appointing the City Clerk as the Public Records Officer.

Motion to Approve Resolution R-4987, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO COMPLIANCE WITH THE PUBLIC RECORDS ACT, SPECIFICALLY, ADOPTING PUBLIC RECORDS ACT RULES, ISSUING A FORMAL ORDER THAT MAINTAINING AN INDEX WOULD BE UNDULY BURDENSOME, ORDERING PUBLICATION OF THIS RESOLUTION AND THE PUBLIC RECORDS ACT RULES AND APPOINTING THE CITY CLERK AS THE PUBLIC RECORDS OFFICER."

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Doreen Marchione

Vote: Motion carried 7-0

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

11. NEW BUSINESS

- a. Ordinance O-4415, Relating to Land Use, Approval of a Preliminary (and Final) PUD and Preliminary Subdivision as Applied for by Toll WA, LP in Department of Planning and Community Development File No. SUB12-00560 and Setting Forth Conditions of Said Approval.

Councilmember Nixon disclosed his attendance at a Bridle Trails Neighborhood Meeting where this issue was on the published agenda, but he removed himself from the room when this issue was discussed.

Senior Planner Janice Coogan provided information about the proposed development and responded to Council questions. Steven Michael Smith of CamWest Development, representing Toll WA, LP was also available to answer Council questions.

Motion to suspend the Council rules of procedure, section 26, so that Council may vote on this matter this evening.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet
Vote: Motion carried 6-1

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

No: Councilmember Shelley Kloba.

Motion to Approve Ordinance O-4415, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE, APPROVAL OF A PRELIMINARY (AND FINAL) PUD AND PRELIMINARY SUBDIVISION AS APPLIED FOR BY TOLL WA, LP IN

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SUB12-00560 AND SETTING FORTH CONDITIONS OF SAID APPROVAL."

Moved by Councilmember Amy Walen, seconded by Deputy Mayor Doreen Marchione

Vote: Motion carried 5-2

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

No: Councilmember Dave Asher, and Councilmember Shelley Kloba.

12. REPORTS

a. City Council

(1) Finance and Administration Committee

Have not met.

(2) Public Safety Committee

Chair Sweet reported on the Fire Strategic Plan, the taxi voucher program funded through the Medic One Levy, public outreach on upcoming building code changes, road barrier report, report on call volumes related to Tent City, public safety building progress.

(3) Community Planning, Housing and Economic Development Committee

Chair Marchione reported on the recent development services study, recreational marijuana legislation and regulations, potential plastic bag ban, updated on current development projects around the City, potential for improving broad band access, concept of City Hall in the new Parkplace development with Touchstone, list of new technology companies.

(4) Public Works, Parks and Human Services Committee

Have not met.

(5) Regional Issues

Councilmembers shared information regarding a recent Association of Washington Cities training; Celebrate Kirkland 4th of July parade and congratulations; 2013 Washington 10/11 Softball State Tournament; Puget Sound Regional Council Transportation Policy Board; Eastside Transportation Partnership; request to the Council for a letter to King County that the County place an item on the November ballot related to impending cuts to transit; Sound Cities Association Public Issues Committee; Sound Cities Association list of regional board and commission seats available; Bob Burke memorial service; request to the Community

Planning, Housing and Economic Development Committee to consider a second designated urban center in downtown Kirkland.

b. City Manager

(1) Calendar Update

City Manager Kurt Triplett asked about Council interest in a presentation at a City Council meeting or study session by the Sound Cities Association; provided a reminder that there will be only one City Council meeting in August, on August 6th; and that the November 5th City Council regular meeting has been rescheduled to Wednesday November 6th.

Implemented a four-hour parking limit at Juanita Beach Park; recruitment progress for the open seat on the Cultural Arts Council.

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

The Kirkland City Council regular meeting of July 16, 2013 was adjourned at 8:54 p.m.

City Clerk

Mayor



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Kathi Anderson, City Clerk
Date: July 31, 2013
Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION

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

POLICY IMPLICATIONS

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

BACKGROUND DISCUSSION

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

- (1) 135 Lake Street Assoc., LP
JSH Properties, Inc.
10655 NE 4th St., Suite 901
Bellevue, WA 98004

Amount: \$1,268.91

Nature of Claim: Claimant states damage occurred to property as a result of debris from grounds keeping equipment.

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



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

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: July 25, 2013

Subject: NE 112th Street Sidewalk Project – Award Contract

RECOMMENDATION:

It is recommended that City Council awards the construction contract for the NE 112th Street Sidewalk Project to Danneko Construction of Kirkland, WA, in the amount of \$140,009

BACKGROUND DISCUSSION:

The NE 112th Street Sidewalk Project completes a missing sidewalk gap along the north side of NE 112th Street in the Par-mac Industrial Area of the Totem Lake neighborhood, and bordering the South Juanita neighborhood (Attachment A). The Project will also provide a direct sidewalk connection with the Cross Kirkland Corridor.

As originally scoped, the total Project budget was established at \$424,000 and included grant funding from the Transportation Improvement Board (TIB) for an amount "up to" \$200,000, plus City matching funds in the amount of \$242,000. The original engineer's estimate for the construction of the Project was \$270,990 and included 510 linear feet (lf) of sidewalk plus the relocation of 60 lf of a large rock wall and the installation of a modular block retaining wall. In completing required frontage improvements, however, a recent private development along the alignment of the NE 112th Street Project subsequently reduced the length of the City's planned sidewalk to approximately 420 lf, plus approximately half of the large rockery was eliminated by the development's new driveway. In addition, the Project's design team geotechnical engineer determined that a modular block wall was not needed and the remaining rock wall would only need minor modification. As a result, the scope of the Project was reduced with a commensurate reduction in the estimated cost to construct the remaining improvements. The revised engineer's estimate for the reduced scope for the Project became \$157,200 though the completed design process.

The Project was first advertised with Supplemental Bidder Criteria identified within the contract document on July 8th. A total of 7 bids were received on July 23, 2013, with Danneko Construction Company being the lowest responsive bidder, as shown below:

Contractor	Bid Amount (\$)
Danneko Construction Co.	\$140,009.00
Kamins Construction Co.	\$151,406.35
<i>Engineer's Estimate</i>	<i>\$157,200.00</i>
NPM Construction Co.	\$159,484.00
Trinity Contractor, Inc.	\$166,932.50
West Coast Construction Co.	\$172,545.00
Road Construction Northwest, Inc.	\$185,763.00
Westwater Construction Co.	\$286,656.00

As a reimbursement grant, the TIB considers total project costs with reimbursement ratios spread across the design and construction phases. Based on an actual construction bid amount received, the TIB back-calculated the Project's eligible design engineering and construction engineering costs. With the bid prices now known and, as per TIB grant funding requirements, a reduction of available TIB grant funds for all costs, including those already expended, has been applied. As a result of this back-calculation, the revised TIB participation has been reduced from \$200,000 to \$86,268 (a reduction of \$113,732) across design, construction engineering and construction.

Although TIB has reduced the funding available, the lower than originally anticipated construction costs will allow for a reduction in the City's matching funds from \$242,000 to \$179,832 by maintaining a standard 10% construction contingency (Attachment B).

In the event actual construction costs exceed the current bid amount, TIB funding rules do allow additional participation toward unforeseen construction costs, with the possibility of reinstating a proportionate share of any additional project costs.

With a City Council award of the construction contract at the August 6th meeting, construction will begin in September with completion expected by early November, 2013. Project information will be provided to the residents and businesses in the immediate vicinity of the Project. Since the Project includes sidewalk work, staff will ensure the contractor maintains safe travel for pedestrians throughout the work areas at all times.

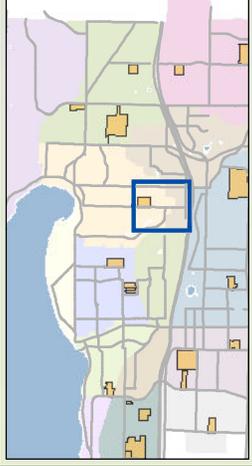
Attachment A – Vicinity Map

Attachment B – PBR

E-page 115
**NE 112th St
 Sidewalk
 (NM-0053)**

Attachment A

-  Road
-  Parks
-  Schools
-  Parcels
-  Railroad
-  Streets
-  City Limits
-  Lakes

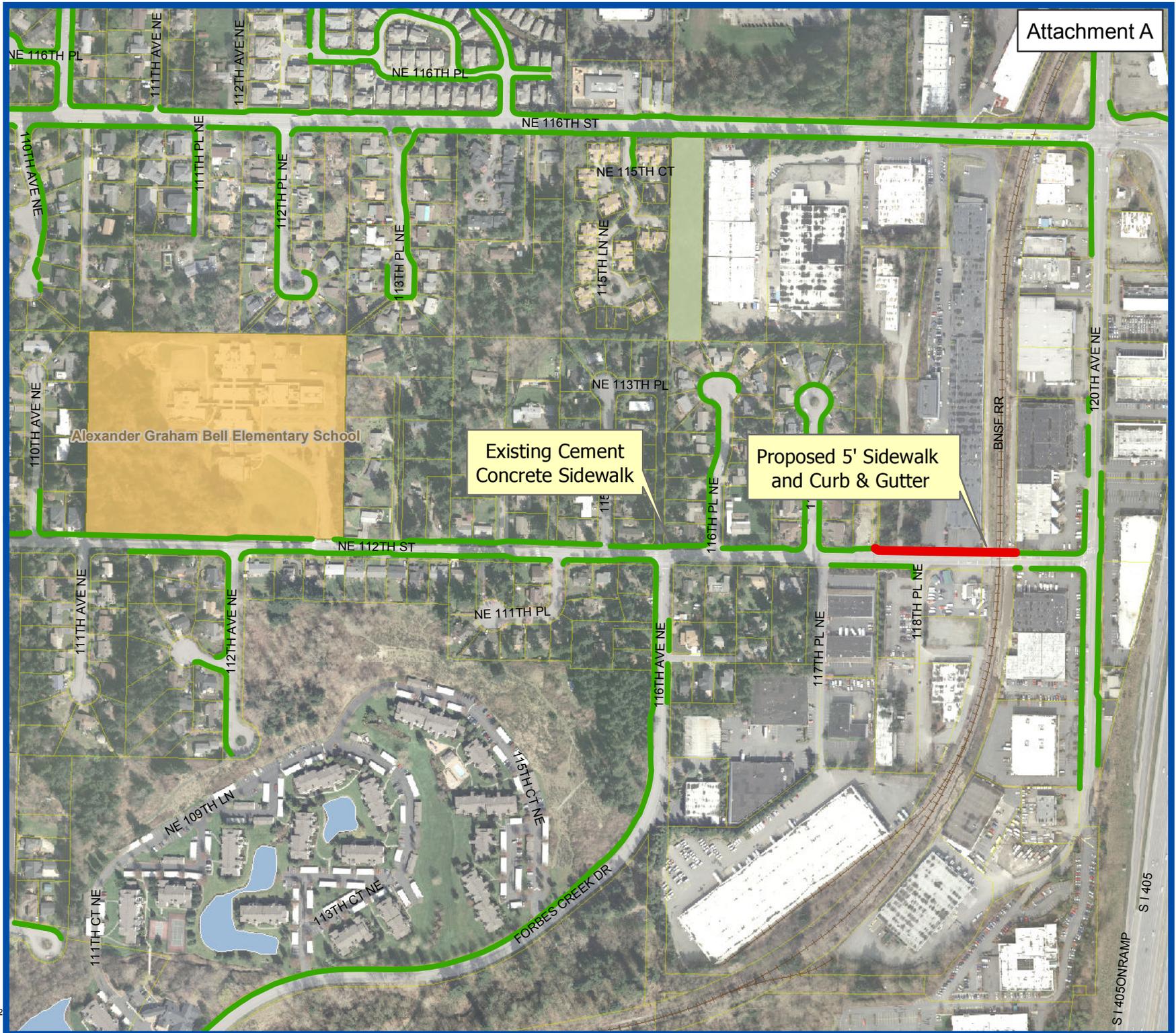


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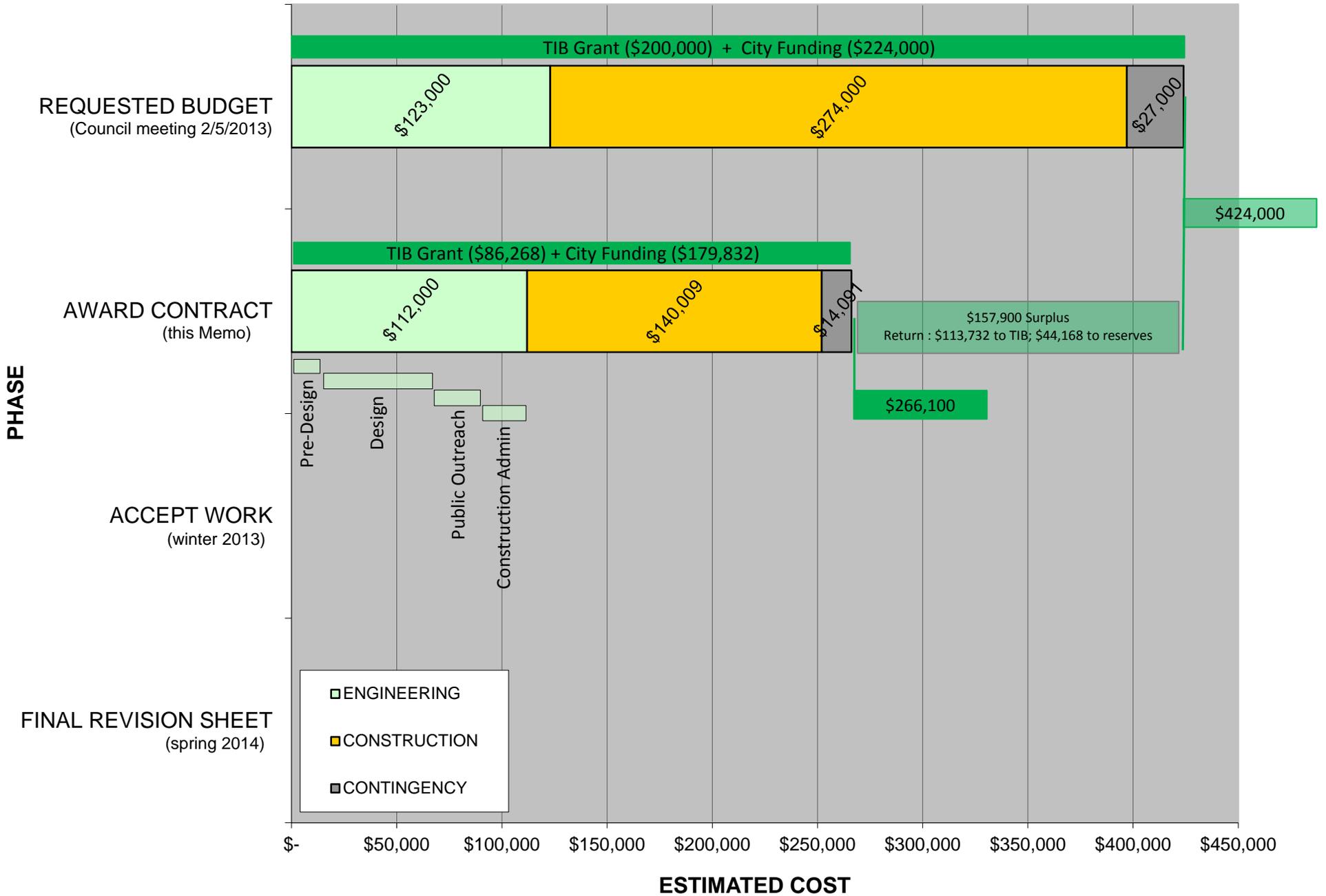
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Author:
 Name: 2_Attach A-Vicinity Map2012 Award V2
 Date Saved: 1/25/2013 9:19:15 AM



**NE 112th Street Sidewalk Project
CNM 0053 000**

Project Budget Report





CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3809

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

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

Date: July 25, 2013

Subject: 2012 Water System Improvement Project – Accept Work

RECOMMENDATION:

It is recommended that the City Council accept the 2012 Water System Improvement Project, as constructed by Shoreline Construction Company of Woodinville, WA, and establish the statutory 45-day lien period.

BACKGROUND AND DISCUSSION:

The 2012 Water System Improvement Project is made up of two separate Capital Improvement Water System Projects to provide a combined total of 1,640 lineal feet of new 4-inch and 8-inch ductile iron pipe -- one in the South Juanita Neighborhood and another in the South Rose Hill Neighborhood (Attachment A).

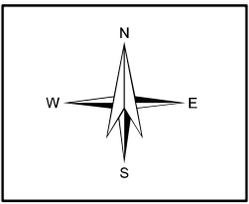
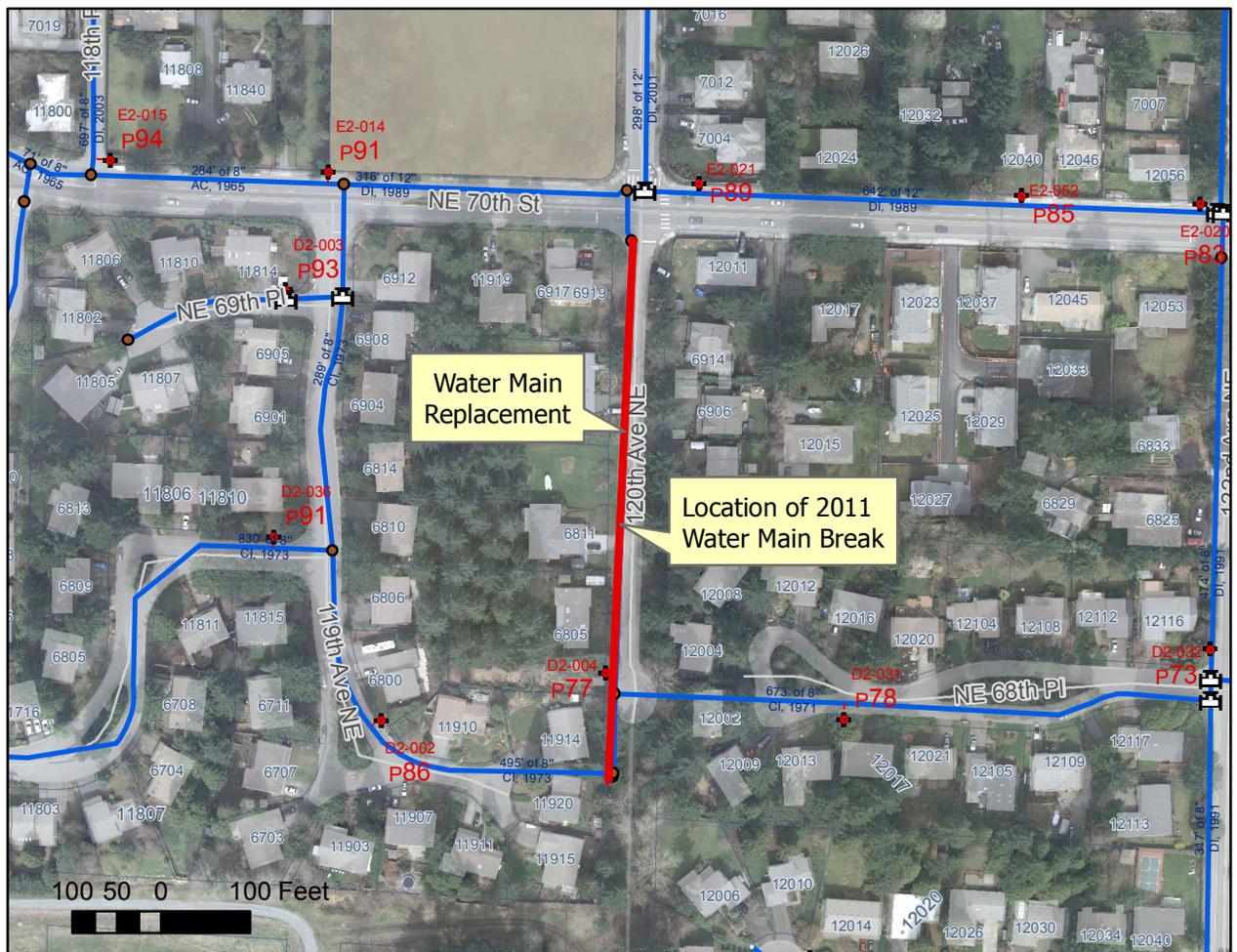
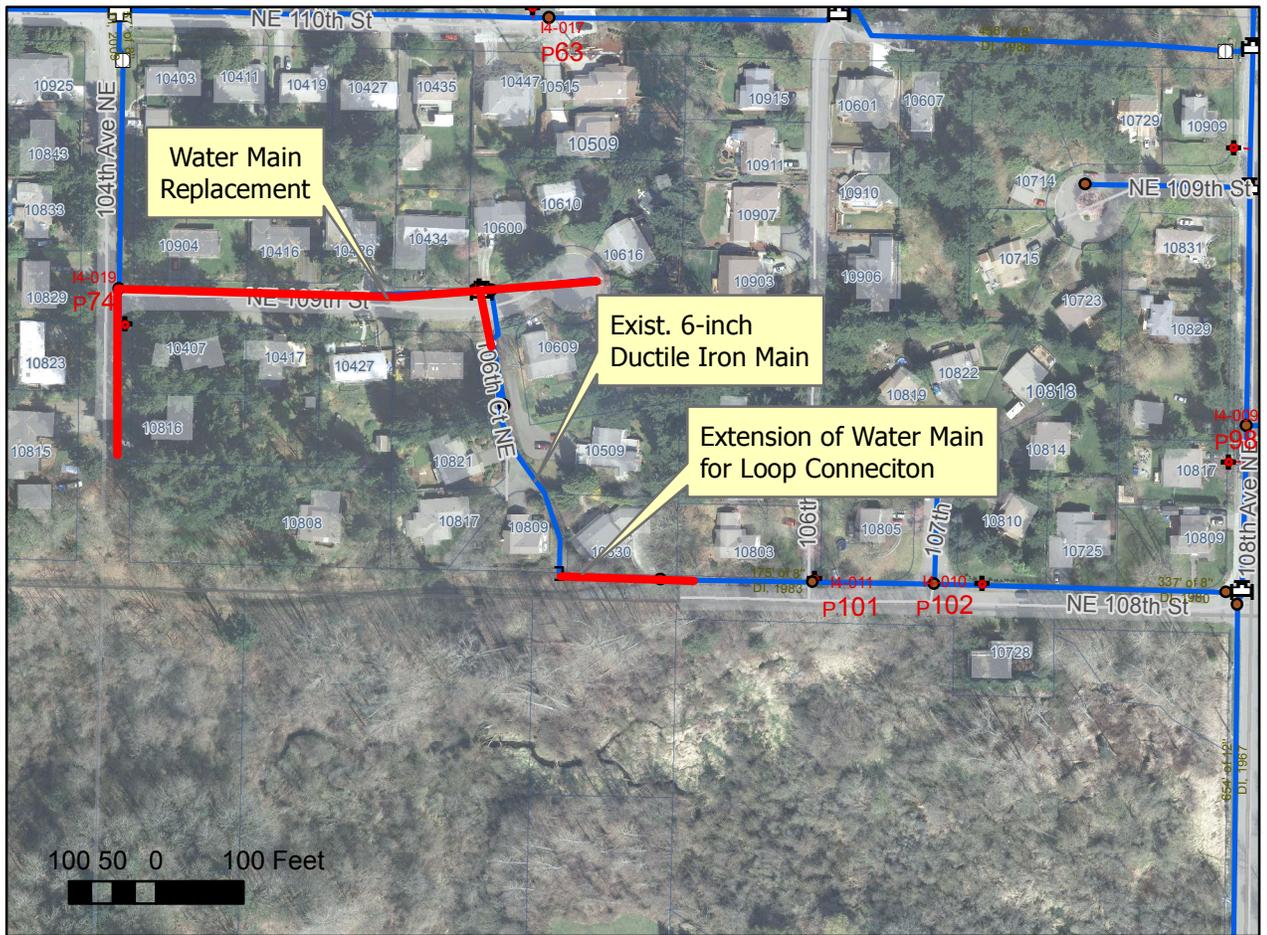
At their regular meeting on February 5, 2013, the Council awarded the contract for this Project to Shoreline Construction Company in the amount of \$378,245. Work began March 4, 2013 and was complete on May 4, 2013. Total payment to the Contractor was \$380,248.47, including payments for varying bid item quantities, and for one change order in the amount of \$3,594. The change order was issued to upsize two Air-Vacuum Release Valves on the Project to 2-inch diameter to be in compliance with updated requirements.

With current total Project expenses of \$548,800 and an approved budget of \$643,300, there is currently an estimated budget surplus of over \$94,000 (Attachment B). At final Project close-out all remaining funds will be returned to the water/sewer construction reserve.

Attachment A – Vicinity Map
Attachment B – PBR

2012 Water System Improvement Project - WA-0121/WA-0144

- Hydrants
- Existing Water Main
- Buildings
- Road
- Overpass
- Parks
- Schools
- Parcels
- Railroads
- Major Streets
- Streets
- City Limits
- COK Grid
- QQ Grid
- Lakes

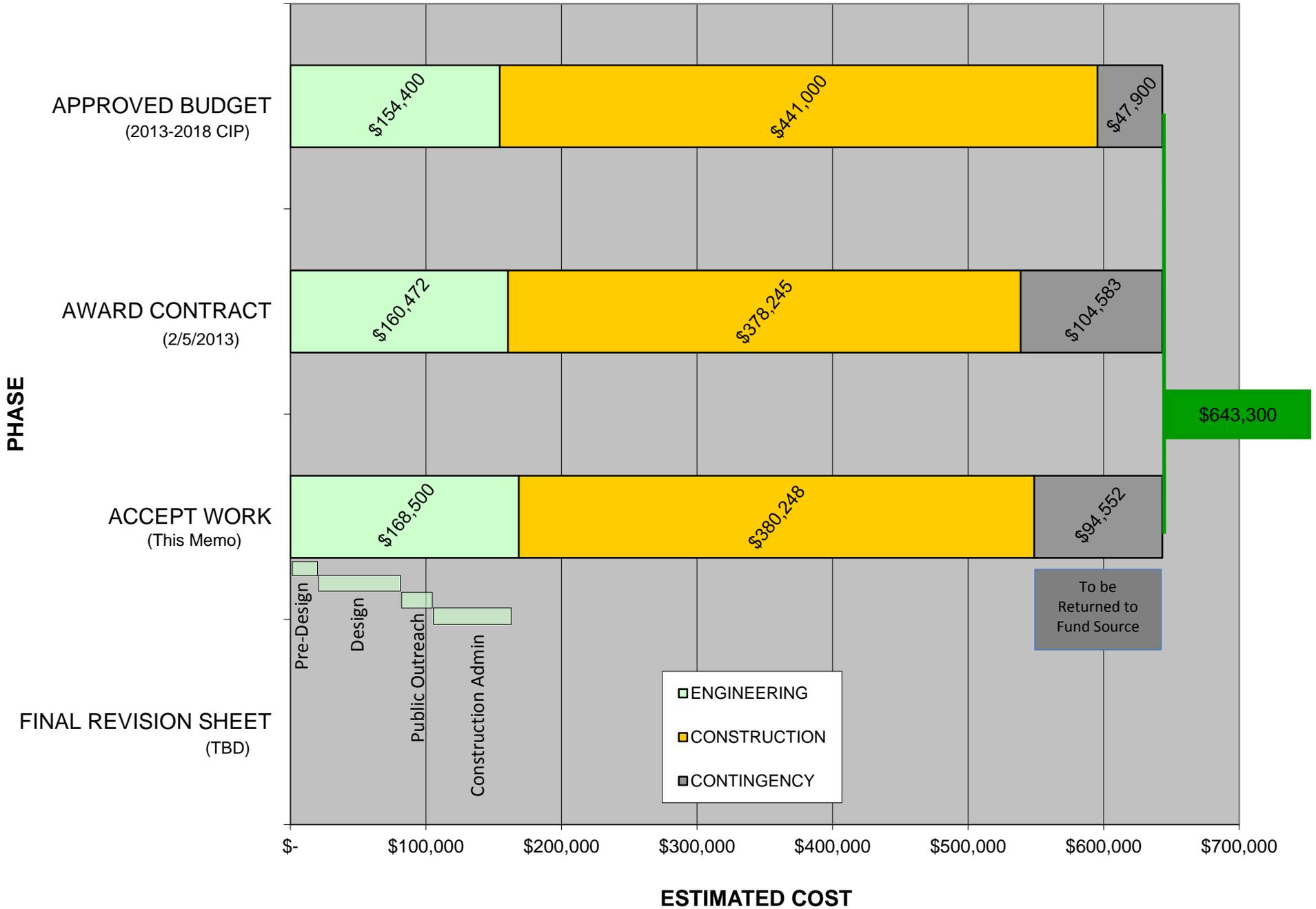


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Author:
 Name: Scott Gonsar
 Date Saved: 1/24/2013 8:03:36 AM

2012 Water System Improvement Project (WA-0121/WA-0144)

Project Budget Report





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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Jennifer Schroder, Director
Michael Cogle, Deputy Director

Date: July 17, 2013

Subject: Totem Lake Park Master Plan Design Program

RECOMMENDATION:

That the City Council approves the attached Resolution setting forth the Design Program for the Totem Lake Park Master Plan.

BACKGROUND DISCUSSION:

At their July 16, 2013 Study Session the City Council received an update on development of a Totem Lake Park Master Plan. Based on site and design considerations and public input, staff and the consultant team from Berger Partnership proposed a Design Program for the project which would guide formation of a schematic design for the park.

At the meeting the City Council expressed overall support for the proposed Design Program, while emphasizing the importance of (1) enhancing the site's ecological function and (2) enhancing connectivity to and from the park.

The attached Resolution sets forth the Totem Lake Park Master Plan Design Program, summarized below. Underlined text reflects additional proposed language which responds to Council interest in emphasizing enhanced ecological function and connectivity.

Proposed Totem Lake Park Master Plan Design Program:

1. Provide a loop trail that enhances and energizes the site.
2. Provide appropriate amenities to support use of the site (benches, signage, environmental and historical interpretation, seating areas, etc.).

3. Enhance connectivity to and from the park, to include Evergreen Medical Center and the Totem Lake Transit Center. Develop connections in cooperation with Seattle City Light at the utility easement and with local property owners on the "north hill" to allow adjacent community users to access the site.
4. Study and recommend parking opportunities and improved pedestrian access.
5. Provide improved pedestrian connections at Totem Lake Blvd and N.E. 124th Street.
6. Develop the CKC to enhance the experience of Totem Lake Park and provide connections to surrounding businesses.
7. Study the development of an upland parcel or parcels for future community center, parking, and link to Totem Lake Mall properties.
8. Explore further how adjacent parcels could be re-developed to strengthen and support the programming of the park.
9. Enhance the ecological function of the park. Develop vegetation and wildlife management plans that looks to diversify the existing vegetation, remove invasive species and support a diverse population of wildlife (consider stewardship and work with KCD).
10. Make recommendations on how to improve water quality and how management of the site may help alleviate future flooding issues.
11. Consider how public art could be incorporated into the planning process to energize the site and create an awareness of the lake.
12. Develop and maintain views and access to open water but don't provide for boating activities due to the limited size of the lake.

Pending Council approval of the Design Program, the Park Board, staff, and consultant team will begin working on schematic design alternatives for public consideration this fall.

Attachment

RESOLUTION R-4990

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATED TO ESTABLISHING A FORMAL DESIGN PROGRAM TO GUIDE CREATION OF A TOTEM LAKE PARK MASTER PLAN.

WHEREAS, in December of 2010 the City Council adopted Resolution R-4856, approving a Preliminary Action Plan for revitalizing the Totem Lake Business District and directing City departments to reprioritize work tasks accordingly; and

WHEREAS, the Park Board in 2011 forwarded recommendations to the Council regarding potential park-related projects, including for the City to develop a master plan for the Totem Lake Park property; and

WHEREAS, the Urban Land Institute in 2011 also recommended that Totem Lake Park be developed as a catalyzing strategy along with development of the Cross Kirkland Corridor to help create a "sense of place" in Totem Lake; and

WHEREAS, in February 2013 the City Council formally adopted the City's 2013 – 2014 Work Program, which included emphasis on Totem Lake revitalization; and

WHEREAS, in March 2013 the City Council authorized funding for creation of a Totem Lake Park Master Plan and directed staff and the Park Board to work with the property owner, King Conservation District and interested citizens in developing the Plan; and

WHEREAS, a Design Program should be established to guide schematic design and creation of a park master plan;

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

Section 1. That the Totem Lake Park Master Plan incorporates the following elements hereby referred to as the Design Program:

1. Provide a loop trail that enhances and energizes the site.
2. Provide appropriate amenities to support use of the site such as benches, signage, environmental and historical interpretation, and seating areas.
3. Enhance connectivity to and from the park, to include Evergreen Medical Center and the Totem Lake Transit Center. Develop connections in cooperation with Seattle City Light at the utility easement and with local property owners on the "north hill" to allow adjacent community users access to the site.

4. Study and recommend parking opportunities and improved pedestrian access.
5. Provide improved pedestrian connections at Totem Lake Blvd. and N.E. 124th Street.
6. Develop the Cross Kirkland Corridor to enhance the experience of Totem Lake Park and provide connections to surrounding businesses.
7. Study the development of an upland parcel or parcels for future community center, parking, and link to Totem Lake Mall properties.
8. Explore further how adjacent parcels could be re-developed to strengthen and support the programing of the park.
9. Enhance the ecological function of the park. Develop a vegetation and wildlife management plan that looks to diversify the existing vegetation, remove invasive species and support a diverse population of wildlife.
10. Make recommendations on how to improve water quality and how management of the site may help alleviate future flooding issues.
11. Consider how public art could be incorporated into the planning process to energize the site and create an awareness of the lake.
12. Develop and maintain views and access to open water but don't provide for boating activities due to the limited size of the lake.

Passed by majority vote of the Kirkland City Council in open meeting on the _____ day of _____, 20__.

Signed in authentication thereof this _____ day of _____, 20__.

Mayor

Attest:

City Clerk



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Donna L. Burris, Internal Services Division Manager
Pam Bissonnette, Interim Public Works Director
Ray Steiger, P.E., Deputy Public Works Director

Date: July 12, 2013

Subject: Department of Commerce Energy Efficiency Grant Award

RECOMMENDATION:

It is recommended that the City Council accept a \$208,000 Washington State Department of Commerce grant and approve the local grant match of \$111,000 from existing lifecycle funds and \$475,711 from the Facilities Sinking Fund Reserves.

BACKGROUND AND DISCUSSION:

The Washington State Department of Commerce energy efficiency grant program is established for projects that result in energy and operational savings. The intent is to stimulate job growth, reduce energy use, and provide operational budget relief to local government by reducing energy and operational costs. The grants are awarded in competitive rounds and provide up to 25% of the total project costs. Statewide applications are ranked based on three criteria:

1. Local leverage ratio: the ratio of non-state funds (utility incentives, capital, and loans) to the grant request, with maximum value for a 3 (local) :1 (grant) ratio;
2. Energy Savings: the higher the energy savings, the higher the ranking; and
3. Expediency: projects that can go into construction sooner are ranked higher.

To be eligible for consideration, applicants must complete an Investment Grade Audit (Audit) of their system prior to applying for the grant, and the preferred contracting method for having the work performed is through the use of an Energy Savings Performance Contract. The City of Kirkland entered into an Interagency Agreement with the Washington State Department of Enterprise Services (DES) in January of 2008 and amended the Interlocal in November of 2012 to provide oversight of the required services for the grant application effort.

On November 27, 2012, Kirkland staff authorized DES to proceed with obtaining the required Investment Grade Energy Audit and an Energy Services Proposal for Kirkland facilities from Ameresco Quantum. Ameresco had been selected, through the State of Washington's Energy Savings Performance Contracting program, to identify, design, and implement operational cost savings improvements at various State facilities. Since November, Ameresco has completed the Investment Grade Audit for the City and assisted the City with its Commerce grant application.

The grant application included the following conservation measures:

- A. City-wide water fixture retrofit: this measure will install water conservation devices including aerators on sinks, flush valves on urinals and toilets, or new reduced flow rate fixtures to save water and sewer fees and energy for water heating.
- B. City-wide exterior and parking lighting replacement and retrofit: existing HID wall packs, path lights, and parking lot fixtures will be replaced with LED lights for reduced energy use, better light quality, and longer lamp life for reduced maintenance costs.
- C. City-wide interior lighting retrofit: all remaining T12 fixtures will be retrofit to T8; selected buildings with T8 32-watt lamps will be re-lamped to 28-watt lamps, and some fixtures will be de-lamped in spaces that are over lit. Incandescent exit signs will be replaced with LED, and dimmable LED lamps will replace existing incandescent fixtures in certain locations of the Kirkland Performance Center.
- D. 505 Market building: existing single pane windows will be replaced with energy efficient double pane windows; existing double pane windows with failed seals shall be repaired and/or replaced; the building envelope will receive new door seals to reduce infiltration energy losses.
- E. Fire Stations 22 and 27: the building envelope will receive new caulking and new door seals to reduce air gaps and energy losses due to infiltration.
- F. Maintenance Center Building A – Admin Building: the existing air handling unit serving the office space has a Variable Frequency Drive (VFD) but currently runs at full speed during occupied hours; this is intentional in order to maintain comfort in a lobby/vestibule area which was converted to cubicle space after the building’s original opening. This measure will allow for the installation of a panel radiator to provide supplemental heat in the lobby areas, and a retro-commissioning to reinstate VFD speed modulation and rectify poor night setback operation.
- G. Maintenance Center Building C – Shop area: the existing “high-bay” areas are heated with small fan coils that are unable to get heat into the occupied zone of the rooms. This measure will install fans to reduce heating system runtime and lower the ceiling average temperature and reduce ceiling heat loss.

The estimated annual energy, water, and sewer savings is \$47,700. Ameresco guarantees the City will receive at least 90% of those savings which equates to 314,000 kWh and 1,005 kW per year of electricity, 2,400 therms of natural gas, and 1,053 CCF of water and sewer savings.

The annual savings will replenish the Facilities Sinking Fund Reserves over a ten year period.

The total cost of the improvements is approximately \$847,000 broken down as follows:

Breakdown of cost	
1. Engineering Audit and Measurement & Verification (Ameresco)	37,011
2. Labor, Construction and Contingency (Ameresco)	532,597
3. Design (Ameresco)	35,037
4. Prof. Svcs (CM, overhead, profit, bonding -- Ameresco)	131,881
5. Washington State Sales Tax	69,225
6. DES Administrative Fee	40,800
Total:	846,551

In order to maximize the local leverage ratio points, the grant application was submitted for \$208,000, putting the local cost share at \$639,000. On March 13, 2013, Kirkland was notified that the grant funding of \$208,000 had been approved.

Local cost share

Due to an estimated incentive payment from Puget Sound Energy of \$51,840 for reduced energy consumption, a net local cost share of \$586,711 remains in order to secure the State grant funds. It is staff's proposal that \$111,000 from current lifecycle projects be incorporated into the overall project budget, and the balance of \$475,711 will come from the Facilities Sinking Fund Reserve.

Proposed Project Funding Sources		
Dept. of Commerce - Energy Efficiency Grants for Local Governments		208,000
Estimated PSE Utility Incentive		51,840
Current Lifecycle Projects to be completed as part of overall project:		
Fleet Bay Lighting	(\$5,000)	
505 Market Window Replacement	(\$50,000)	
KPC Lighting	(\$56,000)	111,000
Facilities Sinking Fund Reserves		475,711
Total:		846,551

As a condition of the grant, Ameresco is responsible for implementing the project including preparing the final design, bidding of sub-contracts, construction management, training, commissioning and close-out. Ameresco will also perform three years of annual measurement and perform verification of the energy savings. Ameresco guarantees that these costs will not exceed this amount.

In addition to building improvements and projected energy savings, there is a significant positive impact on the environment as a result of the project. The efforts support Kirkland's long-standing tradition of environmental stewardship and the commitment of greenhouse gas emissions reduction outlined in the Climate Protection Action Plan adopted April, 2009. The energy savings produced by this project will reduce CO2 emissions by approximately 377,000 lbs. annually which, according to the EPA, is equivalent to carbon sequestered annually by 140 acres of U.S. forests.

If you have any questions, please feel free to contact Donna Burris at 425.587.3931 or dburris@kirklandwa.gov.

Attachment A - Energy Services Proposal
Attachment B - Department of Commerce Grant Agreement
Attachment C - Fiscal Note for use of Facilities Sinking Fund Reserves

EXHIBIT EN- 2013-112 A (1)

ENERGY SERVICES PROPOSAL



For: City of Kirkland
Kirkland, Washington

By: Ameresco Quantum, Inc.
Ameresco Quantum Project Number 138-2012-01

April 8, 2013

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EXHIBIT 3	Energy Services Agreement (provided separately & incorporated herein)	

I. EXECUTIVE SUMMARY

A. SUMMARY & PROPOSED SERVICES

Ameresco Quantum is pleased to present this proposal for the implementation of energy efficiency measures for the City of Kirkland.

This Proposal follows the outline contained in Section 2 of the Energy Services Agreement. It presents the contractual terms under which Ameresco Quantum, the City of Kirkland, and the Department of Enterprise Services Energy Program (DES Energy Program) will work together over the term of the project. This Proposal describes the scope, costs, guarantees, and other aspects of the project.

The services in this Proposal include design, construction, system verification, and Measurement and Verification (M&V) services for the first three years. Although City of Kirkland will operate and maintain the new equipment, Ameresco Quantum will provide important M&V services during the first three years to help insure the predicted savings are achieved. Ongoing M&V services are also offered for an additional cost.

B. PROJECT DESCRIPTION

The project improves comfort for City of Kirkland while saving energy. This project will upgrade lighting in City Hall, two maintenance buildings, five fire stations, North Kirkland Center, Peter Kirk Senior Center and Performing Arts Center and the 505 Market Building. At 505 Market, window replacements at 505 Market and envelope sealing at 505 Market, Fire Stations 22 and 27 will create a closed environment to retain conditioned air. Heating and ventilating equipment at Maintenance Center A will be retro-commissioned and radiators will be added in the foyer to increase occupant comfort and Air Pear fans will be installed in Building C bays to reduce stratification.

C. PROJECT BENEFITS

1. Financial Benefits

Table 1 shows project costs, estimated utility incentives, and savings related to this project. The guaranteed maximum project cost is \$728,685. Including sales tax and DES Energy Program project management fees, the total project cost is \$846,551. The estimated utility incentive for the project is \$51,840.

All construction costs will be open book to the Owner, and any cost savings related to savings on the ESCO's labor and material costs will revert to the Owner at the end of the project.

The project will produce over \$47,736 annually in energy, water and sewer savings. The project produces a positive cash flow as shown on Table 1 Financial Analysis in the first year of operation. This is based on City of Kirkland providing a capital investment of \$110,000.

2. Maintenance Related Benefits

Over \$6,720 in annual lighting maintenance savings is factored into the financial analysis. In addition, heating and control system upgrades will reduce maintenance labor, although, this is not factored into our analysis.

3. Environmental Benefits

In addition to building improvements and energy savings, there is a significant positive impact on the environment as a result of this project. The energy savings produced as a result of this project will directly reduce the amount of power produced by the utilities and reduce CO2 emissions by over 377,251 lbs. annually.

D. GUARANTEES

Ameresco Quantum guarantees that the project cost, related specifically to energy savings and the project scope, will not exceed the maximum price of \$728,685 (project cost before sales tax and DES Energy Program project management fee). Also, Ameresco Quantum is guaranteeing that the project will perform such that electrical savings will not be less than 313,677 kWh and 1,005 kW per year, gas savings will not be less than 2,400 therms per year, and water and sewer savings will not be less than 1,053 CCF per year. This corresponds with 90% of the estimated energy savings.

E. CONCLUSION

This project represents an excellent opportunity for the City of Kirkland to improve their facilities while saving energy. The project provides over \$845,000 in facility improvements. Ameresco Quantum looks forward to working with City of Kirkland and DES Energy Program in making this project a success.

II. FACILITY DESCRIPTION

A. BUILDINGS

Building	Building Description & Notes	Sq. Ft.	Approx Age	Occupancy Schedule	
				Days	Hours
City Hall	Offices, Police, Jail and Council Chambers	70,258	1982, addition 1994	M-F	6:45 am-5:00 pm (Jail is 24/7)
505 Market	Human Resources, Offices, Parks & Recreation Single pane windows	5,950	Remodel 2002	M-F Sat, Sun	5:30 am-5:00 pm Unoccupied
Peter Kirk CC	Senior Center – kitchen, meeting and classrooms. Wood structure.	9,600	1979, additions 1982 & 1998	M-F	8:00 am – 5:00 pm
North Kirkland CC	Indoor playground, offices, meeting and classrooms. Wooden structure with single pane windows with blinds.	12,200	1995	M-F	8:00 am – 5:00 pm
Kirkland Teen UB	Offices, meeting and classrooms.	4,500	1994	Tue-Thu Fri Sat	9:30 am-5:00 pm 3:00 pm-10:00 pm 4:00 pm-10:00 pm
Fire Station 21	Living/sleeping quarters, equipment and three vehicle bays.	5,500	1990	M-Sun	24 hours per day
Fire Station 22	Living/sleeping quarters, equipment and three vehicle bays. Brick walls, low insulation value	9,000	1974	M-Sun	24 hours per day
Fire Station 24	Living/sleeping quarters, equipment and two vehicle bays.	2,500	1994		Closed Jan 1, 2012
Fire Station 25	Living/sleeping quarters, equipment and two vehicle bays. Brick clad exterior.	6,682	1974	M-Sun	24 hours per day

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Building	Building Description & Notes	Sq. Ft.	Approx Age	Occupancy Schedule	
				Days	Hours
Fire Station 26	Living/sleeping quarters, equipment and three vehicle bays. Wood building, with peaked roof.	11,000	1994	M-Sun	24 hours per day
Fire Station 27	Living/sleeping quarters, equipment and three vehicle bays. Brick clad walls with low insulation value. New windows and doors installed 2012.	9,000	1974	M-Sun	24 hours per day
Maint. Center Bldg.A	Part of Maintenance Center Needs weather stripping	8,000	1990's	M-F	5:30 am-4:00 pm
Bldg.B	Part of Maintenance Center Fleet Mgmt	10,300	1990's	M-F	5:30 am-4:00 pm
Bldg.C	Part of Maintenance Center Heat stratification issues	20,074	1990's	M-F	5:30 am-4:00 pm
Bldg.D	Part of Maintenance Center Equipment storage – no wall insulation	2,400	1990's	M-F	5:30 am-4:00 pm
Bldg.E	Part of Maintenance Center Lacks adequate insulation in walls and roof.	6,800	1990's	M-F	5:30 am-4:00 pm

B. MECHANICAL SYSTEMS

1. City Hall

The City Hall building has a mix of heating, cooling and ventilation equipment. Eight Carrier rooftop constant volume air handlers with chilled water coils and terminal units with electric reheat serve the “original” portion of the building. Chilled water is provided by a split system chiller, with evaporator unit in the lower level and an air cooled condenser on the roof. The HVAC system is managed by a direct digital control system.

The Council Chambers and the conference room are served by rooftop heat pumps with electric reheat. Zoned demand ventilation controls provide additional outdoor air during periods of high occupancy based on feedback from CO2 sensors. The mechanical system serving these areas is approximately five years old.

For the “new” portion of the building, two Trane Intellipak rooftop A/C units (AHU-1 and 2) provide heating, ventilation and air conditioning via fan-powered variable air volume (VAV) terminal boxes. The jail/police department area runs in continuous occupied mode with 30% outside air for heightened ventilation.

Two 120 gallon 27 kW water heaters provide domestic hot water to showers, sinks and lavatories in this building.

2. 505 Market Building

The lower level of 505 Market is served by a central “split” air conditioning unit and heating is provided with electric zone duct heaters. The upper level is served by two rooftop “gas packs” (air conditioning unit with gas furnace). Programmable thermostats are employed to maintain schedules and temperature setpoints for the air handlers. Wall thermostats control the duct heaters on the lower level. Domestic hot water is heated electrically.

3. Peter Kirk Senior Community Center
The Senior Center underwent an equipment replacement approximately three years ago, converting their electric heat to heat pump systems.

The Performance Center is conditioned by a 20-ton McQuay rooftop forced-draft gas-fired air handler with direct expansion (DX) coil and several smaller gas-fired furnace units serving smaller zones. Heat, cooling and ventilation are controlled by programmable thermostats which are updated weekly with current schedules.
4. North Kirkland Community Center
The North Kirkland Community Center gymnasium is served by a five-ton heat pump and three gas furnaces, two of which are nearing the end of their lives. A small gas furnace heats the office. The downstairs offices are conditioned by a new heat pump and another gas furnace heats the downstairs playroom. Most of the heating and ventilating equipment in this building dates back to 1995.

Hot water for showers, sinks and lavatories is provided by an electric domestic water heater.
5. Kirkland Teen Union Building
The Teen Center is heated by two packaged Lennox rooftop ventilators with electric resistance heat. Heating and ventilation are controlled via programmable thermostats.
6. Fire Station 21
Fire Station 21 is served by a Carrier Weathermaker gas furnace with separate direct expansion (DX) compressor and cooling coil. This furnace is controlled via a programmable thermostat for temperature and scheduling control. The restroom exhaust fan is hardwired to be always running. This puts unnecessary demand on the heating system to replace exhausted heat.

A 125 gallon PVI domestic water heater with 200,000 Btu/h input provides hot water for showers, sinks, lavatories, clothes and dish washers.
7. Fire Station 22
Fire Station 22 is served by three gas-fired furnaces. Two were replaced two years ago. All three are controlled by Honeywell commercial programmable thermostats.

An 80% efficient gas-fired forced air furnace provides heat to the apparatus bay. The thermostat is set to 65 degrees F, continuously. Exhaust fans are operated via wall switch.

A 75 gallon domestic water heater with 125,000 Btu/h input provides hot water for showers, sinks, lavatories, clothes and dish washers.
8. Fire Station 25 is similar in age, construction and HVAC systems to Fire Station 22 with the exception of a smaller apparatus bay.
9. Fire Station 26
This fire station is conditioned by a hydronic variable volume, variable temperature (VVT) system with direct expansion (DX) coils and terminal units controlled by programmable thermostats. The equipment bay is heated by radiant heaters at the ceiling.

Hot water for showers, sinks and lavatories, clothes and dish washers is provided by a Baderus 90% efficient gas-fired domestic water heater.

10. Fire Station 27

Fire Station 27 is heated by the three original gas furnaces in place at the station's opening in 1974. They are controlled by programmable thermostats but are beyond their anticipated lifespan. New windows and doors installed last year help the station retain heating and free cooling from these units.

11. Maintenance Center

12. Building A

The main office portion of Maintenance Center A is served by a Carrier hydronic air handler system with pressure-independent variable air volume terminal units providing individual comfort control. A Barry Blower heat recovery ventilator in the locker room heats the lobby, which has been converted to office space.

The Burnham Series 8B conventional boiler providing heating water for these units runs all day in order to maintain temperature and although the system is on a variable speed drive, the digital control system is overridden to maintain 100% speed in order to keep up with heating demands.

Domestic hot water is provided by a 197,000 Btu/h water heater with 100 gallon tank.

13. Building B

Heating in the Fleet Management Maintenance Building B is provided by a 100% outdoor air gas-fired makeup air unit and radiant heat in the floor slab. The radiant floor heat is provided by heating water from a Burnham 62,000 Btu/h boiler.

14. Building C

Maintenance Building C is served by zone-specific Magic Aire hydronic fan coil units. The Raypack 419,430 Btu/h conventional boiler used to heat the hydronic system was installed in 1997 and has difficulty maintaining heating setpoints in very cold weather.

15. Building D

Maintenance Building D is heated by a Reznor unit heater controlled by a manual wall thermostat, allowing no automation of night setback temperature control or scheduling.

16. Building E

Building E is heated by a gas unit heater and manual wall thermostat, allowing no automation of night setback temperature control or scheduling.

C. WATER SYSTEMS

The plumbing systems consist of a mixture of different brands and styles. The majority of the water closets currently use 3.5 gallons per flush (GPF), with a few that use 1.6 GPF. The urinals currently use more water than necessary for each flush, and many of the sinks have old or missing aerators. Sinks, lavatories and showers are not restricted to current flow rates.

D. LIGHTING SYSTEMS

The lighting systems in most of the buildings has been previously upgraded to include T-8 and compact fluorescent technologies within the occupied spaces. Exterior spaces and parking lots are typically lit by High Pressure Sodium and Metal Halide (High Intensity Discharge – HID) fixtures.

1. Maintenance Center buildings D and E

These buildings use HID fixtures in interior spaces as well as exterior.

2. The Performing Arts Center

The Performing Arts Center has a mix of T-8 and T-12 fluorescents in the interior with HID fixtures on the exterior and parking lot.

E. BUILDING SHELL AND GENERAL

The building shell for most buildings appeared to be adequate for temperature and draft control. A few exceptions were noted.

1. Windows

Windows on the 505 Market building and North Kirkland Community Center are single-pane.

2. Insulation

Fire Stations 22 and 27 and Maintenance Center Building D and E have inadequate insulation values for thermal comfort and energy efficiency.

3. Weather Sealing

505 Market, Fire Station 22 and 27 and Maintenance Center Building A have breaks in the envelope that allow infiltration and exfiltration. The space thermal conditioning is not properly contained.

III. ENERGY CONSERVATION MEASURES (ECM's) TO BE IMPLEMENTED

This project will make multiple improvements to the city's facilities including:

A. City Wide Water Fixture Retrofit:

This measure will install water conservation devices including aerators on sinks, flush valves on urinals and toilets, or new reduced flow rate fixtures to save water and sewer fees and energy for water heating.

B. City wide exterior and parking lighting replacement and retrofit:

Existing HID wall packs, path lights and parking lot fixtures shall be replaced with LED lights for reduced energy use, better light quality and longer lamp life for reduced maintenance costs.

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- C. City Wide Interior Lighting Retrofit:
Any remaining T12 fixtures will be retrofit to T8. Select T8 32W buildings will be relamped to 28W lamps and some fixtures will be de-lamped in spaces that are over lit . Incandescent Exit signs will be replace with LED. Dimmable LED lamps shall replace existing Incandescent fixtures in parts of the Kirkland Performance Arts Center.
- D. 505 Market Building
Existing single pane windows will be replaced with energy efficient double pane windows. Existing double pane windows with failed seals shall be repaired and/or replaced. The building envelope shall be sealed, e.g. new door seals, to reduce infiltration energy losses.
- E. Fire Stations 22 and 27
The building envelope shall be sealed, e.g. caulking, new door seals, to reduce air gaps and energy losses due to infiltration.
- F. Maintenance Center Building A
The existing AHU-1 serving the office space has a VFD, but runs full speed during occupied hours. This is intentional to maintain comfort in a lobby/vestibule area that was converted to cubicle space. This measure will install a panel radiator to provide supplemental heat in the comfort complaint areas. The building will also be retro-commissioned after this work to reinstate VFD speed modulation and rectify poor night setback operation.
- G. Maintenance Center Building C
Existing High bay areas are heated by small fan coils which are unable to get heat into the occupied zone of the rooms. This measure will install Air Pear de-stratification fans to reduce heating system runtime and lower the ceiling average temperature which will reduce ceiling heat loss.

IV. ESCO (Energy Services Company) SERVICES

Ameresco Quantum will provide the following services:

1. Energy Audit: The energy audit is complete and is incorporated herein.
2. Design Services: Provide a detailed engineering design as needed to obtain Owner review and approval of the proposed system and to obtain competitive bids. Provide construction support services, start-up, and testing. Provide as-built drawings and relevant O&M manuals.
3. Construction: Provide, or cause to be provided, all material, labor, and equipment, including paying for permits, fees, bonds, and insurance, required for the complete and working installation of the ESCO equipment.
 - a) The ESCO may perform portions of the construction work or may subcontract portions to qualified firms. In either case, the ESCO will share information regarding actual costs of the work with the Owner.
 - b) The lighting retrofit is substantially a maintenance activity. As such, lighting maintenance workers will be used to perform fixture retrofits. These workers

- will be paid the applicable Washington State Department of Labor & Industries prevailing wage for the county of the work under a classification of "Electrical Fixture Maintenance Workers" or equivalent.
- c) When the ESCO has completed the installation of the Equipment, including start-up and operation verification and training in accordance with the Proposal, the ESCO will provide to Owner a "Notice of Commencement of Energy Savings" and Owner shall have 10 days within which to accept the Notice.
 - d) At the conclusion of the last phase of the project, the ESCO will submit a "Notice of Substantial Completion" to the Owner.
4. Construction Management: Provide construction management services to coordinate and supervise the work. The Owner is expected to coordinate day-to-day communications with tenants and any scheduling of tenant relocations in and around occupied areas. The ESCO will provide construction superintendence of the work and will coordinate any impact upon building tenants with the Owner.
 5. Operation training: The ESCO will provide on-going training for the building staff during construction.
 6. Performance Maintenance: The ESCO will provide on-going measurement and verification to help ensure the predicted savings are achieved throughout the first three years of the agreement. Specific tasks will include:
 - a) Years One through Three (the first three years following Notice of Commencement of Energy Savings): Post installation Measurement and Verification (M&V) will be performed based on the International Performance Measurement and Verification Protocol (IPMVP) – Option A (Retrofit Isolation-Key Parameter Measurement), and on Section IX – Method of Calculating Energy Savings and Energy Cost Savings, as follows:

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ECM	Conservation Measure	IPMVP Option	Work to be Performed	Years to be Done	Work To Be Performed By
CW-W1	Fixture Retrofit: This measure will install water conservation devices (aerators on sinks, flush valves on urinals and toilets, or new fixtures) to save water and energy for water heating.	NA	<ul style="list-style-type: none"> Use manufacturer ratings to confirm that the new water conservation fixtures installed meet or have lower flow rates than those originally proposed. 	3	Ameresco Quantum
CW-L1: a-f, h-m	This measure includes work at 505 Building; Maintenance Center Buildings A-E; City Hall; Fire Stations 21, 22, 25, 26, and 27; North Kirkland Center; Peter Kirk Performing Arts Center; and Peter Kirk Senior Center. Lighting Retrofit (interior and exterior): This measure will provide efficient exterior lighting retrofit and replacements. <ul style="list-style-type: none"> Retrofit/replace incandescent and fluorescent exit signs with LED technology Occupancy/Unoccupancy sensor(s) with programmed start ballast fixtures 	A	<ul style="list-style-type: none"> A sample of fixtures will be measured during the first year for both baseline and as-installed power use (kW). The system's actual total demand will be matched against the Lighting Audit (Exhibit 1). 	3	Ameresco Quantum
505-G1	Window Replacement: This measure will replace 21 existing windows with low-e energy efficient models.	NA	<ul style="list-style-type: none"> Verify installation as proposed. 	3	Ameresco Quantum
505-G2	Building Envelope Upgrades <ul style="list-style-type: none"> Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration 	NA	<ul style="list-style-type: none"> Verify installation as proposed. 	3	Ameresco Quantum
F22-G1	Building Envelope Upgrades <ul style="list-style-type: none"> Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration 	NA	<ul style="list-style-type: none"> Verify installation as proposed. 	3	Ameresco Quantum
F27-G1	Building Envelope Upgrades <ul style="list-style-type: none"> Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration 	NA	<ul style="list-style-type: none"> Verify installation as proposed. 	3	Ameresco Quantum
MA-M3	Radiators and Retrocommission: Install radiator(s) in foyer to increase comfort. <ul style="list-style-type: none"> Reprogram AHU-1 VFD to modulate Place building into deeper night setback to reduce unoccupied heat Retrocommission building 	NA	<ul style="list-style-type: none"> Verify installation as proposed. 	3	Ameresco Quantum
MC-M4	Install Air Pear Fans to reduce stratification in Bldg C. Bays	NA	<ul style="list-style-type: none"> Verify installation as proposed. 	3	Ameresco Quantum

b) *The ESCO will attend three annual meetings to review the Measurement & Verification results and reconcile energy savings.*

7. **Equipment Maintenance:** The ESCO will provide no equipment maintenance or repairs after the warranty period. Following the completion of the installation and Owner acceptance of the Equipment, the Owner shall provide all necessary service, repairs, and adjustments to the Equipment so that the Equipment will perform in the manner and to the extent set forth in the Proposal. The ESCO shall have no obligation to service or maintain the Equipment after the warranty period.
8. **Operation and Maintenance Procedures:** None provided for existing equipment. Operation and maintenance manual will be provided for the installed equipment.

9. Warranty: The ESCO will warrant Equipment for one year following Notice of Substantial Completion.
10. Hazardous Waste: Should the project require removal or disposal of hazardous material, the ESCO may have the hazardous material or substances removed and disposed of at the request of the Owner. The ESCO will not assume ownership of the material, but may act on behalf of the Owner to properly remove and dispose of the material. The Owner shall pay the ESCO for the cost of such work. The Owner agrees and acknowledges that it has not relied on or employed the ESCO to analyze or identify the presence of any hazardous substance on the Owner's premises. The cost of hazardous material abatement and disposal is not included in this proposal with the exception of PCB ballasts.

V. PROJECT COSTS

A. MAXIMUM PROJECT COST

The ESCO guarantees that the Maximum Project Cost will not exceed Seven Hundred Twenty-Eight Thousand, Six Hundred Eighty-Five and no/100 Dollars (\$728,685). This cost does not include sales tax, utility incentives, DES Energy Program project management fees, and continued measurement and verification charges, which are all estimated. With sales tax, DES Energy Program project management fees, and continued measurement and verification (for Years 2 and 3) the Project Cost is Eight Hundred Forty-Six Thousand, Five Hundred Fifty-One and no/100 Dollars (\$846,551). The ESCO does not guarantee the value of sales tax, DES Energy Program project management fees, or the utility incentive.

B. PROJECT COST TABLE

I. PROJECT COSTS & ENERGY SAVINGS FOR SELECTED OPTIONS			
PROJECT COSTS	Mech, Water, General	Lighting	Total Project costs
Engineering Audit	\$ 29,170	\$ -	\$ 29,170
Estimated Labor and Material Cost	\$ 115,069	\$ 392,167	\$ 507,235
M,W,G Design @ 10.0% of Labor & Material	\$ 11,507		\$ 11,507
Lighting Design @ 6.0% of Labor & Material		\$ 23,530	\$ 23,530
Construction Mgt @ 6.0% of Labor & Material	\$ 6,904	\$ 23,530	\$ 30,434
Bonding @ 2.0% of Labor & Material	\$ 2,301	\$ 7,843	\$ 10,145
ESCO overhead and profit @ 18.0% of Labor & Material	\$ 20,712	\$ 70,590	\$ 91,302
Subtotal:	\$ 185,663	\$ 517,660	\$ 703,323
Construction contingency @ 5.0% of CC	\$ 5,753	\$ 19,608	\$ 25,362
Subtotal - Maximum Project Cost:	\$ 191,417	\$ 537,269	\$ 728,685
Est. Sales Tax @ 9.5% of Maximum Project Cost	\$ 18,185	\$ 51,041	\$ 69,225
Additional 2 Years of M&V - Ameresco (plus sales tax)			\$ 7,841
Additional 2 Years of M&V - DES			\$ 4,000
DES Project Management Fees			\$ 36,800
TOTAL PROJECT PRICE:	\$ 209,601	\$ 588,309	\$ 846,551
Estimated Utility Incentive	\$ -	\$ 51,840	\$ 51,840
Commerce Grant Request			\$ 208,000
Estimated Client Net Cost (excluding add'l years M&V)			\$ 574,870
Client initial cash payment of Non-State Dollars			\$ 110,000
Client initial cash payment of State Dollars			\$ -
Amount to be financed by client:			\$ 464,870
Year 2 Estimated Cash Flow:			\$ 1,294
Year 2 Cash Flow Based on Guaranteed Energy Savings (90%):			\$ (4,233)

C. ITEMS INCLUDED IN MAXIMUM PROJECT COST

1. Maximum project costs include the following:
 - a) Engineering audit, including the cost for preparation of this proposal. This is a fixed fee.
 - b) Engineering design. This is a fixed fee.
 - c) Construction management services. This is a fixed fee.
 - d) Installation of the ESCO Equipment including the following costs:
 - (1) All costs paid by the ESCO for the installation of the ESCO Equipment. This includes costs paid to subcontractors or directly to ESCO personnel when related to installation or system verification of the ESCO Equipment.
 - (2) The portion of reasonable travel, lodging, and meals expenses of the ESCO or of its officers or employees incurred while traveling in discharge of duties connected with the Work.
 - (3) Cost of all equipment, materials, supplies and equipment incorporated in the Work, including costs of transportation thereof.
 - (4) Cost or rental charges, including transportation and maintenance, of all materials, supplies, equipment, temporary facilities, and hand tools not owned by the workers which are consumed in the performance of the Work,

and the cost less salvage value on such items used but not consumed which remain the property of the ESCO.

- (5) Cost of premiums for all bonds and insurance, which the ESCO is required to purchase and maintain.
- (6) Sales, use, or similar taxes related to the Work and for which the ESCO is liable imposed by a governmental authority.
- (7) Permit fees, royalties, and deposits lost for causes other than the ESCO's negligence.
- (8) Losses and expenses not compensated by insurance or otherwise sustained by the ESCO in connection with the Work, provided they have resulted from causes other than the fault or neglect of the ESCO. Such losses shall include settlements made with the written consent and approval of the Owner. If, however, such loss requires reconstruction and the ESCO is placed in charge thereof, the ESCO shall be paid for its services a fee.
- (9) Minor expenses such as copies, long distance telephone calls, telephone service at the site, express mail services, and similar petty cash items.
- (10) Demolition cost and cost of removal of all debris.
- (11) Costs incurred due to an emergency affecting the safety of persons and property.
- (12) Other costs incurred in the performance of the Work if and to the extent approved in advance in writing by the Owner.
- (13) The cost of construction financing including contingency and an allowance for Owner initiated scope improvements only if agreed to by the Owner and DES Energy Program in advance.
- (14) Cost of equipment startup, training, system verification and balancing performed by the ESCO.
- (15) Bonding, Liability Insurance, and Builder's Risk Insurance.
- (16) Overhead and Profit. This includes the ESCO's remuneration for compensation of personnel, expenses, risks related to the project, and profit. This is a fixed fee.
- (17) Metering equipment costs for any permanent metering or monitoring equipment left on site.
- (18) The ESCO shall provide a Schedule of Values at the end of construction bidding. The schedule of values will include all costs related to the installation of the ESCO equipment, excepting fixed fee items.

D. EXCLUSIONS

1. Maximum project costs do not include the following:
 - a) Modifications or upgrades of electrical service or distribution systems.

E. CONSTRUCTION CONTINGENCY

A construction contingency of \$25,362 (not including sales tax) has been established for this project. The contingency is for items necessary to complete the original scope of work upon approval by the Owner and DES Energy Program. Such approval for the use of contingency funds for work in the original scope shall not be unreasonably withheld. The ESCO shall not be allowed to mark-up contingency funds expended for items included in the original scope of this project. The ESCO and Owner will jointly manage any contingency left after the project scope is completed. The ESCO shall be allowed to

mark-up items beyond the original scope and approved by Owner. All unused construction contingency funds shall reduce the overall project cost to the Owner.

F. ONGOING SERVICES

Ongoing measurement and verification for the first three years are included in the project costs. After the end of Year 3, the ESCO will present a proposal to the Owner for ongoing measurement and verification services for future years, at the owner's request. These services will verify energy savings and provide engineering assistance in maintaining the savings as described in Section III. The owner may cancel these services at any time.

G. ACCOUNTING RECORDS

The ESCO shall check all material, equipment, and labor entering into the Work and shall keep such full and detailed accounts as may be necessary for proper financial management under this Agreement. The accounting system shall be satisfactory to the Owner. The Owner shall be afforded access to all the ESCO's records, books, correspondence, instructions, drawings, receipts, vouchers, memoranda, and similar data relating to this Contract, and the Contractor shall preserve all such records for a period of three years, or for such longer period as may be required by law, after the final payment.

H. RECONCILIATION OF LABOR & MATERIAL COSTS

The financed amount is based on an estimate of Labor & Material costs. In recognition that actual Labor & Material costs may vary from the estimate, the following procedures are established to reconcile this difference:

- a) When actual Labor & Material costs exceed the estimated Labor & Material costs (plus contingency), the additional expense will be borne by the ESCO without affecting the Owner's payment.
- b) When actual Labor & Material costs are less than the estimated Labor & Material costs (plus Contingency), the remaining funds will be retained by the Owner.

VI. RECOMMENDATIONS FOR REPLACEMENT OF EXISTING EQUIPMENT

N/A

VII. STANDARDS OF COMFORT SERVICE

A. HVAC COMFORT

1. The heating and ventilating (HV) systems provided by the ESCO will provide comfort and indoor air quality in accordance with Exhibit 3. This standard will pertain only to buildings and areas of buildings in which the ESCO is installing new HVAC equipment that has direct control over space comfort conditions. HVAC comfort conditions cannot be guaranteed when operable windows are open. Standards for HVAC comforts are as follows:
 - a) Indoor Occupied Temperatures
 - (1) Winter Minimum – 70 Degrees F.

- (2) Winter Maximum – 75 Degrees F.
- (3) Summer Minimum - 70 Degrees F (where mechanical cooling is employed).
- (4) Summer Maximum - 78 Degrees F (where mechanical cooling is employed).

b) Indoor Unoccupied Temperatures

- (1) Minimum – 55 Degrees F.
- (2) Maximum – 85 Degrees F.

c) Relative Humidity (where humidity control is provided).

- (1) Minimum – 40%
- (2) Maximum – 60%

d) Minimum outside air per occupant shall be in accordance with American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) standards and Washington State Mechanical Code.

B. ILLUMINATION LEVELS

1. The lighting and illumination levels for lighting systems provided by the ESCO will comply with Exhibit 3.

VIII. BASELINE ENERGY CONSUMPTION

A. Overall Resource Use

Fuel	Cost (\$)	Annual Consumption	Time Period	Utility Provider
Electricity (kWh)	\$221,424	2,222,659	1/2011 - 12/2011	PSE
Electricity (kW)		4,956	1/2011 - 12/2011	PSE
Natural Gas (therms)	\$46,820	40,972	1/2011 - 12/2011	PSE
Water Sewer (CCF)	\$63,664	4,152	7/2011 - 6/2012	City of Kirkland & Northshore Utility District

B. By Facility Resource Use

Facility	Area (sqft)	Annual Electrical Usage		Annual Gas Usage		Water	EUI	Energy Cost
		(kWh)	(kBtu)	(Therms)	(kBtu)	(CCF)	(kBtu/sqft)	(\$/sqft)
City Hall	70,258	1,430,040	4,880,727	0	0	2,410	69.5	2.0
505 Market Street	5,950	88,699	302,730	0	0	75	50.9	1.5
FS21 - Forbes Creek Fire Station	5,500	69,240	236,316	1,521	152,096	128	70.6	1.7
FS22 - Houghton Fire Station	9,000	75,840	258,842	5,876	587,644	239	94.1	1.6
FS25 - Juanita Fire Station	6,682	61,280	209,149	3,232	323,181	148	79.7	1.4
FS26 - Rosehill Fire Station	11,000	110,280	376,386	5,109	510,903	192	80.7	1.6
FS27 - Fire Station 27	0	104,720	357,409	3,327	332,681	245		0.0
Maintenance Center - A/B/C	38,374	282,560	964,377	0	0	0	25.1	0.7
Maintenance Center - A	8,000	0	0	8,787	878,682	0	109.8	1.2
Maintenance Center - B	10,300	0	0	6,025	602,488	715	58.5	0.7
Total	193,864	2,222,659	7,585,935	33,877	3,387,675	4,152	56.6	246,100.0

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IX. ESTIMATED ANNUAL SAVINGS AMOUNT AND UTILITY INCENTIVE

A. ELECTRICAL

The ESCO estimates that annual electrical costs will be reduced by \$35,254. This estimate is based on an annual consumption being reduced by 348,530 kWh, and demand being reduced by 1,117 kW.

B. NATURAL GAS

The ESCO estimates that annual gas cost will be reduced by \$2,533. This estimate is based on the annual consumption being reduced by 2,667 therms.

C. WATER AND SEWER

The ESCO estimates that annual water and sewer cost will be reduced by \$9,949. This estimate is based on the annual consumption being reduced by 1,170 CCF.

D. UTILITY INCENTIVE

The estimated utility incentive is \$51,840.

X. METHOD OF CALCULATING ENERGY SAVINGS AND ENERGY COST SAVINGS

A. ENERGY AUDIT

The energy cost savings are calculated in Exhibit 1. These savings calculations have been reviewed and accepted by the DES Energy Program project management, the Owner and the ESCO.

B. CALCULATION OF SAVINGS

1. The Owner and ESCO agree that the energy savings exists if the ESCO equipment performs as described below (as measured per Section III.6):
 - a) Lighting Systems: The lighting systems perform properly when new components with efficiencies equal to or greater than those in Exhibit 1 are installed.
 - b) Water Conservation installed by the ESCO: The water systems being replaced perform properly when new components with efficiencies at or greater than those in Exhibit 1 are installed.
 - c) Envelope measures installed by the ESCO: The envelope measures perform properly when new components with efficiencies equal to or greater than those in Exhibit 1 are installed.
2. The Owner and the ESCO agree that should the ESCO installed equipment not perform as outlined in Section IX.B.1, the ESCO shall pay the equivalent value of the calculated energy savings associated with the failed area. The Owner agrees to notify the ESCO by telephone within two working days of detecting any non-performing ESCO installed equipment with a follow-up in writing within three business days.

3. The ESCO shall have two weeks from notification to repair the ESCO equipment without reduction of savings.
4. Modifications to Baseline by Owner: The Owner shall maintain all existing facilities and installed equipment during the term of this contract at or above current maintenance levels. Owner agrees to maintain the energy efficiency of the systems installed.

XI. FINANCING

Project financing will be provided by the Owner.

XII. ENERGY SAVINGS GUARANTEE

The ESCO guarantees that the equipment will perform as indicated in Section IX - Method of Calculating Energy Savings and Energy Cost Savings. This performance level is guaranteed for three years following the notice of commencement of savings (defined as Year 3). Based on this performance, and as indicated in Exhibit 1, electrical savings will not be less than 313,677 kWh and 1,005 kW per year, gas savings will not be less than 2,400 therms per year and water and sewer savings will not be less than 1,053 CCF per year. This corresponds with 90% of the estimated energy savings.

In the event that the guaranteed performance in Years 1 through 3, pursuant to Section IX – Method of Calculating Energy Savings and Energy Cost Savings, is less than the guaranteed minimum, the ESCO shall pay the Owner in accordance with Section IX.B.2.

XIII. ESCO COMPENSATION

A. PAYMENTS

1. Owner agrees to make progress payments based on construction progress and one subsequent payment for retainage.
2. Retainage will be released within 45 days after receipt of all lien releases, L&I releases, and Revenue and Employment Security certificates and releases by Owner.

B. TAX INCENTIVES

1. Owner agrees to relinquish any and all tax credits and deductions associated with the project scope to the ESCO. This includes any tax deductions associated with the Federal Energy Policy Act of 2005. Upon determination of the value of these credits or deductions, the ESCO will credit a portion of these tax benefits back to the Owner.

XIV. TERM OF AGREEMENT

Subject to the following sentence, the term of this Contract shall be one year beginning with the Notification of Commencement of Energy Savings. Nonetheless, the Contract shall be effective and binding upon the parties immediately upon its execution, and the period from contract execution until the Commencement Date shall be known as the "Interim Period." All energy savings achieved during the Interim Period will be fully credited to Customer and may be used to offset any loss of energy savings as mutually agreed to by the DES Energy Program manager, Owner, and the ESCO.

April 8, 2013

XV. TERMINATION VALUE

Upon commencement of energy savings, Owner may at any time terminate this Agreement.

Any termination shall fully and finally terminate and extinguish all of the Owner's rights and all of the ESCO's obligations under this agreement.

XVI. PROJECT SCHEDULE

The ESCO will complete design work within three months (90 Days) of Notice to Proceed. Lighting and water conservation construction work will be substantially completed within five months (150 days) of NTP. The balance of the construction work will be substantially complete within 6 months (180 Days) of design acceptance. Final completion will be within eight months (240 Days) of design acceptance.

XVII. EXTENT OF SUBCONTRACTING

The ESCO may subcontract the energy audit, design, construction management, start-up, and training portions of this Contract to qualified firms at its sole discretion. Construction subcontracts will be awarded competitively.

The ESCO will endeavor to satisfy the MWBE goals of Washington State. The ESCO will not be required to meet these goals if the project budget is exceeded and cost effectiveness is impaired.

XVIII. INSURANCE AND BONDING

1. The ESCO shall provide a payment and performance bond in accordance with Exhibit 3. Builders Risk Insurance will also be provided by the ESCO.
2. For the purposes of this Agreement, the "Sum Amount of Bond" shall be \$566,531. This amount does not include any construction contingencies.
3. The bond amount consists of the following:

a) Labor and Material and Bond Cost	\$517,380
b) Sales Tax	\$49,151
c) Bond Total	\$566,531

 - d) Certificates of General Liability Insurance will be provided prior to Contract Signing. The State Of Washington shall be named as An Additional Insured on all insurance certificates.
4. The ESCO shall provide a payment and performance bond in the amount of 100% of the construction cost, as defined in the Energy Services Agreement Addendum. The amount shall include all authorized changes and state sales tax. The Bond shall be in the form attached to the Conditions of the Energy Services Agreement. The Contract listed on the bond form shall be the Addendum No. and Agreement No. which incorporates the work, and the "Contract Date" shall be the date of the Addendum. The full and just sum of the Bond shall be as defined above and shall include the actual cost of purchasing and installing the ESCO equipment, job superintendent, and state sales tax. The Bond shall specifically exclude coverage for those portions of the Energy Services Agreement and/or Energy Services Agreement Addendum pertaining to design services, energy cost savings guarantee, maintenance guarantee, utility incentives, efficiency guarantees, and any other clauses which do not relate specifically to construction management and supervision of work for purchasing and installing of the ESCO Equipment or for work to be

accomplished by the Owner. The Bond shall be with a Surety or Bonding Company that is registered with the State of Washington Insurance Commissioner's Office.

XIX. RENEGOTIATION

Both parties recognize that during the project implementation, the DES Energy Program Manager, Owner, and the ESCO may mutually agree to various modifications and that the energy savings may change as a result. Further, local code officials may require unanticipated changes to the project scope. In either event, both parties shall negotiate in good faith to restructure the project to maintain the intent of this Agreement.

XX. EXHIBITS AND TABLES

Please see attached exhibits & tables

A. TABLE 1 FINANCIAL ANALYSIS

I. PROJECT COSTS & ENERGY SAVINGS FOR SELECTED OPTIONS

PROJECT COSTS	Mech, Water, General	Lighting	Total Project costs
Engineering Audit	\$ 29,170	\$ -	\$ 29,170
Estimated Labor and Material Cost	\$ 115,069	\$ 392,167	\$ 507,235
M,W,G Design @ 10.0% of Labor & Material	\$ 11,507		\$ 11,507
Lighting Design @ 6.0% of Labor & Material		\$ 23,530	\$ 23,530
Construction Mgt @ 6.0% of Labor & Material	\$ 6,904	\$ 23,530	\$ 30,434
Bonding @ 2.0% of Labor & Material	\$ 2,301	\$ 7,843	\$ 10,145
ESCO overhead and profit @ 18.0% of Labor & Material	\$ 20,712	\$ 70,590	\$ 91,302
Subtotal:	\$ 185,663	\$ 517,660	\$ 703,323
Construction contingency @ 5.0% of CC	\$ 5,753	\$ 19,608	\$ 25,362
Subtotal - Maximum Project Cost:	\$ 191,417	\$ 537,269	\$ 728,685
Est. Sales Tax @ 9.5% of Maximum Project Cost	\$ 18,185	\$ 51,041	\$ 69,225
Additional 2 Years of M&V - Ameresco (plus sales tax)			\$ 7,841
Additional 2 Years of M&V - DES			\$ 4,000
DES Project Management Fees			\$ 36,800
TOTAL PROJECT PRICE:	\$ 209,601	\$ 588,309	\$ 846,551
Estimated Utility Incentive	\$ -	\$ 51,840	\$ 51,840
Commerce Grant Request			\$ 208,000
Estimated Client Net Cost (excluding add'l years M&V)			\$ 574,870
Client initial cash payment of Non-State Dollars			\$ 110,000
Client initial cash payment of State Dollars			\$ -
Amount to be financed by client:			\$ 464,870
Year 2 Estimated Cash Flow:			\$ 1,294

B. TABLE 2 CASH FLOW

ANNUAL ENERGY SAVINGS	Mechanical	Water	Lighting	General	Total
Electrical Savings (kWh)	5,441	13,282	322,655	7,151	348,530
Electrical Savings (kW)	0	0	1,117	0	1,117
Nat Gas Savings (Therms)	1,564	1,377	-835	560	2,667
Oil (DES)	0	0	0	0	0
Propane (DES)	0	0	0	0	0
Water Savings (CCF)	0	1,170	0	0	1,170
\$ Saved	\$ 1,941	\$ 12,564	\$ 31,995	\$ 1,235	\$ 47,736

II. PROJECT CASH FLOW FOR SELECTED OPTIONS

PROJECT SAVINGS BASED ON ESTIMATED ENERGY SAVINGS (100%)

Year ending Reference year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Mechanical, General, and Water savings	\$ -	\$ 15,741	\$ 15,977	\$ 16,217	\$ 16,460	\$ 16,707	\$ 16,958	\$ 17,212	\$ 17,470	\$ 17,732	\$ 17,998	\$ 18,268	\$ 18,542	\$ 18,820	\$ 19,103	\$ 19,389	\$ 19,680	\$ 19,975	\$ 20,275	\$ 20,579	\$ 20,888
Lighting Savings:	\$ -	\$ 31,995	\$ 32,475	\$ 32,962	\$ 33,457	\$ 33,959	\$ 34,468	\$ 34,985	\$ 35,510	\$ 36,042	\$ 36,583	\$ 37,132	\$ 37,689	\$ 38,254	\$ 38,828	\$ 39,410	\$ 40,002	\$ 40,602	\$ 41,211	\$ 41,829	\$ 42,456
Lighting Maintenance Savings	\$ -	\$ 6,720	\$ 6,821	\$ 6,924	\$ 7,027	\$ 7,133	\$ 7,240	\$ 7,348	\$ 7,459	\$ 7,571	\$ 7,684	\$ 7,799	\$ 7,916	\$ 8,035	\$ 8,156	\$ 8,278	\$ 8,402	\$ 8,528	\$ 8,656	\$ 8,786	\$ 8,918
Other Maintenance Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Savings:	\$ -	\$ 54,457	\$ 55,274	\$ 56,103	\$ 56,944	\$ 57,799	\$ 58,666	\$ 59,546	\$ 60,439	\$ 61,345	\$ 62,265	\$ 63,199	\$ 64,147	\$ 65,110	\$ 66,086	\$ 67,078	\$ 68,084	\$ 69,105	\$ 70,142	\$ 71,194	\$ 72,262
Cumulative Savings:	\$ -	\$ 54,457	\$ 109,731	\$ 165,833	\$ 222,778	\$ 280,576	\$ 339,242	\$ 398,787	\$ 459,226	\$ 520,571	\$ 582,837	\$ 646,036	\$ 710,184	\$ 775,293	\$ 841,380	\$ 908,457	\$ 976,541	\$ 1,045,646	\$ 1,115,788	\$ 1,186,981	\$ 1,259,243

PROJECT SAVINGS BASED ON GUARANTEED ENERGY SAVINGS (90%)

Year ending	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Mechanical, General, and Water savings	\$ -	\$ 14,167	\$ 14,379	\$ 14,595	\$ 14,814	\$ 15,036	\$ 15,262	\$ 15,491	\$ 15,723	\$ 15,959	\$ 16,198	\$ 16,441	\$ 16,688	\$ 16,938	\$ 17,192	\$ 17,450	\$ 17,712	\$ 17,978	\$ 18,247	\$ 18,521	\$ 18,799
Lighting Savings:	\$ -	\$ 28,796	\$ 29,228	\$ 29,666	\$ 30,111	\$ 30,563	\$ 31,021	\$ 31,487	\$ 31,959	\$ 32,438	\$ 32,925	\$ 33,419	\$ 33,920	\$ 34,429	\$ 34,945	\$ 35,469	\$ 36,001	\$ 36,541	\$ 37,090	\$ 37,646	\$ 38,211
Lighting Maintenance Savings	\$ -	\$ 6,048	\$ 6,139	\$ 6,231	\$ 6,325	\$ 6,420	\$ 6,516	\$ 6,614	\$ 6,713	\$ 6,814	\$ 6,916	\$ 7,019	\$ 7,125	\$ 7,232	\$ 7,340	\$ 7,450	\$ 7,562	\$ 7,675	\$ 7,791	\$ 7,907	\$ 8,026
Other Maintenance Savings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Savings:	\$ -	\$ 49,011	\$ 49,746	\$ 50,493	\$ 51,250	\$ 52,019	\$ 52,799	\$ 53,591	\$ 54,395	\$ 55,211	\$ 56,039	\$ 56,879	\$ 57,733	\$ 58,599	\$ 59,478	\$ 60,370	\$ 61,275	\$ 62,195	\$ 63,127	\$ 64,074	\$ 65,035
Cumulative Savings:	\$ -	\$ 49,011	\$ 98,758	\$ 149,250	\$ 200,500	\$ 252,519	\$ 305,318	\$ 358,909	\$ 413,304	\$ 468,514	\$ 524,553	\$ 581,433	\$ 639,165	\$ 697,764	\$ 757,242	\$ 817,612	\$ 878,887	\$ 941,081	\$ 1,004,209	\$ 1,068,283	\$ 1,133,319

ANNUAL PROJECT COSTS

Amount Financed: \$ (464,870)
Cash Payment: \$ (110,000)

Year ending	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Annual Financing Costs	\$ -	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522	\$ 51,522
AQ Tech Support and Monitoring	\$ -	\$ -	\$ 3,920	\$ 3,920	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DES Tech Support & Monitoring	\$ -	\$ -	\$ 2,000	\$ 2,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Deduct - Tenant Paid Energy & Maint. Savings	\$ -	\$ (3,412)	\$ (3,463)	\$ (3,515)	\$ (3,568)	\$ (3,621)	\$ (3,675)	\$ (3,731)	\$ (3,787)	\$ (3,843)	\$ (3,901)	\$ (3,960)	\$ (4,019)	\$ (4,079)	\$ (4,140)	\$ (4,202)	\$ (4,266)	\$ (4,329)	\$ (4,394)	\$ (4,460)	\$ (4,527)
Total Annual Costs to Client	\$ 110,000	\$ 48,110	\$ 53,979	\$ 53,927	\$ 47,954	\$ 47,901	\$ 47,846	\$ 47,791	\$ 47,735	\$ 47,679	\$ 47,621	\$ (3,960)	\$ (4,019)	\$ (4,079)	\$ (4,140)	\$ (4,202)	\$ (4,266)	\$ (4,329)	\$ (4,394)	\$ (4,460)	\$ (4,527)

NET ANNUAL CASH FLOW WHEN FINANCING PROJECT:

Year ending	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Cash Flow from Estimated Energy Savings (with inflation)	\$ (110,000)	\$ 6,347	\$ 1,294	\$ 2,176	\$ 8,990	\$ 9,898	\$ 10,819	\$ 11,754	\$ 12,703	\$ 13,667	\$ 14,645	\$ 67,159	\$ 68,166	\$ 69,189	\$ 70,227	\$ 71,280	\$ 72,349	\$ 73,435	\$ 74,536	\$ 75,654	\$ 76,789
Cumulative	\$ (110,000)	\$ (103,653)	\$ (102,359)	\$ (100,183)	\$ (91,193)	\$ (81,295)	\$ (70,476)	\$ (58,722)	\$ (46,018)	\$ (32,352)	\$ (17,707)	\$ 49,452	\$ 117,618	\$ 186,807	\$ 257,034	\$ 328,314	\$ 400,663	\$ 474,097	\$ 548,633	\$ 624,288	\$ 701,076
Cash Flow from Guaranteed Energy Savings (with inflation)	\$ (110,000)	\$ 901	\$ (4,233)	\$ (3,435)	\$ 3,296	\$ 4,118	\$ 4,953	\$ 5,800	\$ 6,660	\$ 7,532	\$ 8,418	\$ 60,839	\$ 61,752	\$ 62,678	\$ 63,618	\$ 64,572	\$ 65,541	\$ 66,524	\$ 67,522	\$ 68,535	\$ 69,563
Cumulative	\$ (110,000)	\$ (109,099)	\$ (113,332)	\$ (116,767)	\$ (113,471)	\$ (109,353)	\$ (104,400)	\$ (98,601)	\$ (91,941)	\$ (84,409)	\$ (75,991)	\$ (15,152)	\$ 46,600	\$ 109,278	\$ 172,896	\$ 237,468	\$ 303,009	\$ 369,533	\$ 437,055	\$ 505,589	\$ 575,152

C. TABLE 3 FULL LIST OF MEASURES

ECM #	Conservation Measure	Baseline							Savings					Financials					
		Current Annual Use Electrical		Current Gas Use (Therms)	Current Water Use (CCF)	Current Electric Cost (\$)	Current Gas Cost (\$)	Current Water Cost (\$)	Current Total Cost (\$)	Annual Savings Electric		Annual Gas Savings (Therms)	Annual Water Savings (CCF)	Annual Resource Savings (\$)	Annual Maint. Savings (\$)	Labor/Mat' Cost	Utility Incentive (\$)	Final Labor/Mat'l Cost (\$)	Simple Payback
		Consume (kWh)	Demand (kW)							Consume (kWh)	Demand (kW)								
City Wide																			
Water Conservation Measures																			
CW-W1	Fixture Retrofit: This measure will install water conservation devices (aerators on sinks, flush valves on urinals and toilets, or new fixtures) to save water and energy for water heating.	27,217		4,042	2,829	\$ 2,677	\$ 3,840	\$ 24,045	\$ 30,563	13,282	-	1,377	1,170	\$ 12,564		\$ 61,800		\$ 61,800	4.92
Lighting Conservation Measures																			
CW-L1	Lighting Retrofit (interior and exterior): This measure will provide efficient exterior lighting retrofit and replacements. - Retrofit/replace incandescent and fluorescent exit signs with LED technology - Occupancy/Unoccupancy sensor(s) with programmed start ballast fixtures					\$ -	\$ -	\$ -	\$ -	-	-	-	-	\$ -		\$ -		\$ -	
CW-L1a	505 Building	13,566	64			\$ 1,335	\$ -	\$ -	\$ 1,335	3,954	14	(15)	-	\$ 375	\$ 227	\$ 4,048	\$ 791	\$ 3,257	5.41
CW-L1b	Maintenance Center Bldg. A	43,175	182			\$ 5,112	\$ -	\$ -	\$ 5,112	14,225	53	(41)	-	\$ 1,587	\$ 429	\$ 25,651	\$ -	\$ 25,651	12.72
CW-L1c	Maintenance Center Bldg. B-E	72,370	302			\$ 8,539	\$ -	\$ -	\$ 8,539	40,731	126	(42)	-	\$ 4,408	\$ 151	\$ 58,087	\$ 4,507	\$ 53,580	11.75
CW-L1d	City Hall	270,019	1,084			\$ 27,656	\$ -	\$ -	\$ 27,656	98,896	395	-	-	\$ 10,109	\$ 3,375	\$ 133,395	\$ 16,292	\$ 117,103	8.68
CW-L1e	Fire Station 21	33,252	91			\$ 3,271	\$ -	\$ -	\$ 3,271	14,736	37	(23)	-	\$ 1,428	\$ 387	\$ 16,968	\$ 2,947	\$ 14,020	7.72
CW-L1f	Fire Station 22	33,575	104			\$ 3,303	\$ -	\$ -	\$ 3,303	14,088	34	(52)	-	\$ 1,336	\$ 125	\$ 15,271	\$ 2,818	\$ 12,453	8.52
CW-L1g	Fire Station 24	16,003	46			\$ 1,574	\$ -	\$ -	\$ 1,574	6,354	16	(25)	-	\$ 601	\$ 135	\$ 7,820	\$ 1,271	\$ 6,550	8.89
CW-L1h	Fire Station 25	27,875	88			\$ 2,742	\$ -	\$ -	\$ 2,742	15,344	38	(66)	-	\$ 1,447	\$ 124	\$ 12,982	\$ 3,069	\$ 9,913	6.31
CW-L1i	Fire Station 26	38,809	127			\$ 3,818	\$ -	\$ -	\$ 3,818	15,980	51	(61)	-	\$ 1,514	\$ 529	\$ 23,515	\$ 1,260	\$ 22,255	10.89
CW-L1j	Fire Station 27	52,301	149			\$ 5,145	\$ -	\$ -	\$ 5,145	28,608	69	(97)	-	\$ 2,722	\$ 216	\$ 22,704	\$ 5,722	\$ 16,983	5.78
CW-L1k	North Kirkland Center	21,460	86			\$ 2,111	\$ -	\$ -	\$ 2,111	11,593	35	(33)	-	\$ 1,109	\$ 62	\$ 16,172	\$ 1,535	\$ 14,637	12.50
CW-L1l	Peter Kirk Performing Arts Center	43,285	283			\$ 4,258	\$ -	\$ -	\$ 4,258	32,372	203	(204)	-	\$ 2,991	\$ 421	\$ 37,354	\$ 12,900	\$ 24,454	7.17
CW-L1m	Peter Kirk Senior Center	51,831	201			\$ 5,099	\$ -	\$ -	\$ 5,099	32,128	63	(201)	-	\$ 2,970	\$ 673	\$ 26,021	\$ -	\$ 26,021	7.14
CW-L1n	Kirkland Teen Union Building	18,478	79			\$ 1,818	\$ -	\$ -	\$ 1,818	7,249	35	-	-	\$ 713	\$ 133	\$ 10,405	\$ 755	\$ 9,650	11.40

ECM #	Conservation Measure	Baseline								Savings					Financials				
		Current Annual Use - Electrical		Current Gas Use (Therms)	Current Water Use (CCF)	Current Electric Cost (\$)	Current Gas Cost (\$)	Current Water Cost (\$)	Current Total Cost (\$)	Annual Savings Electric		Annual Gas Savings (Therms)	Annual Water Savings (CCF)	Annual Resource Savings (\$)	Annual Maint. Savings (\$)	Labor/Mat'l Cost	Utility Incentive (\$)	Final Labor/Mat'l Cost (\$)	Simple Payback
		Consume (kWh)	Demand (kW)							Consume (kWh)	Demand (kW)								
	City Hall																		
	<i>General Conservation Measures</i>																		
CH-G1	Building Envelope Upgrades: This measure will seal building envelope air gaps and reduce losses due to infiltration.	This measure deemed not cost effective after leakage audit																	
	505 Market																		
	<i>General Conservation Measures</i>																		
505-G1	Window Replacement: This measure will replace 21 existing windows with low-e energy efficient models.	64,600				\$ 6,355	\$ -	\$ -	\$ 6,355	2,589	-	-	-	\$ 255		\$ 14,626	\$ 14,626	57.43	
505-G2	Building Envelope Upgrades - Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration	62,011		-		\$ 6,100	\$ -	\$ -	\$ 6,100	4,562	-	-	-	\$ 449		\$ 3,779	\$ 3,779	8.42	
	Fire Station 21																		
	<i>Mechanical Conservation Measures</i>																		
F21-M1	Controls Upgrade (New): This measure will install a new DDC energy management system for optimized HVAC control including: - Communicating programmable thermostats that interface with central EMS or city intranet for easier control.			1,088		\$ -	\$ 1,033	\$ -	\$ 1,033	-	-	54	-	\$ 52		\$ 9,244	\$ 9,244	178.95	
	Fire Station 22																		
	<i>Mechanical Conservation Measures</i>																		
F22-M1	Controls Upgrade (New): This measure will install a new DDC energy management system for optimized HVAC control including: - Communicating programmable thermostats that interface with central EMS or internet for easier control.			4,380		\$ -	\$ 4,161	\$ -	\$ 4,161	-	-	219	-	\$ 208		\$ 11,191	\$ 11,191	53.79	
	<i>General Conservation Measures</i>																		
F22-G1	Building Envelope Upgrades - Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration	-	-	4,380		\$ -	\$ 4,161	\$ -	\$ 4,161	-	-	360	-	\$ 342		\$ 5,688	\$ 5,688	16.63	
	Fire Station 25																		
	<i>General Conservation Measures</i>																		
F25-G1	Building Envelope Upgrades - Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration	-	-	2,646	-	\$ -	\$ 2,514	\$ -	\$ 2,514	-	-	296	-	\$ 281		\$ 3,471	\$ 3,471	12.33	
	Fire Station 26																		
	<i>Mechanical Conservation Measures</i>																		
F26-M2	Controls Upgrade (New): This measure will install a new DDC energy management system for optimized HVAC control including: - Provide building controls for boiler, heating loop, replace t-stats and control dhw recirc pump			3,336		\$ -	\$ 3,170	\$ -	\$ 3,170	-	-	167	-	\$ 158		\$ 65,683	\$ 65,683	414.45	

ECM #	Conservation Measure	Baseline								Savings					Financials				
		Current Annual Use Electrical		Current Gas Use (Therms)	Current Water Use (CCF)	Current Electric Cost (\$)	Current Gas Cost (\$)	Current Water Cost (\$)	Current Total Cost (\$)	Annual Savings Electric		Annual Gas Savings (Therms)	Annual Water Savings (CCF)	Annual Resource Savings (\$)	Annual Maint. Savings (\$)	Labor/Mat'l Cost	Utility Incentive (\$)	Final Labor/Mat'l Cost (\$)	Simple Payback
		Consume (kWh)	Demand (kW)							Consume (kWh)	Demand (kW)								
Fire Station 27																			
<i>Mechanical Conservation Measures</i>																			
F27-M1	Controls Upgrade (New): This measure will install a new DDC energy management system for optimized HVAC control including: - Communicating programmable thermostats that interface with central EMS or internet for easier control.			2,744		\$ -	\$ 2,607	\$ -	\$ 2,607	-	-	137	-	\$ 130		\$ 5,547	\$ 5,547	42.56	
<i>General Conservation Measures</i>																			
F27-G1	Building Envelope Upgrades - Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration	-	-	2,744	-	\$ -	\$ 2,607	\$ -	\$ 2,607	-	-	200	-	\$ 190		\$ 3,565	\$ 3,565	18.76	
<i>Maintenance Center Bldg. A</i>																			
<i>Mechanical Conservation Measures</i>																			
MA-M3	Radiators and Retrocommission: Install radiator(s) in foyer to increase comfort. - Reprogram AHU-1 VFD to modulate - Place building into deeper night setback to reduce unoccupied heat - Retrocommission building	11,811		6,400		\$ 988	\$ 6,080	\$ -	\$ 7,068	5,480	-	1,329	-	\$ 1,721		\$ 16,418	\$ 16,418	9.54	
MA-M4	Replace heating loop pump with a Variable Speed Pump	This measure deemed not cost effective, existing valves 3-way																	
<i>General Conservation Measures</i>																			
MA-G1	Building Envelope Upgrades - Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration	This measure deemed not cost effective after leakage audit																	
<i>Maintenance Center Bldg. B & C</i>																			
<i>Mechanical Conservation Measures</i>																			
MBC-M1	Bldg. B & C Controls Upgrade (Expansion): This measure will upgrade and expand the DDC energy management system for optimized HVAC control including: - Add controls to radiant floor system for space temperature control and remote system feedback - Occupancy sensing to setback and turn off HVAC equipment when the space is unoccupied			4,699		\$ -	\$ 4,464	\$ -	\$ 4,464	-	-	235	-	\$ 223		\$ 15,986	\$ 15,986	71.62	
MB-M2	Add run around heat recovery loop to Exhaust Fan and Gas Fired AHU	This measure deemed not cost effective, limited fan runtime																	
MC-M2	Install Condensing Boiler to reduce energy usage and provide heating redundancy			2,114		\$ -	\$ 2,009	\$ -	\$ 2,009	-	-	211	-	\$ 201		\$ 57,186	\$ 57,186	284.69	
MC-M3	Replace heating loop pump with a Variable Speed Pump	This measure deemed not cost effective, existing valves 3-way																	
MC-M4	Install Air Pear Fans to reduce stratification in Bldg C. Bays	-		2,349		\$ -	\$ 2,232	\$ -	\$ 2,232	(38)	-	235	-	\$ 220		\$ 9,193	\$ 9,193	41.79	

ECM #	Conservation Measure	Baseline								Savings					Financials				
		Current Annual Use - Electrical		Current Gas Use (Therms)	Current Water Use (CCF)	Current Electric Cost (\$)	Current Gas Cost (\$)	Current Water Cost (\$)	Current Total Cost (\$)	Annual Savings Electric		Annual Gas Savings (Therms)	Annual Water Savings (CCF)	Annual Resource Savings (\$)	Annual Maint. Savings (\$)	Labor/Mat'l Cost	Utility Incentive (\$)	Final Labor/Mat'l Cost (\$)	Simple Payback
		Consume (kWh)	Demand (kW)							Consume (kWh)	Demand (kW)								
Teen Center																			
<i>Mechanical Conservation Measures</i>																			
TC-M1a	Controls Upgrade (New): This measure will install a new DDC energy management system for optimized HVAC control including: - Communicating programmable thermostats that interface with central EMS or internet for easier control. - Occupancy sensing to setback and turn off HVAC equipment when the space is unoccupied	82,665		-	-	\$ 8,132	\$ -	\$ -	\$ 8,132	50,894	-	-	-	\$ 5,007		\$ 7,746	\$ 5,422	\$ 2,324	0.46
TC-M1b	Units to Heat Pumps: This measure will replace the existing units with heat pump technology. - Includes M1a Controls Upgrade as part of heat pump upgrade	82,665		-	-	\$ 8,132	\$ -	\$ -	\$ 8,132	65,979	-	-	-	\$ 6,490		\$ 69,546	\$ 13,196	\$ 56,350	8.68

D. TABLE 4 SELECTED MEASURES

ECM #	Conservation Measure	Baseline							Savings						Labor/Mat' Cost	Utility Incentive \$	Final Labor/Mat' Cost \$	Simple Payback	
		Current Annual Use - Electrical		Current Gas Use (Therms)	Current Water Use (CCF)	Current Electric Cost \$	Current Gas Cost \$	Current Water Cost \$	Current Total Cost \$	Annual Savings Electric		Annual Gas Savings (Therms)	Annual Water Savings (CCF)	Annual Resource Savings \$					Annual Maint. Savings \$
		Consume kWh	Demand kW							Consume kWh	Demand kW								
City Wide																			
Water Conservation Measures																			
CW-W1	Fixture Retrofit: This measure will install water conservation devices (aerators on sinks, flush valves on urinals and toilets, or new fixtures) to save water and energy for water heating.	27,217		4,042	2,829	2,677	3,840	24,045	\$30,563	13,282		1,377	1,170	\$12,564		\$61,800	\$61,800	4.92	
Lighting Conservation Measures																			
CW-L1	Lighting Retrofit (interior and exterior): This measure will provide efficient exterior lighting retrofit and replacements. - Retrofit/replace incandescent and fluorescent exit signs with LED technology - Occupancy/Unoccupancy sensor(s) with programmed start ballast fixtures																		
CW-L1a	505 Building	13,566	64			1,335			\$1,335	3,954	14	-15		\$375	\$227	\$4,048	\$791	\$3,257	5.41
CW-L1b	Maintenance Center Bldg. A	43,175	182			5,112			\$5,112	14,225	53	-41		\$1,587	\$429	\$25,651		\$25,651	12.72
CW-L1c	Maintenance Center Bldg. B-E	72,370	302			8,539			\$8,539	40,731	126	-42		\$4,408	\$151	\$58,087	\$4,507	\$53,580	11.75
CW-L1d	City Hall	270,019	1,084			27,656			\$27,656	98,896	395			\$10,109	\$3,375	\$133,395	\$16,292	\$117,103	8.68
CW-L1e	Fire Station 21	33,252	91			3,271			\$3,271	14,736	37	-23		\$1,428	\$387	\$16,968	\$2,947	\$14,020	7.72
CW-L1f	Fire Station 22	33,575	104			3,303			\$3,303	14,088	34	-52		\$1,336	\$125	\$15,271	\$2,818	\$12,453	8.52
CW-L1h	Fire Station 25	27,875	88			2,742			\$2,742	15,344	38	-66		\$1,447	\$124	\$12,982	\$3,069	\$9,913	6.31
CW-L1i	Fire Station 26	38,809	127			3,818			\$3,818	15,980	51	-61		\$1,514	\$529	\$23,515	\$1,260	\$22,255	10.89
CW-L1j	Fire Station 27	52,301	149			5,145			\$5,145	28,608	69	-97		\$2,722	\$216	\$22,704	\$5,722	\$16,983	5.78
CW-L1k	North Kirkland Center	21,460	86			2,111			\$2,111	11,593	35	-33		\$1,109	\$62	\$16,172	\$1,535	\$14,637	12.50
CW-L1l	Peter Kirk Performing Arts Center	43,285	283			4,258			\$4,258	32,372	203	-204		\$2,991	\$421	\$37,354	\$12,900	\$24,454	7.17
CW-L1m	Peter Kirk Senior Center	51,831	201			5,099			\$5,099	32,128	63	-201		\$2,970	\$673	\$26,021		\$26,021	7.14
505 Market																			
General Conservation Measures																			
505-G1	Window Replacement: This measure will replace 21 existing windows with low-e energy efficient models.	64,600				6,355			\$6,355	2,589				\$255		\$14,626		\$14,626	57.43
505-G2	Building Envelope Upgrades - Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration	62,011				6,100			\$6,100	4,562				\$449		\$3,779		\$3,779	8.42

ECM #	Conservation Measure	Baseline							Savings					Labor/Mat Cost	Utility Incentive \$	Final Labor/Mat Cost \$	Simple Payback		
		Current Annual Use - Electrical		Current Gas Use (Therms)	Current Water Use (CCF)	Current Electric Cost \$	Current Gas Cost \$	Current Water Cost \$	Current Total Cost \$	Annual Savings Electric		Annual Gas Savings (Therms)	Annual Water Savings (CCF)					Annual Resource Savings \$	Annual Maint. Savings \$
		Consume kWh	Demand kW							Consume kWh	Demand kW								
	Fire Station 22																		
	<i>General Conservation Measures</i>																		
F22-G1	Building Envelope Upgrades - Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration			4,380			4,161		\$4,161			360		\$342		\$5,688	\$5,688	16.63	
	Fire Station 27																		
	<i>General Conservation Measures</i>																		
F27-G1	Building Envelope Upgrades - Envelope Sealing: This measure will seal building envelope air gaps and eliminate losses due to infiltration			2,744			2,607		\$2,607			200		\$190		\$3,565	\$3,565	18.76	
	Maintenance Center Bldg. A																		
	<i>Mechanical Conservation Measures</i>																		
MA-M3	Radiators and Retrocommission: Install radiator(s) in foyer to increase comfort. - Reprogram AHU-1 VFD to modulate - Place building into deeper night setback to reduce unoccupied heat - Retrocommission building	11,811		6,400		988	6,080		\$7,068	5,480		1,329		\$1,721		\$16,418	\$16,418	9.54	
	Maintenance Center Bldg. B & C																		
	<i>Mechanical Conservation Measures</i>																		
MC-M4	Install Air Pear Fans to reduce stratification in Bldg C. Bays			2,349			2,232		\$2,232	-38		235		\$220		\$9,193	\$9,193	41.79	

EXHIBIT 1 Detailed Lighting Audit Calculations (Provided Separately on CD-ROM)
Detailed Water Audit Calculations (Provided Separately on CD-ROM)
Detailed HVAC Audit Calculations (Provided Separately on CD-ROM)

EXHIBIT 2 Bond Form (Incorporated herein (AIA A312))

EXHIBIT 3 Energy Services Agreement (Incorporated herein)

XXI. AMMENDMENTS OR CHANGES

A. None



Department of Commerce

Innovation is in our nature.

Interagency Agreement with

City of Kirkland

through

2012 Energy Efficiency Grants for Local Governments

**(Engrossed Senate Bill 5127, Laws of 2012,
2nd Special Session, Chapter 1, Section 301)**

Start date: Upon Final Signature

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Attachment A, Scope of Work; Attachment B, Budget; Attachment C, Availability of Funds;
Attachment D Certification of Prevailing Wages;

**Washington State Department of Commerce
Community Services & Housing Division
Community Capital Facilities Unit**

1. Grantee City of Kirkland 123 5th Avenue Kirkland, Washington 98033		2. Grantee Doing Business As (optional) 	
3. Grantee Representative Donna Burris Internal Services Division Manager 425.587.3902 dburris@kirklandwa.gov		4. COMMERCE Representative Daniel Arthun Program Manager 360-725-3007 360-586-5880 Dan.Arthun@commerce.wa.gov <div style="float: right; text-align: right;"> P.O. Box 42525 1011 Plum Street SE Olympia, WA 98504-2525 </div>	
5. Grant Amount \$208,000.00	6. Funding Source Federal: <input type="checkbox"/> State: <input checked="" type="checkbox"/> Other: <input type="checkbox"/> N/A: <input type="checkbox"/>	7. Start Date Upon Final Signature	8. End Date June 30, 2015
9. Federal Funds (as applicable) N/A	<u>Federal Agency</u> N/A	<u>CFDA Number</u> N/A	
10. Tax ID # N/A	11. SWV # 0018947-00	12. UBI # N/A	13. DUNS # N/A
14. Grant Purpose The purpose of this contract is to provide Washington's local governments with grant funds for operational cost savings improvements that result in energy and operational cost savings in accordance with ESB 5127, Laws of 2012, 2 nd Special Session, Ch 1, Sec .301. COMMERCE, defined as the Department of Commerce or its successor agency, and the Grantee, as defined above, acknowledge and accept the terms of this Agreement and attachments and have executed this Agreement on the date below to start as of the date and year referenced above. The rights and obligations of both parties to this Grant are governed by this Grant and the following other documents incorporated by reference: Agreement Terms and Conditions including Attachment "A" – Scope of Work, Attachment "B" – Budget, Attachment "C" – Certification of Availability of Funds to Complete the Project, Attachment "D" – Certification of the Payment and Reporting of Prevailing Wages.			
FOR GRANTEE <hr/> Marilynne Beard, Deputy City Manager <hr/> Date		FOR COMMERCE <hr/> Diane Klontz, Assistant Director <hr/> Date APPROVED AS TO FORM ONLY Signature on file. <hr/>	

**SPECIAL TERMS AND CONDITIONS
GENERAL GRANT
STATE FUNDS**

THIS CONTRACT, entered into by and between City of Kirkland (a unit of local government hereinafter referred to as the Grantee), and the Washington State Department of Commerce (hereinafter referred to as COMMERCE), WITNESSES THAT:

WHEREAS, COMMERCE has the statutory authority under RCW 43.330.050 (5) to cooperate with and provide assistance to local governments, businesses, and community-based organizations; and

WHEREAS, COMMERCE is also given the responsibility to administer state funds and programs which are assigned to COMMERCE by the Governor or the Washington State Legislature; and

WHEREAS, the Washington State Legislature has, in ESB 5127, Laws of 2012, 2nd Special Session, Chapter 1, Section 301, made an appropriation to support the 2012 Energy Efficiency Grants for Local Governments Program, and directed COMMERCE to administer those funds; and

WHEREAS, the enabling legislation also stipulates that the Grantee is eligible to receive funding for acquisition, construction, or rehabilitation (a venture hereinafter referred to as the "Project").

NOW, THEREFORE, in consideration of covenants, conditions, performances, and promises hereinafter contained, the parties hereto agree as follows:

1. GRANT MANAGEMENT

The Representative for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Agreement.

The Representative for COMMERCE and their contact information are identified on the Face Sheet of this Agreement.

The Representative for the Grantee and their contact information are identified on the Face Sheet of this Agreement.

2. COMPENSATION

COMMERCE shall pay an amount not to exceed \$208,000.00 for the performance of all things necessary for or incidental to the performance of work as set forth in the Scope of Work.

3. EXPENDITURES ELIGIBLE FOR REIMBURSEMENT

The Grantee may be reimbursed, at the rate set forth elsewhere in this contract, for work completed beginning April 23, 2012. Eligible project expenditures are in the following cost categories:

- A. Design, engineering, architectural, planning services and nongrant overhead and profit;
- B. Construction management and observation (from external sources only);
- C. Construction costs including, but not limited to, the following:
 - Demolition;
 - Site preparation;
 - Permits and fees;
 - Labor and materials;
 - Taxes on Project goods and services;
 - Capitalized equipment;
 - Information technology infrastructure; and
 - Landscaping.

**SPECIAL TERMS AND CONDITIONS
GENERAL GRANT
STATE FUNDS**

D. Loan Interest over the term of the loan.

4. BILLING PROCEDURES AND PAYMENT

COMMERCE shall reimburse the Grantee for 100% of eligible Project expenditures, up to the maximum payable under this contract. When requesting reimbursement for expenditures made, the Grantee shall submit to COMMERCE a signed and completed Invoice Voucher (Form A-19), that documents capitalized Project activity performed – by budget line item – for the billing period.

The Grantee shall evidence the costs claimed on each voucher by including copies of each invoice received from vendors providing Project goods or services covered by the contract. The Grantee shall also provide COMMERCE with a copy of the cancelled check or electronic funds transfer, as applicable, confirming that they have paid each expenditure being claimed. The cancelled checks or electronic funds transfers may be submitted to COMMERCE at the time the voucher is initially submitted, or within thirty (30) days thereafter.

The voucher must be certified (signed) by an official of the Grantee with authority to bind the Grantee. The final voucher shall be submitted to COMMERCE within sixty (60) days following the completion of work or other termination of this contract, or within fifteen (15) days following the end of the state biennium unless contract funds are reappropriated by the Legislature in accordance with Section 9, hereof.

Payment shall be considered timely if made by COMMERCE within thirty (30) calendar days after receipt of properly completed invoices.

Project Status Report

Each request for payment must be accompanied by a Project Status Report, which describes, in narrative form, the progress made on the Project since the last invoice was submitted, as well as a report of Project status to date. COMMERCE will not release payment for any reimbursement request received unless and until the Project Status Report is received. After approving the Invoice Voucher and Project Status Report, COMMERCE shall promptly remit a warrant to the Grantee.

Advance Payments

No payments in advance or in anticipation of services or supplies to be provided under this Agreement shall be made by COMMERCE.

Duplication of Billed Costs

The Grantee shall not bill COMMERCE for services performed under this Agreement, and COMMERCE shall not pay the Grantee, if the Grantee is entitled to payment or has been or will be paid by any other source, including grants, for that service.

Disallowed Costs

The Grantee is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its subcontractors.

Termination

COMMERCE may, in its sole discretion, terminate the Grant or withhold payments claimed by the Grantee for services rendered if the Grantee fails to satisfactorily comply with any term or condition of this Grant.

5. INSURANCE

Grantees and Local Governments that Participate in a Self-Insurance Program.

Self-Insured/Liability Pool or Self-Insured Risk Management Program – With prior approval from COMMERCE, the Grantee may provide the coverage above under a self-insured/liability pool or

**SPECIAL TERMS AND CONDITIONS
GENERAL GRANT
STATE FUNDS**

self-insured risk management program. In order to obtain permission from COMMERCE, the Grantee shall provide: (1) a description of its self-insurance program, and (2) a certificate and/or letter of coverage that outlines coverage limits and deductibles. All self-insured risk management programs or self-insured/liability pool financial reports must comply with Generally Accepted Accounting Principles (GAAP) and adhere to accounting standards promulgated by: 1) Governmental Accounting Standards Board (GASB), 2) Financial Accounting Standards Board (FASB), and 3) the Washington State Auditor's annual instructions for financial reporting. Contractor's participating in joint risk pools shall maintain sufficient documentation to support the aggregate claim liability information reported on the balance sheet. The state of Washington, its agents, and employees need not be named as additional insured under a self-insured property/liability pool, if the pool is prohibited from naming third parties as additional insured.

Grantee shall provide annually to COMMERCE a summary of coverages and a letter of self insurance, evidencing continued coverage under Grantee's self-insured/liability pool or self-insured risk management program. Such annual summary of coverage and letter of self insurance will be provided on the anniversary of the start date of this Agreement.

6. ORDER OF PRECEDENCE

In the event of an inconsistency in this Agreement, the inconsistency shall be resolved by giving precedence in the following order:

- Applicable federal and state of Washington statutes and regulations
- Special Terms and Conditions
- General Terms and Conditions
- Attachment A – Scope of Work
- Attachment B – Budget
- Attachment C – Certification of the Availability of Funds to Complete the Project
- Attachment D – Certification of the Payment and Reporting of Prevailing Wages

7. REPORTING OF JOBS FUNDED

The Grantee shall provide to Commerce each quarter a completed "2012 Energy Efficiency Grants Quarterly Report" which will identify the number of jobs funded by the Project. For the purposes of this agreement, "quarterly" shall be defined as follows:

- July through September, 2012
- October through December, 2012
- January through March, 2013
- April through June, 2013
- July through September, 2013
- October through December, 2013
- January through March, 2014
- April through June, 2014

The Grantee shall submit the 2012 Energy Efficiency Grants Quarterly Report to Commerce as applicable within ten (10) calendar days following the end of each quarter until all work on the Project has been completed and no additional jobs are being funded. Commerce will email a Report form to each Grantee when the contract has been executed.

**SPECIAL TERMS AND CONDITIONS
GENERAL GRANT
STATE FUNDS**

8. ONGOING MEASUREMENT & VERIFICATION

Measurement and Verification of Energy Savings (ESPC Projects)

After the Project has been completed and the Notice of the Commencement of Energy Savings has been issued, ongoing measurement and verification (M&V) begins, in order to verify that the guaranteed energy savings occurs.

The recommended minimum length of M&V is three (3) years. However, Grantees are encouraged to have M&V performed for the length of the financing term to extend the energy savings guaranteed for the Project. The proposed length of the ongoing M&V period should be identified in the Energy Services Proposal (ESP).

The Grantee shall submit an annual Measurement and Verification Report to Commerce by February 15th of each year for the prior calendar year until all measurement and verification requirements have been satisfied.

Each Measurement and Verification Report shall include:

1. An **executive summary** that gives a brief description of the energy efficiency measures (EEMS) identified and if the guaranteed energy savings were achieved;
2. The **report** shall include the following:
 - a. Calculation of the energy savings verified for each measure.
 - b. A brief description of any changes to the subject facilities. If these changes have an impact on the verified energy savings, this needs to be identified and the impact calculated.
 - c. Any other deliverables that were proposed, such as greenhouse gas reduction calculations or building energy performance benchmarks.
 - d. All physical measurements that were performed (i.e., boiler combustion test results, motor runtime logs). If necessary, these can be attached via appendix to the main report.
 - e. A list of remedies the ESCO will provide if the guaranteed savings are not being met. Specify whether and by when the physical aspects of the project that led to the loss of savings will be corrected. Specify how the ESCO will reimburse the Grantee for the identified differences between the verified savings and the guaranteed level of savings. Specify the timing of when the ESCO will make the reimbursement to the Grantee.

The guaranteed minimum energy savings identified in the ESP and the verified actual energy savings should be identified in tabular form for easy reference by the Grantee and Commerce. The energy savings should be:

1. Identified in the native unit of measure for each utility commodity, such as kWh or Therms for both guaranteed and verified energy savings;
2. Translated into utility bill dollar savings; and
3. Denoted in dollars, using the energy rates in effect at the time the ESP was prepared.

Measurement and Verification of Energy Savings (Non-ESPC Projects)

Projects that do not use Energy Savings Performance Contracting must verify energy and operational cost savings for ten (10) years or until the energy and operational cost savings pay for the Project, whichever is shorter. They must also follow the Department of Enterprise Services (DES) energy savings performance contracting project guidelines. Third-party verification must be performed by one of the following:

1. An energy savings performance contractor selected by DES through a request for qualifications;
2. A licensed engineer that is a certified energy manager;
3. A project resource conservation manager; or
4. An educational service district resource conservation manager.

**SPECIAL TERMS AND CONDITIONS
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The Grantee shall submit an annual Measurement and Verification Report to Commerce by February 15th of each year for the prior calendar year until all M&V requirements have been satisfied.

Each Measurement and Verification Report shall include:

1. An **executive summary** that gives a brief description of the energy efficiency measures (EEMS) identified and if the estimated energy savings were achieved;
2. The **report** shall include the following:
 - a. Calculation of the energy savings verified for each measure.
 - b. A brief description of any changes to the subject facilities. If these changes have an impact on the verified energy savings, this needs to be identified and the impact calculated.
 - c. Any other deliverables that were proposed, such as greenhouse gas reduction calculations or building energy performance benchmarks.
 - d. All physical measurements that were performed (i.e., boiler combustion test results, motor runtime logs). If necessary, these can be attached via appendix to the main report.

The estimated energy savings identified in the final Investment Grade Audit and the verified energy savings should be identified in tabular form for easy reference by the Grantee and Commerce. The energy savings should be:

1. Identified in the native unit of measure for each utility commodity, such as kWh or Therms for both estimated and verified energy savings;
2. Translated into utility bill dollar savings; and
3. Denoted in dollars, using the energy rates in effect at the time of the report was completed.

9. REAPPROPRIATION

- A. The parties hereto understand and agree that any state funds not expended by June 30, 2013, will lapse on that date unless specifically reappropriated by the Washington State Legislature. If funds are so reappropriated, the state's obligation under the terms of this contract shall be contingent upon the terms of such reappropriation.
- B. In the event any funds awarded under this contract are reappropriated for use in a future biennium, COMMERCE reserves the right to assign a reasonable share of any such reappropriation for administrative costs.

**GENERAL TERMS AND CONDITIONS
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1. DEFINITIONS

As used throughout this Agreement, the following terms shall have the meaning set forth below:

- A. "Authorized Representative" shall mean the Director and/or the designee authorized in writing to act on the Director's behalf.
- B. "COMMERCE" shall mean the Department of Commerce or its successor agency.
- C. "Grantee" shall mean the entity identified on the face sheet performing service(s) under this Agreement, and shall include all employees and agents of the Grantee.
- D. "Personal Information" shall mean information identifiable to any person, including, but not limited to, information that relates to a person's name, health, finances, education, business, use or receipt of governmental services or other activities, addresses, telephone numbers, social security numbers, driver license numbers, other identifying numbers, and any financial identifiers.
- E. "State" shall mean the state of Washington.
- F. "Subgrantee" shall mean one not an employee of the Grantee, who is performing all or part of those services under this Agreement under a separate Agreement with the Grantee. The terms "subgrantee" and "subgrantees" means subgrantee(s) in any tier.

2. ADVANCE PAYMENTS PROHIBITED

No payments in advance of or in anticipation of goods or services to be provided under this Agreement shall be made by COMMERCE.

3. ALL WRITINGS CONTAINED HEREIN

This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

4. AMENDMENTS

This Agreement may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

5. AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, PUBLIC LAW 101-336, also referred to as the "ADA" 28 CFR Part 35

The Grantee must comply with the ADA, which provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

6. APPROVAL

This Agreement shall be subject to the written approval of COMMERCE's Authorized Representative and shall not be binding until so approved. The Agreement may be altered, amended, or waived only by a written amendment executed by both parties.

7. ASSIGNMENT

Neither this Agreement, nor any claim arising under this Agreement, shall be transferred or assigned by the Grantee without prior written consent of COMMERCE.

**GENERAL TERMS AND CONDITIONS
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8. ATTORNEYS' FEES

Unless expressly permitted under another provision of the Agreement, in the event of litigation or other action brought to enforce Agreement terms, each party agrees to bear its own attorneys fees and costs.

9. AUDIT

A. General Requirements

Grantees are to procure audit services based on the following guidelines.

The Grantee shall maintain its records and accounts so as to facilitate the audit requirement and shall ensure that Subgrantees also maintain auditable records.

The Grantee is responsible for any audit exceptions incurred by its own organization or that of its Subgrantees.

COMMERCE reserves the right to recover from the Grantee all disallowed costs resulting from the audit.

As applicable, Grantees required to have an audit must ensure the audits are performed in accordance with Generally Accepted Auditing Standards (GAAS); Government Auditing Standards (the Revised Yellow Book) developed by the Comptroller General.

Responses to any unresolved management findings and disallowed or questioned costs shall be included with the audit report. The Grantee must respond to COMMERCE requests for information or corrective action concerning audit issues within thirty (30) days of the date of request.

B. State Funds Requirements

Grantees expending \$100,000 or more in total state funds in a fiscal year must have a financial audit as defined by Government Auditing Standards (The Revised Yellow Book) and according to Generally Accepted Auditing Standards (GAAS). The Schedule of State Financial Assistance must be included. The schedule includes:

- Grantor agency name
- State program name
- BARS account number
- Grantor
- COMMERCE Grant number
- Grant award amount including amendments (total grant award)
- Beginning balance
- Current year revenues
- Current year expenditures
- Ending balance
- Program total

If the Grantee is a state or local government entity, the Office of the State Auditor shall conduct the audit. Audits of non-profit organizations are to be conducted by a certified public accountant selected by the Grantee.

The Grantee shall include the above audit requirements in any subgrants.

In any case, the Grantee's financial records must be available for review by COMMERCE.

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C. Documentation Requirements

The Grantee must send a copy of any required audit Reporting Package as described in OMB Circular A-133, Part C, Section 320(c) no later than nine (9) months after the end of the Grantee's fiscal year(s) to:

Department of Commerce
ATTN: Audit Review and Resolution Office
1011 Plum Street SE
PO Box 48300
Olympia WA 98504-8300

In addition to sending a copy of the audit, when applicable, the Grantee must include:

- Corrective action plan for audit findings within three (3) months of the audit being received by COMMERCE.
- Copy of the Management Letter.

10. CONFIDENTIALITY/SAFEGUARDING OF INFORMATION

A. "Confidential Information" as used in this section includes:

1. All material provided to the Grantee by COMMERCE that is designated as "confidential" by COMMERCE;
2. All material produced by the Grantee that is designated as "confidential" by COMMERCE and
3. All personal information in the possession of the Grantee that may not be disclosed under state or federal law. "Personal information" includes but is not limited to information related to a person's name, health, finances, education, business, use of government services, addresses, telephone numbers, social security number, driver's license number and other identifying numbers, and "Protected Health Information" under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

B. The Grantee shall comply with all state and federal laws related to the use, sharing, transfer, sale, or disclosure of Confidential Information. The Grantee shall use Confidential Information solely for the purposes of this Agreement and shall not use, share, transfer, sell or disclose any Confidential Information to any third party except with the prior written consent of COMMERCE or as may be required by law. The Grantee shall take all necessary steps to assure that Confidential Information is safeguarded to prevent unauthorized use, sharing, transfer, sale or disclosure of Confidential Information or violation of any state or federal laws related thereto. Upon request, the Grantee shall provide COMMERCE with its policies and procedures on confidentiality. COMMERCE may require changes to such policies and procedures as they apply to this Agreement whenever the Grantor reasonably determines that changes are necessary to prevent unauthorized disclosures. The Grantee shall make the changes within the time period specified by COMMERCE. Upon request, the Grantee shall immediately return to COMMERCE any Confidential Information that COMMERCE reasonably determines has not been adequately protected by the Grantee against unauthorized disclosure.

C. Unauthorized Use or Disclosure. The Grantee shall notify COMMERCE within five (5) working days of any unauthorized use or disclosure of any confidential information, and shall take necessary steps to mitigate the harmful effects of such use or disclosure.

11. CONFORMANCE

If any provision of this Agreement violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

**GENERAL TERMS AND CONDITIONS
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12. COPYRIGHT PROVISIONS

Unless otherwise provided, all Materials produced under this Agreement shall be considered "works for hire" as defined by the U.S. Copyright Act and shall be owned by the Grantor. COMMERCE shall be considered the author of such Materials. In the event the Materials are not considered "works for hire" under the U.S. Copyright laws, the Grantee hereby irrevocably assigns all right, title, and interest in all Materials, including all intellectual property rights, moral rights, and rights of publicity to COMMERCE effective from the moment of creation of such Materials.

"Materials" means all items in any format and includes, but is not limited to, data, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. "Ownership" includes the right to copyright, patent, register and the ability to transfer these rights.

For Materials that are delivered under the Agreement, but that incorporate pre-existing materials not produced under the Agreement, the Grantee hereby grants to COMMERCE a nonexclusive, royalty-free, irrevocable license (with rights to sublicense to others) in such Materials to translate, reproduce, distribute, prepare derivative works, publicly perform, and publicly display. The Grantee warrants and represents that the Grantee has all rights and permissions, including intellectual property rights, moral rights and rights of publicity, necessary to grant such a license to COMMERCE.

The Grantee shall exert all reasonable effort to advise COMMERCE, at the time of delivery of Materials furnished under this Agreement, of all known or potential invasions of privacy contained therein and of any portion of such document which was not produced in the performance of this Agreement. The Grantee shall provide COMMERCE with prompt written notice of each notice or claim of infringement received by the Grantee with respect to any Materials delivered under this Agreement. COMMERCE shall have the right to modify or remove any restrictive markings placed upon the Materials by the Grantee.

13. DISPUTES

Except as otherwise provided in this Agreement, when a dispute arises between the parties and it cannot be resolved by direct negotiation, either party may request a dispute hearing with COMMERCE's Director, who may designate a neutral person to decide the dispute.

The request for a dispute hearing must:

- be in writing;
- state the disputed issues;
- state the relative positions of the parties;
- state the Grantee's name, address, and Agreement number; and
- be mailed to the Director and the other party's (respondent's) Agreement Representative within three (3) working days after the parties agree that they cannot resolve the dispute.

The respondent shall send a written answer to the requestor's statement to both the Director or the Director's designee and the requestor within five (5) working days.

The Director or designee shall review the written statements and reply in writing to both parties within ten (10) working days. The Director or designee may extend this period if necessary by notifying the parties.

The decision shall not be admissible in any succeeding judicial or quasi-judicial proceeding.

The parties agree that this dispute process shall precede any action in a judicial or quasi-judicial tribunal.

Nothing in this Agreement shall be construed to limit the parties' choice of a mutually acceptable alternate dispute resolution (ADR) method in addition to the dispute hearing procedure outlined above.

**GENERAL TERMS AND CONDITIONS
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14. DUPLICATE PAYMENT

The Grantee certifies that work to be performed under this Agreement does not duplicate any work to be charged against any other Agreement, subgrant, or other source.

15. ETHICS/CONFLICTS OF INTEREST

In performing under this Agreement, the Grantee shall assure compliance with the Ethics in Public Service Act (Chapter 42.52 RCW) and any other applicable state or federal law related to ethics or conflicts of interest.

16. GOVERNING LAW AND VENUE

This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

17. INDEMNIFICATION

To the fullest extent permitted by law, the Grantee shall indemnify, defend, and hold harmless the state of Washington, COMMERCE, all other agencies of the state and all officers, agents and employees of the state, from and against all claims or damages for injuries to persons or property or death arising out of or incident to the Grantee's performance or failure to perform the Agreement. The Grantee's obligation to indemnify, defend, and hold harmless includes any claim by the Grantee's agents, employees, representatives, or any Subgrantee or its agents, employees, or representatives.

The Grantee's obligation to indemnify, defend, and hold harmless shall not be eliminated by any actual or alleged concurrent negligence of the state or its agents, agencies, employees and officers.

Subgrants shall include a comprehensive indemnification clause holding harmless the Grantee, COMMERCE, the state of Washington, its officers, employees and authorized agents.

The Grantee waives its immunity under Title 51 RCW to the extent it is required to indemnify, defend and hold harmless the state and its agencies, officers, agents or employees.

18. INDEPENDENT CAPACITY OF THE GRANTEE

The parties intend that an independent contractor relationship will be created by this Agreement. The Grantee and its employees or agents performing under this Agreement are not employees or agents of the state of Washington or COMMERCE. The Grantee will not hold itself out as or claim to be an officer or employee of COMMERCE or of the state of Washington by reason hereof, nor will the Grantee make any claim of right, privilege or benefit which would accrue to such officer or employee under law. Conduct and control of the work will be solely with the Grantee.

19. INDUSTRIAL INSURANCE COVERAGE

The Grantee shall comply with all applicable provisions of Title 51 RCW, Industrial Insurance. If the Grantee fails to provide industrial insurance coverage or fails to pay premiums or penalties on behalf of its employees as may be required by law, COMMERCE may collect from the Grantee the full amount payable to the Industrial Insurance Accident Fund. COMMERCE may deduct the amount owed by the Grantee to the accident fund from the amount payable to the Grantee by COMMERCE under this Agreement, and transmit the deducted amount to the Department of Labor and Industries, (L&I) Division of Insurance Services. This provision does not waive any of L&I's rights to collect from the Grantee.

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20. LAWS

The Grantee shall comply with all applicable laws, ordinances, codes, regulations and policies of local and state and federal governments, as now or hereafter amended including, but not limited to:

Washington State Laws and Regulations

- A. Affirmative action, RCW 41.06.020 (11).
- B. Boards of directors or officers of non-profit corporations – Liability - Limitations, RCW 4.24.264.
- C. Disclosure-campaign finances-lobbying, Chapter 42.17 RCW.
- D. Discrimination-human rights commission, Chapter 49.60 RCW.
- E. Ethics in public service, Chapter 42.52 RCW.
- F. Office of minority and women's business enterprises, Chapter 39.19 RCW and Chapter 326-02 WAC.
- G. Open public meetings act, Chapter 42.30 RCW.
- H. Public records act, Chapter 42.56 RCW.
- I. State budgeting, accounting, and reporting system, Chapter 43.88 RCW.

21. LICENSING, ACCREDITATION AND REGISTRATION

The Grantee shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements or standards necessary for the performance of this Agreement.

22. LIMITATION OF AUTHORITY

Only the Authorized Representative or Authorized Representative's designee by writing (designation to be made prior to action) shall have the express, implied, or apparent authority to alter, amend, modify, or waive any clause or condition of this Agreement.

23. NONCOMPLIANCE WITH NONDISCRIMINATION LAWS

During the performance of this Agreement, the Grantee shall comply with all federal, state, and local nondiscrimination laws, regulations and policies. In the event of the Grantee's non-compliance or refusal to comply with any nondiscrimination law, regulation or policy, this Agreement may be rescinded, canceled or terminated in whole or in part, and the Grantee may be declared ineligible for further Agreements with the state. The Grantee shall, however, be given a reasonable time in which to cure this noncompliance. Any dispute may be resolved in accordance with the "Disputes" procedure set forth herein.

24. POLITICAL ACTIVITIES

Political activity of Grantee employees and officers are limited by the State Campaign Finances and Lobbying provisions of Chapter 42.17 RCW and the Federal Hatch Act, 5 USC 1501 - 1508.

No funds may be used under this Agreement for working for or against ballot measures or for or against the candidacy of any person for public office.

25. PROHIBITION AGAINST PAYMENT OF BONUS OR COMMISSION

The funds provided under this Agreement shall not be used in payment of any bonus or commission for the purpose of obtaining approval of the application for such funds or any other approval or concurrence under this Agreement provided, however, that reasonable fees or bona fide technical consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as project costs.

**GENERAL TERMS AND CONDITIONS
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26. PUBLICITY

The Grantee agrees not to publish or use any advertising or publicity materials in which the state of Washington or COMMERCE's name is mentioned, or language used from which the connection with the state of Washington's or COMMERCE's name may reasonably be inferred or implied, without the prior written consent of COMMERCE.

27. RECAPTURE DISINCENTIVE

In the event that the Grantee fails to perform this Agreement in accordance with state laws, federal laws, and/or the provisions of this Agreement, COMMERCE reserves the right to recapture funds in an amount to compensate COMMERCE for the noncompliance in addition to any other remedies available at law or in equity.

Repayment by the Grantee of funds under this recapture provision shall occur within the time period specified by COMMERCE. In the alternative, COMMERCE may recapture such funds from payments due under this Agreement.

28. RECORDS MAINTENANCE OUTPUT

The Grantee shall maintain all books, records, documents, data and other evidence relating to this Agreement and performance of the services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. Grantee shall retain such records for a period of six years following the date of final payment.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been finally resolved.

29. REGISTRATION WITH DEPARTMENT OF REVENUE

If required by law, the Grantee shall complete registration with the Washington State Department of Revenue.

30. RIGHT OF INSPECTION

At no additional cost all records relating to the Grantee's performance under this Agreement shall be subject at all reasonable times to inspection, review, and audit by COMMERCE, the Office of the State Auditor, and federal and state officials so authorized by law, in order to monitor and evaluate performance, compliance, and quality assurance under this Agreement. The Grantee shall provide access to its facilities for this purpose.

31. SAVINGS

In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Agreement and prior to normal completion, COMMERCE may terminate the Agreement under the "Termination for Convenience" clause, without the ten business day notice requirement. In lieu of termination, the Agreement may be amended to reflect the new funding limitations and conditions.

32. SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement that can be given effect without the invalid provision, if such remainder conforms to the requirements of law and the fundamental purpose of this Agreement and to this end the provisions of this Agreement are declared to be severable.

**GENERAL TERMS AND CONDITIONS
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33. SUBGRANTING

The Grantee may only subgrant work contemplated under this Agreement if it obtains the prior written approval of COMMERCE.

If COMMERCE approves subgranting, the Grantee shall maintain written procedures related to subgranting, as well as copies of all subgrants and records related to subgrants. For cause, COMMERCE in writing may: (a) require the Grantee to amend its subgranting procedures as they relate to this Agreement; (b) prohibit the Grantee from subgranting with a particular person or entity; or (c) require the Grantee to rescind or amend a subgrant.

Every subgrant shall bind the Subgrantee to follow all applicable terms of this Agreement. The Grantee is responsible to COMMERCE if the Subgrantee fails to comply with any applicable term or condition of this Agreement. The Grantee shall appropriately monitor the activities of the Subgrantee to assure fiscal conditions of this Agreement. In no event shall the existence of a subgrant operate to release or reduce the liability of the Grantee to COMMERCE for any breach in the performance of the Grantee's duties.

Every subgrant shall include a term that COMMERCE and the State of Washington are not liable for claims or damages arising from a Subgrantee's performance of the subgrant.

34. SURVIVAL

The terms, conditions, and warranties contained in this Agreement that by their sense and context are intended to survive the completion of the performance, cancellation or termination of this Agreement shall so survive.

35. TAXES

All payments accrued on account of payroll taxes, unemployment contributions, the Grantee's income or gross receipts, any other taxes, insurance or expenses for the Grantee or its staff shall be the sole responsibility of the Grantee.

36. TERMINATION FOR CAUSE / SUSPENSION DISINCENTIVE

In event COMMERCE determines that the Grantee failed to comply with any term or condition of this Agreement, COMMERCE may terminate the Agreement in whole or in part upon written notice to the Grantee. Such termination shall be deemed "for cause." Termination shall take effect on the date specified in the notice.

In the alternative, COMMERCE upon written notice may allow the Grantee a specific period of time in which to correct the non-compliance. During the corrective-action time period, COMMERCE may suspend further payment to the Grantee in whole or in part, or may restrict the Grantee's right to perform duties under this Agreement. Failure by the Grantee to take timely corrective action shall allow COMMERCE to terminate the Grant upon written notice to the Grantee.

"Termination for Cause" shall be deemed a "Termination for Convenience" when COMMERCE determines that the Grantee did not fail to comply with the terms of the Agreement or when COMMERCE determines the failure was not caused by the Grantee's actions or negligence.

If the Agreement is terminated for cause, the Grantee shall be liable for damages as authorized by law, including, but not limited to, any cost difference between the original Agreement and the replacement Agreement, as well as all costs associated with entering into the replacement Agreement (i.e., competitive bidding, mailing, advertising, and staff time).

**GENERAL TERMS AND CONDITIONS
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37. TERMINATION FOR CONVENIENCE

Except as otherwise provided in this Agreement COMMERCE may, by ten (10) business days written notice, beginning on the second day after the mailing, terminate this Agreement, in whole or in part. If this Agreement is so terminated, COMMERCE shall be liable only for payment required under the terms of this Agreement for services rendered or goods delivered prior to the effective date of termination.

38. TERMINATION PROCEDURES

After receipt of a notice of termination, except as otherwise directed by COMMERCE, the Grantee shall:

- A. Stop work under the Agreement on the date, and to the extent specified, in the notice;
- B. Place no further orders or subgrants for materials, services, or facilities related to the Agreement;
- C. Assign to COMMERCE all of the rights, title, and interest of the Grantee under the orders and subgrants so terminated, in which case COMMERCE has the right, at its discretion, to settle or pay any or all claims arising out of the termination of such orders and subgrants. Any attempt by the Grantee to settle such claims must have the prior written approval of COMMERCE; and
- D. Preserve and transfer any materials, Agreement deliverables and/or COMMERCE property in the Grantee's possession as directed by COMMERCE.

Upon termination of the Agreement, COMMERCE shall pay the Grantee for any service provided by the Grantee under the Agreement prior to the date of termination. COMMERCE may withhold any amount due as COMMERCE reasonably determines is necessary to protect COMMERCE against potential loss or liability resulting from the termination. COMMERCE shall pay any withheld amount to the Grantee if COMMERCE later determines that loss or liability will not occur.

The rights and remedies of COMMERCE under this section are in addition to any other rights and remedies provided under this Agreement or otherwise provided under law.

39. WAIVER

Waiver of any default or breach shall not be deemed to be a waiver of any subsequent default or breach. Any waiver shall not be construed to be a modification of the terms of this Agreement unless stated to be such in writing and signed by Authorized Representative of COMMERCE.

Scope of Work

The Grantee will use these grant funds to implement operational cost savings improvements at their local government facilities and related projects that result in energy and operational cost savings in accordance with ESB 5127, Laws of 2012, 2nd Special Session, Ch. 1, Sec. 301. The work will be performed in accordance with the more detailed scope of work found in the Energy Services Proposal prepared by Ameresco Quantum Inc., April 8, 2013, incorporated herein by reference as if specifically set forth.

The Grantee, by its signature, certifies that the declaration set forth above has been reviewed and approved by the Grantee's governing body as of the date and year written below.

GRANTEE

TITLE

DATE

Budget

Line Item	Amount
Audit & M&V	\$37,011.00
Labor, Construction & Contingency	\$532,597.00
Design	\$35,037.00
Professional Services	\$131,881.00
WA State Sales Tax	\$69,225.00
DES Administrative Fee	\$40,800.00
Total Contracted Amount:	\$846,551.00

The Grantee, by its signature, certifies that the Project Budget set forth above has been reviewed and approved by the Grantee's governing body or board of directors, as applicable, as of the date and year written below.

GRANTEE

TITLE

DATE

Certification of the Availability of Funds to Complete the Project

Non-State Funds	Amount	Total
Utility Incentive	\$51,840.00	
City of Kirkland	\$586,711.00	
Total Non-State Funds	\$638,551.00	\$638,551.00
State Funds		
State Capital Budget	\$208,000.00	\$208,000.00
Total Non-State and State Sources		\$846,551.00

The Grantee, by its signature, certifies that project funding from sources other than those provided by this contract and identified above has been reviewed and approved by the Grantee's governing body or board of directors, as applicable, and has either been expended for eligible Project expenses, or is committed in writing and available and will remain committed and available solely and specifically for carrying out the purposes of this Project as described in elsewhere in this contract, as of the date and year written below. The Grantee shall maintain records sufficient to evidence that it has expended or has access to the funds needed to complete the Project, and shall make such records available for COMMERCE'S review upon reasonable request.

GRANTEE

TITLE

DATE

Certification of the Payment and Reporting of Prevailing Wages

The Grantee, by its signature, certifies that all contractors and subcontractors performing work on the Project shall comply with prevailing wage laws set forth in Chapter 39.12 RCW, as June 15, 2011, including but not limited to the filing of the "Statement of Intent to Pay Prevailing Wages" and "Affidavit of Wages Paid" as required by RCW 39.12.040. The Grantee shall maintain records sufficient to evidence compliance with Chapter 39.12 RCW, and shall make such records available for COMMERCE'S review upon request.

If any state funds are used by the Grantee for the purpose of construction, applicable State Prevailing Wages must be paid.

The Grantee, by its signature, certifies that the declaration set forth above has been reviewed and approved by the Grantee's governing body as of the date and year written below.

GRANTEE

TITLE

DATE

FISCAL NOTE*CITY OF KIRKLAND*

Source of Request							
Pam Bissonnette, Interim Public Works Director							
Description of Request							
Request for a total of \$475,711 from the Facilities Sinking Fund Reserves as part of a grant match to fund energy efficiency projects at various City buildings. The total project cost is \$846,551 made up of 1) \$475,711 from Facilities Sinking Fund Reserves 2) \$111,000 from Current Lifecycle Projects 3) \$51,840 estimated PSE Utility Incentive and 4) \$208,000 Dept of Commerce - 2012 Energy Efficiency Grants for Local Governments							
Legality/City Policy Basis							
Fiscal Impact							
One time use of \$475,111 from Facilities Sinking Fund Reserve. The reserve is able to fully fund this request and will be reimbursed through utility and operational savings in future years.							
Recommended Funding Source(s)							
<i>Reserve</i>	Description	2014 Est End Balance	Prior Auth. 2013-14 Uses	Prior Auth. 2013-14 Additions	Amount Request	Revised 2014 End Balance	2014 Target
	Facilities Sinking Fund Rsv.	2,437,162	0	0	475,111	1,962,051	N/A
<i>Revenue/Exp Savings</i>							
<i>Other Source</i>							
Other Information							
Prepared By	George Dugdale, Budget Analyst				Date	July 11, 2013	



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: July 25, 2013

Subject: Accept Library Board Members Resignations

RECOMMENDATION

Council acknowledges receipt of the resignations of Library Board members, Joel Ryan effective June 14, 2013, and Pat McWha effective July 25, 2013 and authorizes the attached correspondence thanking them for their service.

BACKGROUND DISCUSSION

Mr. Ryan was appointed to the Library Board for a four year term which began March 9, 2011 and Ms. McWha to a four year term which began March 27, 2012. The City Clerk's office has begun a recruitment to fill the remainder of their unexpired terms ending March 31, 2015 and March 31, 2016 respectively.

From: **Megan Gustafson** <meggust@gmail.com>
Date: Fri, Jun 14, 2013 at 12:48 PM
Subject: Re: Kirkland Library Board
To: Joel Ryan <joel@wsaheadstarteceap.com>

On Jun 14, 2013, at 11:18 AM, Joel Ryan <joel@wsaheadstarteceap.com> wrote:

Megan:

Unfortunately, I think it may make sense for me to resign at a member of the Kirkland Library Board. I don't think it is fair to you guys for me to miss as many meetings and with the legislative session in Olympia it just very difficult. I feel like it would be the best to replace me with someone who can make the time commitment to the board. Let me know what official steps I need to take to resign from the board. My apologies. I think you have done a wonderful job in your position.

Joel

Joel Ryan
Executive Director
Washington State Assn. of Head Start & ECEAP/Washington State Training Consortium
345 118th Ave SE, Suite 220
Bellevue, WA 98005

ph. [425.453.1227](tel:425.453.1227)

www.wsaheadstarteceap.com

On Jul 25, 2013, at 2:12 PM, "patmcwha@aol.com" <patmcwha@aol.com> wrote:

I will be moving to Bellevue on a temporary basis soon. I reviewed the two requirements re eligibility to be a Library Board member and of course one of those is to be a Kirkland resident. I am truly heartsick that I won't be able to continue, as it has been a wonderful experience. I will notify the City Council next week as I know they are interviewing for a replacement member soon.

If I could stretch it I would: my mail, my bank, etc. will remain in Kirkland, but my bed will not.

I would have called you but I don't have your phone number. Thanks for everything. Pat
McWha

August 7, 2013

D R A F T

Joel Ryan
221 9th Street C202
Kirkland, WA 98033

Dear Joel,

We have regretfully received your resignation from the Library Board.

The City Council appreciates your contribution to the Board, 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 Joan McBride
Mayor

August 7, 2013

D R A F T

Pat McWha
11008 NE 68th Street
Kirkland, WA 98033

Dear Pat,

We have regretfully received your resignation from the Library Board.

The City Council appreciates your contribution to the Board, 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 Joan McBride
Mayor



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: July 25, 2013

Subject: Accept Tourism Development Committee Resignation

RECOMMENDATION

That Council acknowledges receipt of the resignation of Tourism Development Committee member Maxim Khokhlov and authorizes the attached correspondence thanking him for his service.

BACKGROUND DISCUSSION

Mr. Khokhlov's resignation notes he is no longer able to participate on the Committee due to time commitment issues. The City Clerk's office has begun a recruitment for this position.

From: Khokhlov, Maxim (F) [Maxim.Khokhlov@marriott.com]
Sent: Wednesday, July 10, 2013 3:15 PM
To: Ellen Miller-Wolfe; Toby Nixon
Subject: Tourism Development Committee

Hi Ellen and Toby,

I would like to extend my appreciation to the Tourism Development Committee and its members for allowing me to be part of such a great group of professionals. Unfortunately, due to my increased responsibilities here at the hotel, conflicting schedules and the upcoming complete renovation of the property, I am pressured to resign as a member of the Tourism Development Committee. Although I'm very much enjoyed being a part of such a great group of people, I didn't want my professional commitments and possible inability to attend future meetings to be an inconvenience for the rest of the members and the committee.

I want to sincerely thank you for offering me this opportunity to serve and becoming a part of the local community. The opportunity to serve within the committee has afforded me a wealth of new professional connections and perhaps lifelong friends that I will cherish for years to come.

Sincerely,

Maxim Khokhlov

General Manager | Courtyard by Marriott Seattle-Kirkland
11215 NE 124th St. Kirkland, WA 98034
T 425.602.3200 | D 425.602.3201 | F 425.602.3220
Maxim.Khokhlov@Marriott.com



IT'S A NEW STAY.™

BOOK NOW

D R A F T

August 6, 2013

Maxim Khokhlov, General Manager
Courtyard by Marriott Seattle-Kirkland
11215 NE 124th St.
Kirkland, WA 98034

Dear Maxim,

We have regretfully received your resignation from the Tourism Development Committee.

The City Council appreciates your contribution to the Committee, 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 Joan McBride
Mayor



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: July 25, 2013

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF August 6, 2013

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 July 3, 2013, are as follows:

	Project	Process	Estimate/Price	Status
1.	100 th Avenue Bike Lanes	Invitation for Bids	\$150,000-\$160,000	Advertised on 7/10 with bids due on 8/5.
2.	Work Order #1 for Street Levy Crosswalk Initiative	Job Order Contracting	\$271,831	Work Order issued to Berschauer Phillips Construction for crosswalk installations at 6 locations.
3.	Engineering Services for Expansion of Decant Facility	A&E Roster	\$160,000	Contract awarded to PACE Engineers, Inc. based on qualifications using A&E Roster process as provided for in RCW 39.80.
4.	Engineering Services for 100 th Ave NE & NE 132 nd Street Intersection and 100 th Ave NE Corridor Study	A&E Roster	\$410,123	Contract awarded to Concord Engineering based on qualifications using A&E Roster process as provided for in RCW 39.80.

5.	Repairs to Fuel Island at Maintenance Center	Small Works Roster Process	\$60,000-\$75,000	Contactors notified on 7/24 with bids due on 8/9.
6.	Peter Kirk Elementary Sidewalk Project	Invitation for Bids	\$200,000	Advertised on 7/29 with bids due on 8/20.

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



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Pam Bissonnette, Interim Public Works Director
Date: July 29, 2013
Subject: King County Water Quality Assessment
Related to Combined Sewer Overflows (CSO)

Recommendation:

It is recommended that the City Council:

- Review an Interest Statement on the King County CSO program and its Water Quality Assessment; and
- Adopt a resolution authorizing the Council's representative to the Sound Cities Association (SCA) Public Issues Committee (PIC) to present Kirkland's Interest Statement and recommendation at its meeting on August 14, 2013.

Background Discussion:

On July 23, 2013 the Public Works, Parks, and Human Services Council Committee received a presentation on the King County proposed Water Quality Assessment related to the Combined Sewer Overflow (CSO) program currently under consideration by Sound Cities Association (SCA). The Interest Statement contains the substance of the presentation and recommendation. SCA will consider its position on the Water Quality Assessment at its Public Issues Committee (PIC) meeting on August 14, 2013.

While the SCA PIC is taking a position on the Water Quality Assessment, the more significant issue is the CSO program itself, estimated at \$711 million in 2010 dollars and is closer to \$1 billion today. Kirkland pays King County Wastewater fees of about \$7.2 million/year. While it is not possible to determine the impact of raising \$1 billion regionally on Kirkland rates, it would be significant. If the Water Quality Assessment, costing around \$3 million - \$5 million, can provide information that could better direct these investments for the highest priority water quality problems, it would be money well spent. It has been determined by the Puget Sound Partnership that stormwater is the highest priority water quality problem for Puget Sound and its watersheds. The estimated \$1 billion could correct significant problems in King County's largest watersheds, i.e. the Green River Watershed, the Cedar River Watershed (Kirkland's watershed) and the south branch of the Snohomish Watershed.

Attachment A: Resolution

Attachment B: Interest Statement

RESOLUTION R-4991

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING AN INTEREST STATEMENT ON THE KING COUNTY WATER QUALITY ASSESSMENT FOR TRANSMITTAL TO THE SOUND CITIES ASSOCIATION.

WHEREAS, King County has a long-term plan to control overflows from its combined sewer systems, approved in 1999 and amended by the King County Council in 2012; and

WHEREAS, in 2013, King County entered a consent decree with the U.S Department of Justice, the U.S. Environmental Protection Agency and the Washington Department of Ecology that outlines the planned actions to resolve alleged violations of the federal Clean Water Act arising from uncontrolled overflows; and

WHEREAS, through the plan and consent decree, King County has proposed a Water Quality Assessment with a commitment to limit combined sewer overflows to one per year at each outfall by 2030; and

WHEREAS, King County has estimated that the cost of the proposed Combined Sewer Overflow program to ratepayers in the King County Wastewater service area will be over \$700 million in 2010 dollars which is likely closer to \$1 billion in today's dollars, despite the fact that scientific studies have shown additional CSO projects will provide no significant improvement in water quality; and

WHEREAS, if the Water Quality Assessment, which may cost several million dollars, can provide information that could better direct the investments required under the consent decree for the highest priority water quality problems, it would be money well spent; and

WHEREAS, the proposed Water Quality Assessment needs to be paired with a cost-benefit analysis to determine whether a more integrated approach with greater stormwater control and treatment would be the best investment to achieve water quality standards by 2030;

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

Section 1. The City Council adopts the attached Interest Statement, which is incorporated by reference, recommending that the proposed King County Water Quality Assessment be paired with a cost-benefit analysis to provide data and analyses on the best investment of \$700 million to \$1 billion to achieve acceptable water quality standards by 2030.

Section 2. The City Council authorizes the Council's representative to the Sound Cities Association Public Issues Committee

to present Kirkland's Interest Statement and recommendation at its meeting on August 14, 2003.

Section 3. The City Manager is directed to transmit a copy of this Resolution to the Sound Cities Association.

Passed by majority vote of the Kirkland City Council in open meeting this ___ day of _____, 2013.

Signed in authentication thereof this ___ day of _____, 2013.

MAYOR

Attest:

City Clerk

CITY OF KIRKLAND
KING COUNTY WATER QUALITY ASSESSMENT INTEREST STATEMENT
RE: Combined Sewer Overflows (CSO)
August 6, 2013

King County has proposed a Water Quality Assessment related to its Combined Sewer Overflow [CSO] program and its associated Consent Decree requiring all CSOs to comply with the state standard of no more than one overflow per CSO per year by 2030. The CSO program is stated to be over \$700 million in 2010 dollars, and closer to \$1 billion in today's dollars. This is important to Sound Cities Association (SCA) because these high costs will be borne by all wastewater ratepayers in the King County Wastewater service area even though CSOs only exist in about 40% of Seattle. Combined sewers exist in the oldest part of Seattle, and also in portions of cities such as Tacoma, Everett, Bremerton, and a few others in Washington that date back to early development. Combined sewer overflows are essentially 99% stormwater. The overflow occurs when the pipes and pumps are unable to handle the large combined volume of stormwater within which a very small amount of sanitary wastewater is mixed. These large volumes also impact the wastewater treatment plant. The West Point Sewage Treatment Plant accepts the combined stormwater and wastewater from the City of Seattle.

As a region we all benefit from good water quality; however, prior scientific studies starting in 1998 have shown that the water quality benefits of King County's CSO program are negligible. King County already complies with the Federal CSO standard of 4 overflows per CSO per year.

The Puget Sound Partnership, tasked with the cleanup of Puget Sound and its watersheds, has prioritized stormwater in their Action Agenda as the most significant contributor to poor water quality resulting in water quality standards not being met. Yet funding for stormwater control and treatment is far short of the need. CSO reduction does result in a small amount of stormwater being treated, but at very high cost. The contrast of the need for stormwater controls and treatment compared to the investment in CSO reduction calls for a thorough analysis to determine the best investment to achieve water quality standards in Puget Sound and its watersheds within King County. To do that, the proposed Water Quality Assessment needs to be paired with a cost-benefit analysis.

If such studies demonstrate that a more integrated approach to achieve water quality standards results in less CSO investment and more stormwater investment, the Consent Decree could be renegotiated allowing resources to be directed to where they will provide the greatest environmental benefit. Another possible avenue for shifting funding to the highest priority could include recognizing King County Wastewater's integrated and comprehensive role in water pollution abatement as envisioned by its original state authorization statute. A third approach could include avoiding high wastewater rates for the proposed CSO program with increases in stormwater rates to raise funding for high priority stormwater treatment as an alternative.

Investigating funding methods and providing options could be a part of the cost-benefit analysis study.

It is recommended that the proposed King County Water Quality Assessment be paired with a cost-benefit analysis to provide data and analyses on the best investments of \$700 million to \$1 billion to achieve acceptable water quality standards by 2030.

**CITY OF KIRKLAND**123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Eric Shields, Planning Director
Date: July 16, 2013
Subject: Marijuana Sales, Processing and Production

Recommendation

The Council considers whether changes to City zoning regulations are appropriate for marijuana sales, processing and production. If they are, Council determines the types of regulations desired and directs staff to prepare interim zoning regulations for consideration at a public hearing on September 3, 2013.

Background**State Regulations**

Initiative 502 was passed by Washington voters in 2012. The initiative legalized the possession of small amounts of marijuana and directed the Washington State Liquor Control Board (Board) to develop rules for regulating the sale, processing and production of marijuana. It does not supersede, or even address, regulations pertaining to medical marijuana. Proposed rules were recently prepared by the Board and submitted for public comment. Final rules will go into effect on September 16, 2013, at which time applications for licenses may be submitted to the Board. Highlights of the rules are shown in attachment 1.

The major provisions of the rules, some of which are not mentioned in the attachment, are:

- Licenses will not be issued to businesses in "*...a location where law enforcement access, without notice or cause, is limited. This includes a personal residence.*" Thus it appears that home occupation businesses are not allowed;
- Licenses will not be issued to businesses and advertising may not be located within 1000 feet of "*the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or any game arcade (where admission is not restricted to persons age twenty-one or older);*"
- On premises advertising signs for retailers are limited to 1600 square inches (a little over 11 square feet);
- Licenses will normally not be issued to those who have a criminal background that exceeds a threshold based upon a point system developed by the Board;
- Marijuana is not permitted to be consumed on licensed premises;
- Three types of licenses will be issued: producer, processor and retailer;

- The Board will determine the maximum number of retail licenses to be issued in each county based upon a formula that distributes the number of locations proportionate to the most populous cities within each county;
- There will be a 30 day period following the submittal of an application during which the Board will forward license applications to applicable local jurisdictions with a 20 day opportunity to submit comments. This will also occur for annual license renewals;
- Hours of operation for retail licensees are restricted to between 8 a.m. and 12 a.m.;
- Alarms and surveillance camera are required; and
- Businesses must buy liability insurance.

Kirkland Locations

When the 1000 foot restrictions are taken into account, there are relatively few locations in Kirkland where retail sales, processing or production would be allowed under these proposed rules. Attachment 2 is a map showing the restricted areas as well as properties where sales (red and orange zones) and processing or production (light blue zones) would be allowed if the City does not adopt any additional restrictions.

In summary, retail sales would be allowed only in the following locations:

- Totem Lake Business District (TLBD):
 - Properties located on the west side of the I-405/ NE 124th St. interchange; and
 - A very small triangle of land located on the west side of Slater Ave. NE;
- Market St. Corridor Business District (MSC): An area along Market St. that includes the MSC 2 zone neighborhood center located between 5th St. W and 14th Ave. W and portions of the MSC 1 "office" zone located two blocks south and three blocks north of the MSC 2 zone;
- Central Business District (CBD): at the southwest corner of 7th Ave. and 6th St;
- Rose Hill Business District (RH): along NE 85th St. near I-405; and
- A small portion of Carillon Point.

Processing and Production would be allowed only in:

- Totem Lake: the easternmost portions of the TL7 zone;
- Norkirk: a small area east of 6th St.

Issues

The question for Council consideration is whether the City should enact zoning restrictions for marijuana businesses in addition to those applying to other businesses. Examples of additional regulations include:

- Restrictions on the number of plants or ounces of marijuana allowed. For example, the City of Seattle is proposing a limit of 45 plants and 72 ounces of marijuana in certain zones (It isn't clear, but staff presumes that refers to the quantities on site at any given time);
- Maximum floor area limits. Seattle is proposing a limit of 10,000 square feet for indoor growing and processing to avoid displacing other industrial uses. (The MSC 1 and 2 zones already limit the floor area of a business to 2000 and 4000 square feet respectively);
- Prohibition on drive through facilities. (This too is already limited in MSC zones);
- Additional limitations on hours of operation. As noted above, the Board rules only restrict hours of operation to between 8 a.m. and 12 a.m.; or
- Prohibition on locating directly next to a low density zone.

Timing

As noted above, applications for licenses could be submitted to the Board beginning in mid-September. As further noted, before the Board issues a license, the City will be given the opportunity to file written objections against the proposed premises. If the Council would like to have regulations in place to potentially be used as part of the City's written objections to any license, the regulations should be in place by mid-September. There is no requirement in the rules that objections based on local regulations be considered by the Board, but it will give notice to the license applicant, who may not have knowledge of the applicable local regulations.

The Council may ask, or be asked, whether the City could adopt a moratorium or ban on the marijuana uses allowed by Initiative 502. There is no clear option to prohibit marijuana facilities entirely. Initiative 502 allows the Board to license marijuana producers, processors and retailers throughout Washington. The question is really whether the City would prevail in an action to enforce an ordinance imposing a moratorium or ban, once the operator obtains a license from the Board. This remains an open question.

There is insufficient time to have permanent Zoning Code changes in place by the time the Board starts accepting applications. Consequently, if the regulations are to be in place prior to the submittal of license applications, it would be necessary for the Council to adopt an interim ordinance on September 3, 2013 and direct that final regulations be processed through the normal code amendment procedures within six months. If this is Council's desire, staff asks that the Council provide direction on August 6 on what kinds of regulations it would like to consider. Staff will return with a proposed ordinance and schedule a public hearing for the September 3 Council meeting.

Related Enforcement Issue

The Council may have seen a recent article about the Seattle City Attorney wanting to enforce the state's prohibition on public marijuana consumption. The Kirkland City Council has already amended Title 11 of the Kirkland Municipal Code, the City's criminal code, to include RCW 69.50.445. This is the provision in Initiative 502 which prohibits the use of marijuana in view of the general public. This amendment was included as part of Ordinance O-4401, adopted February 19, 2013, which made a number of amendments to Title 11 of the KMC at the request of the Police Department. A person who violates RCW 69.40.445 is guilty of a class 3 civil infraction under chapter 7.80 RCW. The penalty for a class 3 infraction, with statutory assessments, is a total of \$103.00. Of this amount, 44.89% or \$46.24 is paid to the City and 55.11% or \$56.76 is paid to the State.



Washington State Liquor Control Board

Proposed Rules Highlights

July 3, 2013

LCB Rulemaking Objective

- Creating a tightly controlled and regulated marijuana market;
- Including strict controls to prevent diversion, illegal sales, and sales to minors; and
- Providing reasonable access to products to mitigate the illicit market.

LCB Role and Responsibility

- Ensuring public safety is the top priority;
- Creating a three-tier regulatory system for marijuana;
- Creating licenses for producers, processors, and retailers;
- Enforcing laws and rules pertaining to licensees; and
- Collecting and distributing taxes.

Timeline

December 6, 2012	Effective date of new law
May 16, 2013	Draft rules sent to stakeholders for input and vetting
July 03 2013	Proposed rules filed with Code Reviser (CR 102)
August 6-8, 2013	Public hearings on proposed rules
August 14, 2013	Rules adopted
September 16, 2013	Rules become effective
September 16, 2013	Begin accepting applications for all three licenses (30-day window)
December 1, 2013	Rules are complete (as mandated by law)
Dec. 2013 / Jan. 2014	Begin issuing producer, processor and retailer licenses

Proposed Rules Highlights

License Requirements

- **30 day window**
 - The LCB will open registration for all license types for a 30 calendar day window (mid-September)
 - LCB may extend the time or reopen application window at its discretion
- **State Residency Requirement**
 - I-502 requires a three month state residency requirement (all license structure types)
- **Background Checks**
 - Personal criminal history form with license forfeiture if incomplete or incorrect
 - Fingerprinting of all potential licensees
 - Background checks of license applicants and financiers
- **Point System**
 - The LCB will apply a disqualifying point system similar to liquor
 - Rules allow exceptions for two misdemeanor convictions of possession w/in three years

July 03, 2013

- **Costs and Fees**
 - \$250 application fee
 - \$1,000 annual renewal fee
 - Additional fees for background check and filing for local business license
- **Taxes**
 - License applicants must submit a signed attestation that they are current on taxes owed to the Washington State Department of Revenue.

Public Safety

- **Producer Structures**
 - Rules allow producer operations in secure: indoor and outdoor grows as well as greenhouses
- **Traceability**
 - LCB will employ a robust and comprehensive traceability system (software) that will trace product from seed/clone to sale.
 - LCB enforcement can match records to actual product on hand.
- **Background Checks**
 - Personal criminal history form
 - Fingerprinting of all potential licensees
 - WSP and FBI back background checks of licensees and financiers
- **Point System**
 - LCB will apply a disqualifying point system similar to liquor (exceptions for possession)
- **Violation Guidelines / Standard Administrative Procedures Act Guidelines**
 - \$1,000 criminal penalty for sales to a minor
 - Sets strict tiered system of violation record over a three year period
 - Group 1 public safety:
 - First violation: 10 day suspension or \$2,500
 - Second violation: 30 day suspension
 - Third violation: license cancellation
- **Child Resistant Packaging**
 - Specific requirements for marijuana and marijuana-infused products in solid and liquid forms
- **Security and Safeguards**
 - Alarm and surveillance video camera requirements (including minimum pixels and lockbox encasement)
 - Strict transportation and record keeping requirements (no third party transport of product)
 - Hours of operation limited to 8:00 a.m. to 12:00 a.m.
- **Advertising Restrictions**
 - Law restricts advertising within 1,000 feet of schools, public parks, transit centers, arcades, and other areas where children are present.

- May not contain statements or illustrations that: is false or misleading, promotes over consumption, represents that the use of marijuana has curative or therapeutic effects, depicts a child or may be appealing to children.
- **Limits on Retail Stores**
 - LCB to provide advance notice to local authority
 - Per I-502, LCB to determine number of retail outlets per county
 - LCB to hold county-by-county lottery accounting for population distribution
 - BOTEK Analysis Corporation determining county consumption levels.
 - Consumption will drive number of retail outlets.

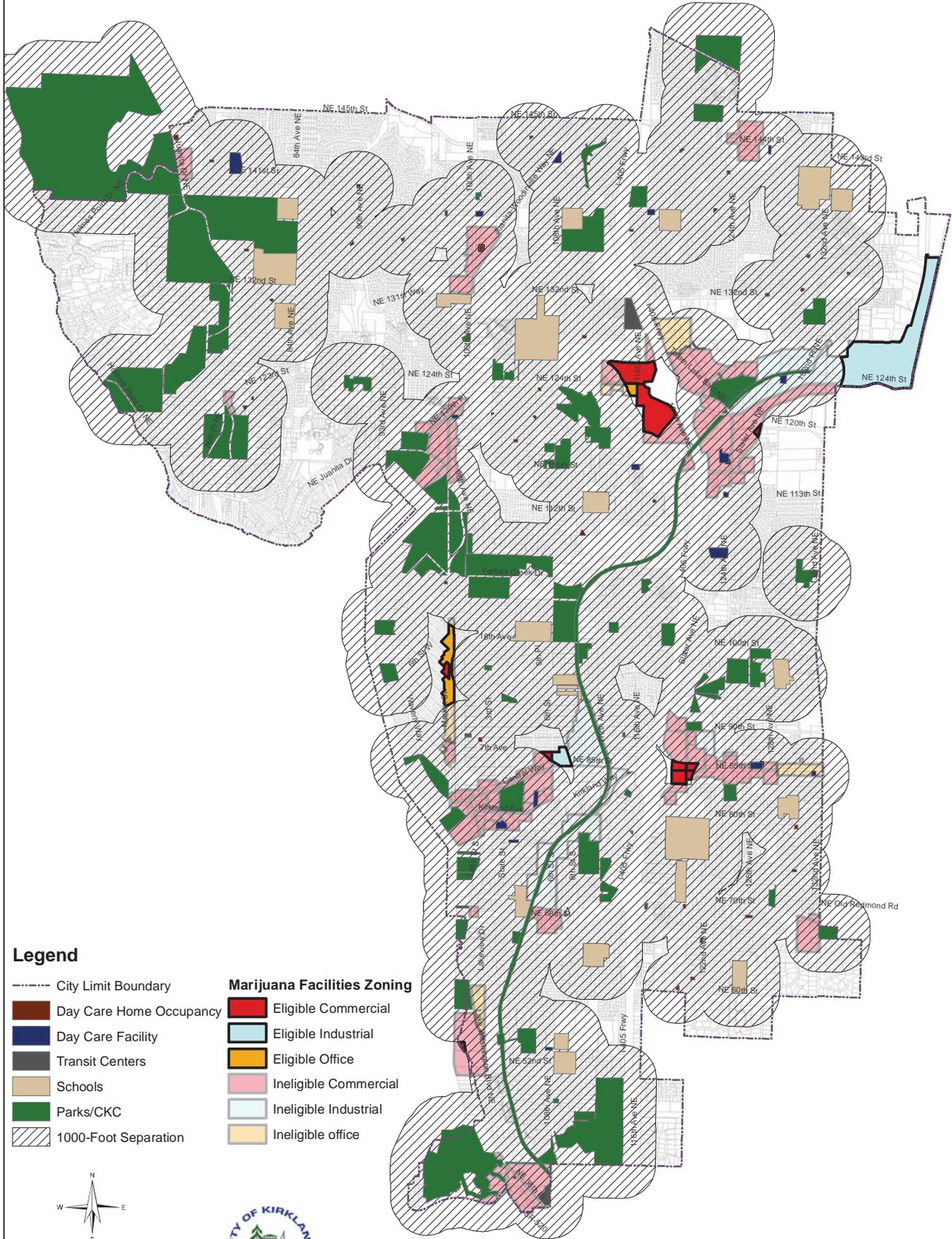
Consumer Safety

- **Behind the counter storage**
 - No open containers or handling of product
 - Sniff jars with sealed, screened-top lids allowed
- **Strict packaging and label requirements**
 - Limited servings and concentration per package
 - Lot number
 - Warning label
 - Net weight
 - Concentration of THC and five other cannabinoids
 - Usage warnings (specific warning for ingestible foods/liquids about effect delays)
 - Upon request
 - Third party lab that tested lot and results
 - All pesticides, herbicides, fungicides found in product
- **Defined Serving Size**
 - Defined serving sizes on marijuana-infused product label
 - 10 mg of THC per serving
 - 100 mg of THC per product
- **Lab Tested and Approved (monograph)**
 - All lots will be tested by independent accredited labs
 - Established and uniform testing standards
- **Store Signage and Product Warnings**
 - No minors allowed in stores
 - Required product and usage signs within stores

For more information regarding Initiative 502, please visit the Liquor Control Board website at www.liq.wa.gov.

###

City of Kirkland Areas Where Marijuana Sales, Processing, and Production are Prohibited and Potentially Allowed



Legend

- City Limit Boundary
- Day Care Home Occupancy
- Day Care Facility
- Transit Centers
- Schools
- Parks/CKC
- 1000-Foot Separation

Marijuana Facilities Zoning

- Eligible Commercial
- Eligible Industrial
- Eligible Office
- Ineligible Commercial
- Ineligible Industrial
- Ineligible office



**CITY OF KIRKLAND****Department of Parks & Community Services**

505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Jennifer Schroder, Director
Michael Cogle, Deputy Director

Date: July 11, 2013

Subject: Plaza of Champions Nomination of Chris Warren

Recommendation

The Park Board recommends that the City Council accepts the nomination of Emmy Award-winning meteorologist Chris Warren into Kirkland's Plaza of Champions.

Background

Kirkland native Chris Warren has been nominated for induction into Kirkland's Plaza of Champions. Please see the attached application form (Attachment 3) that has been submitted on his behalf.

About the Plaza of Champions

The Plaza of Champions was initiated in 1988 to honor and recognize those groups and individuals in Kirkland who have not only reached the pinnacle of achievement in their chosen field, but have also, through that achievement, contributed in a significant way to our community. This contribution may be in providing state, national, or international recognition for Kirkland and its residents, and/or improving the quality of life for a significant segment of the greater Kirkland community. Honorees are inducted in a public ceremony and have a bronze plaque installed in their honor at the Plaza of Champions in the downtown near Marina Park. A list of past honorees is provided in Attachment 2.

Criteria for recognition and honor are intended to be both broad and flexible. However, the standards set for this tribute are intended to be high. The Plaza of Champions program and associated criteria are outlined in the Kirkland Municipal Code Chapter 3.96. The following criteria are used in selecting Plaza of Champions inductees:

- Local, State, National, or International Level of Achievement
- Identity with Kirkland
- Significance of Achievement

A copy of the specific nomination criteria for the program is included as Attachment 2.

The Park Board has been established as the review panel to consider all nominations. Final acceptance is determined by the City Council. The Park Board reviewed the nomination of Mr. Warren at their meeting of July 10. Upon review, the Board determined that Mr. Warren specifically met the following eligibility criteria:

I – Level of Achievement

Level of Achievement must be highest possible in chose field or endeavor.

In 2008 Mr. Warren received an Emmy Award for Excellence in the category of Anchor (Weather) by the Northwest Chapter of The National Academy of Television Arts and Sciences. The Northwest Chapter serves television and media professionals in Alaska, Idaho, Oregon, Montana and Washington.

The Emmy Award is the highest possible level of achievement for broadcast television.

Conclusion: The Park Board determined that this award is significant and meets the criteria established for Level of Achievement.

II – Identity With Kirkland

Applicant must meet at least 2 of the following criteria:

- 2.1 Born in Kirkland (No. Mr. Warren was born in Spokane)
- 2.2 Currently Resides in Kirkland (Yes. Mr. Warren maintains a residence in downtown Kirkland)
- 2.3 Lived in Kirkland at least 10 yrs. (Yes. Mr. Warren grew up in Kirkland and graduated from Juanita High School)
- 2.4 Improved quality of life in Kirkland (Information not provided)
- 2.5 Works in or owns Kirkland business (Information not provided)
- 2.6 Other justification (Information not provided)

Conclusion: The Park Board determined that Mr. Warren meets at least 2 of the identified criteria established for Identity With Kirkland.

III – Significance of Achievement

Applicant must meet at least 1 of the following criteria:

- 3.1 Recognition of achievement by Kirkland Community (Information not provided)
- 3.2 Peers recognize achievement as outstanding (Yes. Emmy Award is a peer-reviewed and recognized award for excellence in broadcasting.)
- 3.3 Played a key role in group effort (Not applicable)
- 3.4 Achievement improved quality of life (Information not provided)

Conclusion: The Park Board determined that Mr. Warren meets at least 1 of the identified criteria established for Significance of Achievement.

In summary, the Park Board has thoroughly reviewed the nomination of Chris Warren and believes that he meets all necessary criteria and is a worthy inductee into Kirkland's Plaza of Champions.

Subject to Council approval, an induction ceremony would be scheduled later this year at a mutually agreeable time.

Attachments:

- 1 – Plaza of Champions Nomination Guide
- 2 – Plaza of Champions Past Honorees
- 3 – Plaza of Champions Nomination Packet for Chris Warren



KIRKLAND PLAZA OF CHAMPIONS Nomination Guide

CRITERIA AND ELEMENTS

An applicant for recognition should satisfy the listed minimum number of the elements from each of the three (3) criteria listed below. Applicants must meet the eligibility requirement listed in Criterion I, must meet at least two (2) of the elements from Criterion II, and must meet at least one (1) of the elements from Criterion III.

In addition, the applicant must also furnish a history of achievements. These achievements must have occurred at least one calendar year prior to submission of the application. The honor cannot be conferred unless the history is provided.

Applicants will be reviewed by the Kirkland Park Board, whose decision will be final.

CRITERION I

LOCAL, STATE, NATIONAL, OR INTERNATIONAL LEVEL OF ACHIEVEMENT

The following basic eligibility requirement must be met before a nominee can be considered for possible induction.

ELEMENTS:

1.1 Level of Achievement

The level of achievement by the individual or team must be explicitly stated and should be the highest possible level of achievement in fields such as science, education, athletics, the arts (music, drama, literary, fine arts, etc), medicine, debate, etc.

The Plaza of Champions is not intended to recognize **lifelong or enduring** achievement in a particular field unless the applicant has previously received an award for such lifelong achievement.

This basic achievement element also provides the opportunity for nomination of first-time achievements (examples: first Kirkland resident to swim the English Channel, first Kirkland individual or group to participate in a national competition, etc.).

If it is not possible to identify the highest possible level of achievement, the applicant must provide a detailed explanation as to why the achievement is considered to be exceptional.

CRITERION II

IDENTITY WITH GREATER KIRKLAND

Applicant must consider Kirkland to be his/her home or identify with Kirkland in such a way that the Kirkland community recognizes the applicant as a "Kirklander."

At least two (2) of the following elements must be met before a nominee can be considered for possible induction.

ELEMENTS:

2.1 Born in the Kirkland area.

This means that the parent(s) were residing in Kirkland at the time of the candidate's birth.

2.2 Currently resides in Great Kirkland area.

Applicant currently has a Kirkland address. Applicant must live at this address at least six months of the year.

2.3 Lived in Greater Kirkland area for at least ten years or longer and consider Kirkland their home town.

2.4 Has improved the quality of life in Greater Kirkland.

2.5 Worked (or has worked) within the community or owns a business in Greater Kirkland area.

The applicant is a past or present Kirkland area business owner or worker who has contributed in a special way to the community.

2.6 None of the above.

An applicant may still be considered even if the preceding elements do not apply. Substantial documentation, however, will be required in this instance so as to demonstrate the applicant's identity with Greater Kirkland.

CRITERION III

SIGNIFICANCE OF ACHIEVEMENT

The applicant must fully explain the significance of the achievement. It must be further specified if the achievement is the result of an individual or team effort. No individual members of a team will be recognized. The team members, however, may be recognized by name.

At least one (1) of the following elements must be met before a nominee can be considered for possible induction.

ELEMENTS:

3.1 Recognition of the achievement by the Kirkland community.

Applicant must submit a statement which explains how the community has been affected by the achievement as well as the manner in which the community was informed (e.g.,

press coverage received subsequent to achievement – include press clippings and any other examples of media coverage).

3.2 Peers recognize this achievement as outstanding.

Persons in the same field must recognize the achievement as outstanding and worthy of recognition. A statement of endorsement for the applicant from leaders in the applicant's field is expected. The peer group may include a person, or persons, residing outside the Kirkland area.

3.3 Played a key role in a group effort which without this individual's achievement would not have taken place.

The candidate formed an organization or group and was instrumental in making it operational. The group or organization benefited the community in a demonstrable way.

3.4 The achievement has improved the quality of life for a large segment of Greater Kirkland area residents.

For example, the achievement may have resulted in increased educational or recreational opportunities for area residents.

HISTORY REQUIREMENT

The history and description of the achievements must be in narrative form and in sufficient detail to completely support the conferring of this award. The person or persons writing the history must provide sufficient in-depth history to enable future readers to completely appreciate the significance of the applicant's contribution. Include, if possible, documents, press clippings, photos, or other examples of media coverage related to the achievement.

If the history is written by anyone other than the applicant, it must be read and signed by the applicant (when possible) and thus documented as a true and accurate account. If the award is conferred, the history will be placed in the Kirkland Library to serve as a reference and permanent record of the achievement.

KIRKLAND PLAZA OF CHAMPIONS HONOREES

<u>1988</u>	JoAnne Gunderson Carner	L.P.G.A. Hall of Fame Golfer
<u>1989</u>	Rick Acton	N.W.P.G.A. Champion Golfer
	Dorothy "Didi" Anstett	1968 Miss U.S.A.
	Hot Dog U.S.A.	World Champion Rope-Skipping Team
	1980 Kirkland National Little League All-Stars	3rd Place in Little League World Series
	1982 Kirkland National Little League All-Stars	Little League World Series Champions
	1975 Tyee/Bel-Kirk Senior Babe Ruth Team	World Champions
	Andrew Okada	Collegiate Boxing Champion
	Steven Earl Todd	Champion Wheelchair Athlete
<u>1991</u>	Demetri Corahorgi	Medal of Honor Recipient
	1974 Kirkland National Little League Girl's Softball Team	2nd Place in Little League World Series
	1980, 1990, 1991 Northwest College Women's Basketball Teams	National Christian College Athletic Association National Champions
<u>1992</u>	Julie Ann Gregg	Bicycle Racing Champion
	Chris Sharp	1990 Peabody Award for Excellence in Broadcast Journalism
<u>1993</u>	Rick Colella	1976 Olympic Bronze Medalist - Swimming
<u>1994</u>	1993 Kirkland/District 9 Big League Softball Team	Little League World Champions
<u>1995</u>	Maxine Conover	1958 U.S. National Women's Bicycling Champion
<u>1996</u>	Glen Ethier	1972 International Broadcasting Award and 1973 CLIO Awards for Excellence in Broadcast Advertising
<u>1998</u>	1963 Lakeside Gravel Baseball Team	1963 Connie Mack Baseball National Champions
<u>2001</u>	Randall Garretson	1964 - Junior National Ski Jumping Champion 1964 - Nordic Combined Junior National Champion

(No additional inductees since 2001.)



**KIRKLAND PLAZA OF CHAMPIONS
Nomination Application Form**

Name of Honored Group or Individual:

Chris Warren

Achievement or Award to be Recognized:

Emmy for best weather forecast of the year

Date or Dates of Achievement or Award:

2009

Name of Person(s) Submitting Application:

Name: Bill Warren

Address: 13932 93rd Ave. N.E.

City: Kirkland

Zip: 98034

Phone: 425-821-1468

Email: wmdawg1@aol.com

Relationship to Honored Group or Individual:

Father

If applicable, list members of Group and their roles:

(attach extra page if necessary)

If applicable, list other key individuals and their roles (coach, parent, sponsor, teacher, etc.):

(attach extra page if necessary)

Agreement

In submitting this application, I understand that the applicant must meet the required qualifications and that this application will be reviewed by the Kirkland Park Board, and that their decision will be final. I further understand that if this application is accepted, a fee of \$200 will be paid to the City of Kirkland to cover the cost of the plaque, engraving, installation, and maintenance. The plaque will not be installed until all application materials are received and the fee has been paid.

Signed: Bill Warren Date: 5/19/13.

Signed: _____ Date: _____

KIRKLAND PLAZA OF CHAMPIONS**Application Form****Criterion I****LOCAL, STATE, NATIONAL, OR INTERNATIONAL LEVEL OF ACHIEVEMENT**Name of Applicant: Chris Warren

Please explain how the applicant meets this eligibility requirement. Attach extra pages as necessary.

Kirkland native Chris Warren was hired by NWCN and King 5 in Seattle in 2003. He worked for Northwest Cable News during the week and was the weekend weather anchor for King 5 Television. He also filled in as weather anchor for Jeff Renner and Rich Marriott, when they were unavailable. He brought viewers stories from out in the field as a reporter and photographer, and from the newsroom as a news anchor and video editor.

In 2008, Chris Warren won an Emmy for best weather forecast of the year. This was his first major achievement.

The same year, NBC hired Chris to co-anchor a national daily prime time show at their Weather Channel in Atlanta, Georgia (www.weather.com). Chris will frequently appear on the Today Show, NBC Nightly News as well as MSNBC and CNBC.

In 2010, Chris was recognized again as he was chosen to represent the United States at the Worlds Fair in Shanghai, China, which brought meteorologists from around the world. This weather symposium was sponsored by the Chinese Government.

KIRKLAND PLAZA OF CHAMPIONS

Application Form

Criterion II

IDENTIFY WITH GREATER KIRKLAND

Name of Applicant: Chris Warren

Please explain how the applicant meets at least two (2) of the elements listed for this eligibility requirement. Attach extra pages as necessary.

Element Explanation: _____

Chris Warren grew up in Kirkland, attending Juanita Elementary, Finn Hill Junior High and graduating from Juanita High School in 1993. He lived in Kirkland for nearly 20 years and considers Kirkland his hometown.

He currently lives in Atlanta, Georgia, but still owns and maintains his condominium in downtown Kirkland.

His parents, Bill and Margy Warren, still reside in their Finn Hill home.

KIRKLAND PLAZA OF CHAMPIONS

Application Form

Criterion III

SIGNIFICANCE OF ACHIEVEMENT

Name of Applicant: Chris Warren

Please explain how the applicant meets at least one (1) of the elements listed for this eligibility requirement. Attach extra pages as necessary.

Element Explanation: _____

Chris Warren is an Emmy-winning meteorologist from a top 10 TV station in the country. Many Kirkland residents tune into King 5 weather daily, which means Chris has informed locals about the weather with his outstanding award-winning coverage. Chris received press coverage following his Emmy, including on the King 5 station and King 5 online (see attachments).

KIRKLAND PLAZA OF CHAMPIONS**Application Form****History Requirement**Name of Applicant: Chris Warren

Using the criteria and elements as a guide, please furnish a complete history and description of the achievement in narrative form. Attach extra pages as necessary. Please note that if the history is prepared by anyone other than the applicant, it must be read and signed by the applicant (when possible) and documented as a true account. Please include, if possible, documents, press clippings, photos, or other examples of media coverage related to the achievement.

Please see attached

History Requirement

Kirkland native Chris Warren is fascinated with how the atmosphere works and he loves to share the whys and hows of weather. This passion has led him to be recognized for his achievements in meteorology.

Chris was born in 1974 in Spokane, Wash. and moved to Kirkland in 1976. He grew up in Kirkland, attending Juanita Elementary, Finn Hill Junior High and graduating from Juanita High School in 1993.

A Washington State University graduate with a major in Communications, Chris received his AMS (American Meteorological Society) accreditation from Mississippi State University and began his career interning at KTVZ Television in Bend, Ore.

After his internship, the station hired him to do reporting, weather and co-anchor their daily morning show. After two years, Chris was hired by KSBY television in San Louis Obispo, Calif. for their weekend weather anchor and news reporter.

Wanting to return to the Northwest, Chris was hired by NWCN

and King 5 in Seattle in 2003. He worked for Northwest Cable News during the week and was the weekend weather anchor for King 5 Television. He also filled in as weather anchor for Jeff Renner and Rich Marriott, when they were unavailable.

He brought viewers stories from out in the field as a reporter and photographer, and from the newsroom as a news anchor and video editor.

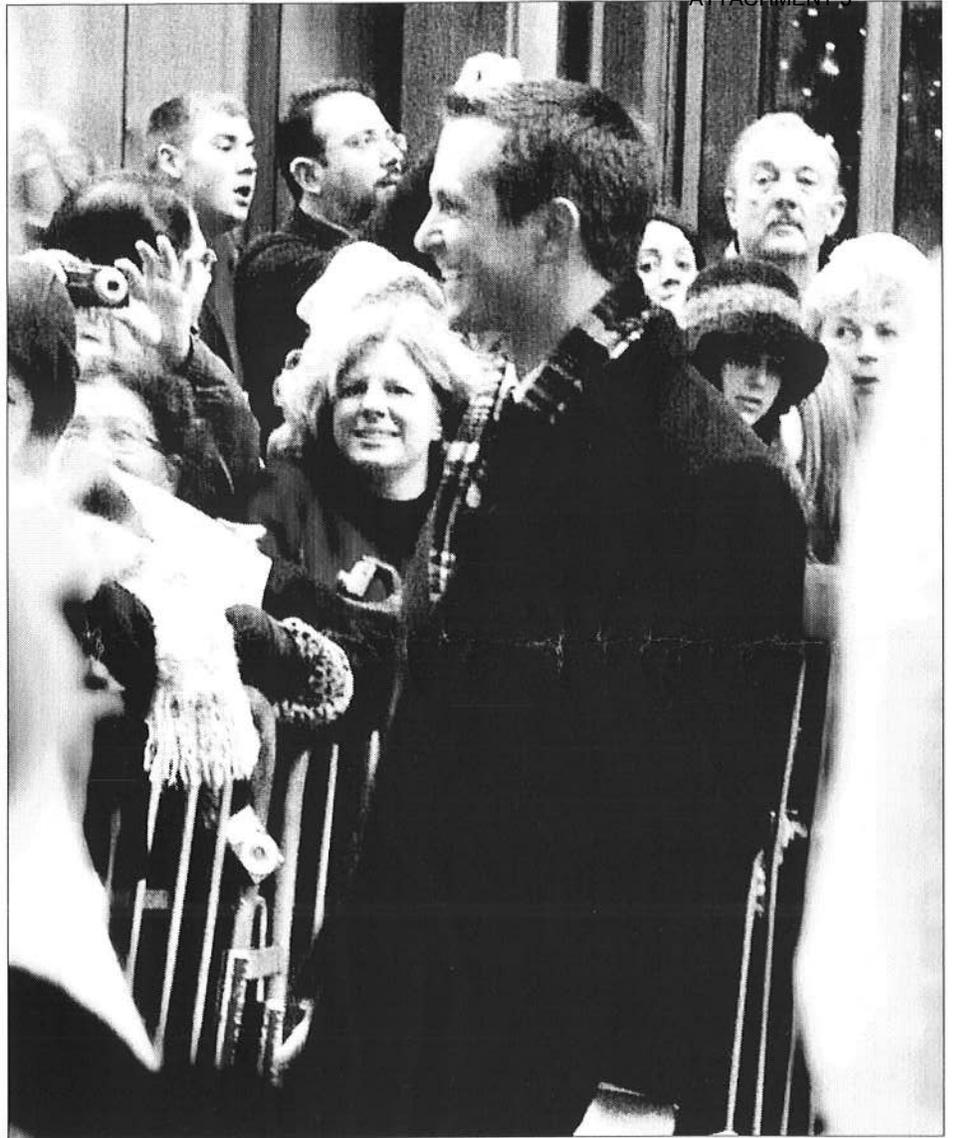
In 2008, Chris Warren won an Emmy for best weather forecaster of the year. This was his first major achievement. He brought his outstanding award-winning coverage to the Kirkland community and to others around the region. His accomplishment was also recognized on King 5 television (and online).

The same year, NBC hired Chris to co-anchor a national daily prime time show at their Weather Channel in Atlanta, Georgia (www.weather.com). Chris will frequently appear on the Today Show, NBC Nightly News as well as MSNBC and CNBC.

In 2010, Chris was recognized again as he was chosen to represent the United States at the Worlds Fair in Shanghai,

China, which brought meteorologists from around the world.
This weather symposium was sponsored by the Chinese
Government.

For additional information and videos, Google "Chris Warren
weather."



Above, Kirkland native Chris Warren frequently appears on the Today Show.

**CITY OF KIRKLAND**

City Attorney's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3030

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Oskar Rey, Assistant City Attorney

Date: July 31, 2013

Subject: Agreement with SRM Regarding CKC Use

RECOMMENDATION:

That the City Council passes a resolution authorizing the City Manager to sign the Cross Kirkland Corridor Improvement and Use Agreement ("Agreement") between the City of Kirkland ("City"), SRMKII LLC, and SRMKJVD LLC (collectively "SRM"). The agreement is necessary for SRM to proceed with the project.

BACKGROUND DISCUSSION:

City staff has negotiated a proposed Agreement with SRM under which SRM would receive an easement to cross the Cross Kirkland Corridor ("CKC") for the purpose of linking the existing Google campus with the proposed Google expansion on the former Pace Chemical site. In exchange for the easement, SRM would install a paved trail and other public amenities on the portion of the CKC that runs between the existing Google campus and the proposed expansion. In addition, the City will receive significant economic benefits from the proposed expansion. This agreement does not affect the impact fees and project mitigations of the proposed expansion that are required under current regulations.

The attached Agreement would authorize SRM to construct a pedestrian aerial crossing and an at-grade road crossing on the CKC. In addition, pedestrians would also be able to cross the CKC at-grade under the aerial crossing. The SRM crossings would be available for use by city public safety personnel such as police or fire, but would otherwise be limited to tenant use, except for where the trail and future transit pass through them. It should also be noted that access to the proposed expansion across the CKC is desirable because access to the expansion site from Seventh Avenue South is restricted under current City regulations.

SRM would construct a thirty foot wide trail corridor with a paved pedestrian and bicycle trail through approximately 700 feet of the CKC. SRM will also construct other public improvements in the CKC such as play areas, sport courts and other public amenities. The trail and other public amenities would be depicted in a Public Improvement Plan to be prepared by SRM and approved by the City. Upon completion of construction of the public improvements, the City would maintain the trail and SRM would maintain the remaining public improvements. All public improvements on the corridor would have unrestricted access and be open to use by the public.

The Agreement also contains provisions addressing the railbanked status of the CKC and coordination with existing easement holders on the CKC, such as Puget Sound Energy and

Sound Transit. The Agreement also provides that the parties will coordinate in the event rail salvage has not occurred by the time SRM installs the public improvements.

The Agreement would terminate if SRM fails to maintain the portion of the CKC for which it is responsible. The Agreement would also terminate after 30 years if the existing campus and proposed expansion are not used by a significant national tenant for a period of more than one year.

City staff as well as staff from SRM will be available at the Council meeting to answer questions regarding the agreement. Staff recommends that the agreement be approved.

RESOLUTION R-4992

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE CROSS KIRKLAND CORRIDOR IMPROVEMENT AND USE AGREEMENT BETWEEN THE CITY OF KIRKLAND, SRMKII LLC AND SRMKJVD LLC.

WHEREAS, the City is the owner of the Cross Kirkland Corridor ("CKC"); and

WHEREAS, SRMKII LLC and SRMKJVD LLC (collectively, "SRM") own properties adjacent to and on either side of the CKC; and

WHEREAS, the SRMKJVD LLC property is an office complex on the east side of the CKC that is currently occupied by Google, Inc. ("Google"); and

WHEREAS, SRMKII LLC has proposed development of a new office complex on the west side of the Cross Kirkland Corridor ("CKC" or "Corridor") at the former Pace Chemical Site to be occupied by Google (the "Development"); and

WHEREAS, SRM has requested access across the CKC to link the current Google campus with the Development in exchange for the construction of certain public improvements including a paved pedestrian and bicycle trail and other public amenities on the portion of the CKC adjoining the current Google campus and the Development; and

WHEREAS, the expansion of the Google campus and construction of the Development will result in the creation of jobs and economic development that will benefit the City; and

WHEREAS, the installation of public improvements on this portion of the CKC represents an important first step towards development of the CKC; and

WHEREAS, the City is willing to grant SRM the rights to cross the CKC on the terms and conditions set forth in the attached Agreement.

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

Section 1. The City Manager is hereby authorized and directed to execute on behalf of the City of Kirkland an agreement substantially similar to that attached as Exhibit "A", which is entitled "Cross Kirkland Corridor Improvement and Use Agreement between the City of Kirkland, SRMKII LLC and SRMKJVD LLC.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2013.

Signed in authentication thereof this ____ day of _____,
2013.

MAYOR

Attest:

City Clerk

After recording, return to:

Brent Carson Van Ness Feldman LLP 719 Second Avenue, Suite 1150 Seattle, Washington 98104-1728

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

DOCUMENT TITLE(S) (or transactions contained therein): CROSS KIRKLAND CORRIDOR IMPROVEMENT AND USE AGREEMENT
REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED: n/a <input type="checkbox"/> Additional reference #s on page ___ of document(s)
GRANTOR(S) (Last name first, then first name and initials) City of Kirkland, a non-charter, optional code Washington municipal corporation <input type="checkbox"/> Additional names on page ___ of document
GRANTEE(S) (Last name first, then first name and initials) SRMKII, LLC, a Washington limited liability company SRMKJVD, LLC, a Delaware limited liability company <input type="checkbox"/> Additional names on page ___ of document
LEGAL DESCRIPTION (abbreviated: i.e., lot, block, plat or section, township, range) Section 8, Township 25 North, Range 5 East, WM, King County, Washington <input checked="" type="checkbox"/> Additional legal is on pages 14-18 of document
ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBERS 788260-0120; 788260-01750; 788260-0180; 82505-9059 <input type="checkbox"/> Assessor Tax # not yet assigned

**CROSS KIRKLAND CORRIDOR IMPROVEMENT AND USE AGREEMENT
BETWEEN THE CITY OF KIRKLAND, SRMKII LLC AND SRMKJVD LLC**

THIS CROSS KIRKLAND CORRIDOR IMPROVEMENT AND USE AGREEMENT (“Agreement”) is made and entered into this ___ day of _____, 2013 (the “Effective Date”), by and among the CITY OF KIRKLAND (“City”), a non-charter, optional code Washington municipal corporation, SRMKII, LLC, a Washington limited liability company (“SRM”) and SRMKJVD, LLC, a Delaware limited liability company (the “Phase I Owner”).

I. RECITALS

A. The Phase I Owner is the owner of that real property (the “Phase I Property”) legally described in Exhibit A attached hereto and incorporated herein by this reference, located immediately adjacent to and on the east side of the Cross Kirkland Corridor (“CKC”). The Phase I Property is currently occupied by office buildings currently leased to Google, Inc. (the “Phase I Buildings”).

B. SRM is the contract purchaser of that real property (the “Phase II Property”) legally described in Exhibit B attached hereto and incorporated herein by this reference, located immediately adjacent to and on the west side of the CKC across from the Phase I Property. SRM is developing a new office building on the Phase II Property at the former Pace Chemical Site on which to locate additional office buildings to lease to Google, Inc. (the “Development”).

C. The City owns the CKC. The CKC is legally described in Exhibit C attached hereto and incorporated herein by this reference.

D. SRM, the Phase I Owner and the City share the goal of developing the CKC in a way that serves the needs of SRM, the Phase I Owner and their tenants in the Phase I Buildings and in the proposed Development while preserving and enhancing the City’s vision and interests in developing the CKC for recreational and transportation uses.

E. As a part of the Development, SRM wishes to construct three crossings of the CKC to benefit the Phase I Property and the Phase II Property. One crossing would be at-grade to provide vehicular access across the CKC at a location near the south end of the Phase I Buildings. Another crossing would be an aerial bridge to provide pedestrian access, public and private utilities and other amenities over and across the CKC at a location near the separation of the Phase I Buildings. A third crossing would be at-grade for pedestrian access located under the aerial crossing. SRM is also seeking termination of a City-owned easement that burdens the Phase II Property.

D. In exchange for the right to construct the three crossings and the termination of the City-owned easement, SRM intends to develop the portion of the CKC adjacent to both the Phase I Property and Phase II Property (the “Adjacent CKC”) with public improvements including a paved bicycle and pedestrian trail facility, lighting and other public improvements and other mutually agreed upon considerations for the City.

E. This Agreement must be approved by ordinance or resolution prior to the City entering into it.

NOW, THEREFORE, in consideration of the mutual promises set forth herein and the long-term benefit to the City, SRM and the Phase I Owner, the parties hereby agree as follows:

II. AGREEMENT

1. **CKC Improvements.** SRM shall construct a thirty foot (30’) wide trail corridor with a paved bicycle and pedestrian trail approximately seven hundred (700’) feet in length through the Adjacent CKC. The trail corridor may meander onto the adjacent Phase II Property so long as the City is granted an easement upon mutually acceptable terms. The trail corridor shall cross the Road Crossing, as hereinafter described and defined, at the same grade as the Road Crossing and with specific safety measures installed, such as signage, striping, and lighting. SRM shall also construct a mutually agreed number of public improvements, such as sport courts, play areas and other public amenities on the Adjacent CKC. In addition, SRM shall design and install lighting improvements on the Adjacent CKC. The trail corridor, bicycle and pedestrian trail, sport courts, play areas, lighting and other public amenities are hereinafter collectively referred to as the “Public Improvements.” SRM shall prepare a plan depicting all of the Public Improvements (the “Public Improvement Plan”) for review and approval by the City. The design, installation and construction of the Public Improvements shall be consistent with the approved Public Improvement Plan, comply with all applicable City regulations and conform to City approved standards, guidelines and policies (“City Design Standards”). SRM shall obtain all required permits from the City for installation of the Public Improvements.

2. **CKC Crossings.** The City hereby grants a non-exclusive easement to SRM and to the Phase I Owner to construct, install, maintain, repair and replace three crossings of the CKC: (1) one at-grade road crossing across the Adjacent CKC at a location near the south end of the Phase I Buildings (the “Road Crossing”); (2) one aerial crossing of the CKC for pedestrians, public and private utilities, and other amenities over and across the Adjacent CKC at a location near the separation of the Phase I Buildings (the “Aerial Crossing”); and (3) one at-grade pedestrian crossing across the Adjacent CKC under the Aerial Crossing (the “Pedestrian Crossing”). In addition, the City hereby grants a non-exclusive easement to SRM and to the Phase I Owner to install, maintain, repair and replace supports and related infrastructure for the Aerial Crossing. The Road Crossing, Aerial Crossing, and Pedestrian Crossing are all collectively referred to herein as the “Crossing Improvements.” If SRM elects to construct the Crossing Improvements, SRM shall prepare a plan depicting the

proposed Crossing Improvements (the “Crossing Plan”) for review and approval by the City. The design, installation and construction of the Crossing Improvements shall be consistent with the approved Crossing Plan, comply with all applicable City regulations and conform to City approved standards, guidelines and policies (“City Design Standards”). SRM shall obtain all required permits from the City for installation of the Crossing Improvements. This Agreement does not obligate SRM to construct the Crossing Improvements.

3. Use of CKC Crossings. The parties agree that the Crossings Improvements shall be for the exclusive use of SRM and the Phase I Owner and their employees, agents, guests, and tenants; the employees, agents and guests of tenants occupying the Phase I Property and Phase II Property; and their successors and assigns, provided that City personnel may use the Crossing Improvements for emergency or public safety purposes; and provided further that exclusive use of the Crossing Improvements by SRM and the Phase I Owner shall not impair the public’s right to use the Public Improvements.

4. Railbanked Status of CKC. The parties understand and acknowledge that the CKC is a railbanked rail corridor under federal law (16 U.S.C. 1247(d)) and subject to reactivation for freight rail use. In addition, the parties understand and acknowledge that the CKC is a potential transit corridor. SRM shall design and construct the Crossings Improvements to accommodate possible future use of the CKC for freight rail as follows. The Road Crossing shall be designed to accommodate crossing gates in the future. In the event the CKC is used for transit or freight rail purposes and it is determined by the City that crossing gates are necessary to protect public safety, SRM agrees to install crossing gates at the Road Crossing. The Aerial Crossing shall be designed to accommodate transit use. In the event that the CKC is used for freight rail purposes SRM agrees to remove all improvements associated with the Aerial Crossing or to construct the Aerial Crossing to accommodate freight rail use. In the event that the CKC is used for transit or freight rail purposes, SRM agrees to remove all improvements associated with the Pedestrian Crossing.

5. Reservation of Transit Corridor. The easternmost forty feet (40’) of the Adjacent Corridor shall remain available for possible future transit use. This reservation shall not limit or prevent construction of the Public Improvements or the Crossing Improvements, but may result in the removal or modification of certain Public Improvements by the City in the future as it deems necessary to accommodate such transit use, and may result in removal or modification of certain Crossing Improvements as required by Paragraph 4.

6. Termination of Existing Rail Easement. Within 60 days of the execution of this Agreement, the City shall record a document terminating the existing 20 foot rail easement on the eastern portion of the Phase II Property (King County Recording No. 5034060).

7. Trail Use during Construction of Improvements. The Adjacent CKC shall remain open to the public for trail use at all times; provided that, to the extent reasonably necessary, SRM may limit public access during construction and maintenance of the Public

Improvements and Crossing Improvements. If restriction of public access is required, SRM shall to the extent reasonable, provide a detour route around the construction area.

8. Public Access. Upon completion of construction, all Public Improvements shall be open to the public subject to terms and conditions that may be established by the City. Access to the Crossing Improvements shall be limited as set forth in Paragraph 3.

9. Maintenance of Public Improvements. Unless otherwise agreed to by the City, SRM and the Phase I Owner, SRM shall maintain all Public Improvements in the Adjacent CKC, except for the bicycle and pedestrian trail, which shall be maintained by the City.

10. Coordination with Existing Sound Transit Easement. SRM and the City understand and acknowledge that Central Puget Sound Regional Transit Authority (“Sound Transit”) holds a High Capacity Transportation Easement (King County Recording No. 20120411001174, “Sound Transit Easement”) over the Eastside Rail Corridor, including the Adjacent CKC. Pursuant to the Sound Transit Easement and prior to installing the two crossings in the Adjacent CKC, SRM shall provide preliminary design plans and other information required under the Sound Transit Easement to Sound Transit and shall provide Sound Transit with a reasonable opportunity for review and comment. SRM shall satisfy all comments received from Sound Transit prior to commencing construction activities on the Adjacent CKC.

11. Coordination with Existing PSE Easement. SRM and the City understand and acknowledge that Puget Sound Energy, Inc. (“PSE”) holds a South Rail Line Easement (King County Recording No. 20101221000998, “PSE Easement”) over the Eastside Rail Corridor, including the Adjacent CKC. Pursuant to the PSE Easement, and prior to installing the two crossings in the Adjacent CKC, SRM shall notify PSE of its proposed construction, provide construction plans, survey data and other information to PSE, and shall provide PSE with a reasonable opportunity for review and comment. SRM shall satisfy all comments received from PSE prior to commencing construction activities on the Adjacent CKC.

12. Indemnification.

12.1. Recreational Land Use. The parties anticipate that public use of the Adjacent CKC will be subject to the Recreational Land Use Statute, RCW 4.24.200 and 4.24.210.

12.2. Indemnification for Construction Activities. SRM shall indemnify, defend and hold the City of Kirkland and its officers, agents and employees harmless from all costs, claims or liabilities of any nature, including attorney’s fees, costs and expenses for or on account of injuries or damages sustained by any persons or property resulting from the Adjacent CKC construction activities of SRM, its agents, employees or contractors, or on account of any unpaid wages or other remuneration for services. If a suit arising out of or in any way relating to the Adjacent CKC construction activities is filed against the City of

Kirkland and its officers, agents or employees, SRM shall appear and defend the same at its own cost and expense, and if judgment be rendered or settlement be made requiring payment by the City, SRM shall pay the same. Notwithstanding anything to the contrary in this Agreement, SRM shall not be responsible for, or indemnify or defend the City against any claims, causes of action, losses, damages, liabilities, costs or expenses caused by or resulting from the City Design Standards or the negligence of the City, its agents, contractors or employees.

12.3. Indemnification for Use of Adjacent CKC. SRM shall indemnify, defend and hold the City of Kirkland and its officers, agents and employees harmless from all costs, claims or liabilities of any nature, including attorney's fees, costs and expenses for or on account of injuries or damages sustained by any persons or property resulting from SRM maintained Public Improvements or the Crossings Improvements. If a suit arising out of or in any way relating to use of the SRM maintained Public Improvements or the CKC crossings is filed against the City of Kirkland and its officers, agents or employees, SRM shall appear and defend the same at its own cost and expense, and if judgment be rendered or settlement be made requiring payment by the City, SRM shall pay the same. Notwithstanding anything to the contrary in this Agreement, SRM shall not be responsible for, or indemnify or defend the City against any claims, causes of action, losses, damages, liabilities, costs or expenses caused by the City Design Standards or the negligence of the City, its agents, contractors or employees.

The City shall indemnify, defend and hold SRM and its officers, agents and employees harmless from all costs, claims or liabilities of any nature, including attorney's fees, costs and expenses for or on account of injuries or damages sustained by any persons or property resulting from City Design Standards or the use of the City maintained Public Improvements. If a suit arising out of or in any way relating to the City Design Standards or use of City maintained Public Improvements is filed against SRM and its officers, agents or employees, the City shall appear and defend the same at its own cost and expense, and if judgment be rendered or settlement be made requiring payment by the SRM, the City shall pay the same. Notwithstanding anything to the contrary in this Agreement, the City shall not be responsible for, or indemnify or defend the SRM against any claims, causes of action, losses, damages, liabilities, costs or expenses caused by or resulting from the negligence of SRM, its agents, contractors or employees.

13. Removal of Existing Rails. The City shall remove the existing rails, ties and related equipment on the Adjacent CKC no later than June 30, 2014, provided it is legally able to do so. The parties acknowledge that the City is participating in proceedings before the federal Surface Transportation Board ("STB") in which Ballard Terminal Railroad Company, LLC ("Ballard") is seeking to reactivate the portion of the railbanked Eastside Rail Corridor extending from Woodinville south to Bellevue (and including the Adjacent CKC) for freight rail service (See STB Docket No. AB-6 (Sub-No. 465X) and STB Finance Docket No. 35731, collectively the "STB Action"). As part of the STB Action, Ballard is seeking a preliminary injunction to enjoin removal of the rails. The parties to this Agreement understand and acknowledge that the City's ability to remove the existing rails may be affected by the

pending STB action or other legal proceedings involving the rails. In the event the City is legally unable to remove the existing rails, ties and related equipment on the Adjacent CKC, SRM may proceed with construction of the Crossing Improvements, except that the City may require SRM to design the Crossing Improvements in accordance with Paragraph 4 for freight rail use of the CKC, and SRM may proceed with the Public Improvements except that the City may require SRM to defer installation of certain Public Improvements.

14. Utility Relocation. SRM shall pay all costs and obtain all required approvals for relocation of existing utilities in connection with SRM's construction and installation of the Public Improvements and the Crossings Improvements.

15. Coordination of Trail Corridor Construction. The parties acknowledge that the City will, at its cost, undertake construction of an interim trail along the length of the CKC. Under current City estimates, such construction would occur in 2014, with a permanent trail to be installed thereafter. The City and SRM agree to coordinate construction schedules with respect to the trail corridor in the Adjacent CKC to avoid duplication of efforts and maximize efficient use of resources by the City and SRM.

16. Grading and Fill. SRM may, with the prior approval of the City, place fill on the Adjacent CKC for the purpose of constructing the Public Improvements and for transitioning the final grade of the Phase II Property Development. SRM and the City anticipate that filling and grading activity will occur pursuant to a Land Surface Modification Permit issued by the City.

17. Discharge of Stormwater. SRM will be permitted to discharge stormwater from the Development into the City's storm drainage facilities. SRM and the City anticipate that connections to the City's storm drainage facilities will occur pursuant to a permit issued by the City's Public Works Department.

18. Tie-Back Agreement. The City and SRM shall enter a Tie-Back Agreement to allow temporary soil nails for the purpose of shoring on the western edge of the Adjacent CKC and the northern property line of the Development.

19. Transportation Impact Fees. To the extent permitted by Washington law, the City may use transportation impact fees from the Development for Public Improvements to the CKC, Improvements to Fifth Street and any signalization related to the Development.

20. Default and Termination. In the event SRM or the City fails to perform any obligation of this Agreement for a period of thirty (30) days after notice from the other, that party shall be in default; provided, however, that neither party will be default under this Agreement if it commences curing such default within such 30-day period and thereafter diligently prosecutes the cure to completion. In the event of default by either party, the other shall be entitled to terminate or to specifically enforce the terms of this Agreement.

This Agreement shall automatically terminate and no longer be in force and effect on the later of the following two events: 1) thirty (30) years from the Effective Date; or 2) one (1) year after the Development and the Phase I Buildings cease to be used as an integrated campus with a significant national tenant occupying portions of both the Development and Phase I Buildings.

21. Dispute Resolution Process. The parties shall use their best efforts to resolve disputes arising out of or related to this Agreement using good faith negotiations. If the dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute through non-binding mediation before resorting to litigation. The fees for mediation will be borne equally by the parties.

22. Modifications to Agreement. This Agreement contains all terms, conditions and provisions agreed upon by the parties hereto, and shall not be modified except by written amendment executed by both parties. Amendments to this Agreement that materially modify the intent and policy of the Agreement must be approved by the City Council. Other amendments may be approved by the City Manager.

23. Hazardous or Dangerous Waste. In the event that SRM discovers Hazardous or Dangerous Water on the CKC during construction of Public Improvements or Crossing Improvements, SRM shall notify the City. SRM and the City agree to share equally any increased marginal costs associated with the management, testing, treatment and disposal of such waste.

24. General Provisions.

24.1 Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Washington.

24.2 Recording. A memorandum of this Agreement shall be recorded against the Development as a covenant running with the land and shall be binding on the parties, their heirs, successors and assigns.

24.3 Agreement Binding on Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the heirs, successors and assigns of the City, SRM, and the Phase I Owner except as limited and conditioned in this Agreement.

24.4 Severability. If any provision of this Agreement is determined to be unenforceable or invalid in a final decree or judgment by a court of law, then the remainder of this Agreement not decreed or adjudged unenforceable or invalid shall remain unaffected and in full force and effect. In that event, this Agreement shall thereafter be modified, as provided immediately hereafter, to implement the intent of the parties to the maximum extent allowable under law. The parties shall diligently seek to agree to modify the Agreement consistent with the final court determination, and no party shall undertake any actions inconsistent with the intent of this Agreement until the modification to this Agreement has been completed. If the parties do not mutually agree to modifications within forty-five (45) days after the final court

determination, then either party may initiate the mediation process under Section 19 for determination of the modifications that will implement the intent of this Agreement and the final court decision.

24.5 Authority. Each party respectively represents and warrants that it has the power and authority, and is duly authorized, to enter into this Agreement on the terms and conditions herein stated, and to deliver and perform its obligations under this Agreement.

24.6 Entire Agreement. This Agreement represents the entire agreement of the parties with respect to the subject matter hereof. There are no other agreements, oral or written, except as expressly set forth herein and this Agreement supersedes all previous agreements, oral or written.

24.7 Default and Remedies. No party shall be in default under this Agreement unless it has failed to perform as required under this Agreement for a period of thirty (30) days after written notice of default from any other party. Each notice of default shall specify the nature of the alleged default and the manner in which the default may be cured satisfactorily. If the nature of the alleged default is such that it cannot be reasonably cured within the thirty (30) day period, then commencement of the cure within such time period and the diligent prosecution to completion of the cure shall be deemed a cure. In any action to enforce or determine a party's rights under this Agreement, the prevailing party shall be entitled to attorney's fees and costs.

24.8 No Third-Party Beneficiary. This Agreement is made and entered into for the sole protection and benefit of the parties hereto and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

24.9 Interpretation. This Agreement has been reviewed and revised by legal counsel for all parties, and no presumption or rule construing ambiguity against the drafter of the document shall apply to the interpretation or enforcement of this Agreement.

24.10 Notice. All communications, notices, and demands of any kind that a party under this Agreement requires or desires to give to any other party shall be in writing and either (i) delivered personally, (ii) sent by facsimile transmission with an additional copy mailed first class, or (iii) deposited in the U.S. mail, certified mail postage prepaid, return receipt requested, and addressed as follows:

If to the City:

City Manager
City of Kirkland
123 5th Ave.
Kirkland WA, 98033

If to SRM:

SRMKII, LLC
111 N. Post, Suite 200
Spokane, WA 99201

If to Phase I Owner

SRMKJVD, LLC
111 N. Post, Suite 200
Spokane, WA 99201

Notice by hand delivery or facsimile shall be effective upon receipt, provided that notice by facsimile shall be accompanied by mailed notice as set forth herein and shall be evidenced by a machine-printed confirmation of successful transmission. If deposited in the mail, certified mail, return receipt requested, notice shall be deemed delivered forty-eight (48) hours after deposited. Any party at any time by notice to the other party may designate a different address or person to which such notice or communication shall be given.

24.11 Delays. If either party is delayed in the performance of its obligations under this Agreement due to Force Majeure, then performance of those obligations shall be excused for the period of delay. For purposes of this Agreement, economic downturns, loss in value of assets, inability to obtain or retain financing, do not constitute a force majeure event.

24.12 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be effective only upon delivery and thereafter shall be deemed an original, and all of which shall be taken to be one and the same Agreement, for the same effect as if all parties hereto had signed the same signature page. Any signature page of this Agreement may be detached from any counterpart of this Agreement without impairing the legal effect of any signatures thereon and may be attached to another counterpart of this Agreement identical in form hereto but having attached to it one or more additional signature pages.

In Witness Whereof, the parties have caused this Agreement to be executed, effective on the day and year set forth on the first page hereof.

CITY OF KIRKLAND, a Washington municipal corporation

By: _____
Kurt Triplett, City Manager

Date: _____

State of Washington)

) ss.

County of King)

I certify that I know or have satisfactory evidence that Kurt Triplett is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the City Manager of the City of Kirkland to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

(Signature)
Notary Public
My appointment expires _____

SRMKII, LLC, a Washington limited liability company

By: SRM Development, LLC

Its: Manager

By: _____

Its: Authorized Member

Date: _____

State of Washington)

) ss.

County of King)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the Authorized Member of SRM Development, LLC, the Manager of SRMKII, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

(Signature)

Notary Public

My appointment expires _____

SRMKJVD, LLC, a Delaware limited liability company

By: SRM Development, LLC

Its: Manager

By: _____

Its: Authorized Member

Date: _____

State of Washington)

) ss.

County of King)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the Authorized Member of SRM Development, LLC, the Manager of SRMKJVD, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

(Signature)

Notary Public

My appointment expires _____

Exhibit A
Phase I Property Legal Description

PARCEL A:

THAT PORTION OF TRACTS 18, 19, AND 20, SOUTH KIRKLAND ACREAGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF PLATS, PAGE 94, IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
THENCE NORTH 0°35'10" EAST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION A DISTANCE OF 2,611.93 FEET TO A POINT 0.23 FEET EAST OF AN EXISTING PUNCH MARK IN A LEAD PLUG IN THE NORTHEASTERLY RIM OF A SEWER MANHOLE;
THENCE CONTINUING NORTH 0°35'10" EAST 179.47 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0°35'10" EAST 300.00 FEET;
THENCE NORTH 89°24'50" WEST 180.00 FEET;
THENCE SOUTH 0°35'10" WEST 300.00 FEET;
THENCE SOUTH 89°24'50" EAST 180.00 FEET TO THE TRUE POINT OF BEGINNING;
EXCEPT THE EAST 30.00 FEET THEREOF; ALSO
EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF KIRKLAND BY STATUTORY WARRANTY DEED RECORDED UNDER RECORDING NUMBER 20070330002629.

PARCEL B:

TRACTS 18, 19, 20, AND 21, SOUTH KIRKLAND ACREAGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF PLATS, PAGE 94, IN KING COUNTY, WASHINGTON;
EXCEPT THAT PORTION OF SAID TRACTS 18, 19, AND 20 INCLUDED WITHIN THE FOLLOWING DESCRIPTION:
BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
THENCE NORTH 0°35'10" EAST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION A DISTANCE OF 2,611.93 FEET TO A POINT 0.23 FEET EAST OF AN EXISTING PUNCH MARK IN A LEAD PLUG IN THE NORTHEASTERLY RIM OF A SEWER MANHOLE;
THENCE CONTINUING NORTH 0°35'10" EAST 179.47 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 0°35'10" EAST 300.00 FEET;
THENCE NORTH 89°24'50" WEST 180.00 FEET;
THENCE SOUTH 0°35'10" WEST 300.00 FEET;
THENCE SOUTH 89°24'50" EAST 180.00 FEET TO THE TRUE POINT OF BEGINNING; ALSO
EXCEPT THAT PORTION OF SAID TRACT 18 LYING SOUTH OF A LINE DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT;
THENCE NORTH 88°54'50" WEST 397.88 FEET;
THENCE NORTH 72°05'50" WEST 132 FEET TO THE EASTERLY MARGIN OF NORTHERN PACIFIC RAILWAY COMPANY RIGHT OF WAY AND THE END OF THE LINE DESCRIBED;
ALSO EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF KIRKLAND BY STATUTORY WARRANTY DEED RECORDED UNDER RECORDING NUMBER 20070330002629.

Exhibit B
Phase II Property Legal Description

THAT PORTION OF LOT 12, LYING WEST OF NORTHERN PACIFIC RAILROAD COMPANY RIGHT-OF-WAY AS CONVEYED BY DEED RECORDED UNDER RECORDING NO. 267075 AND THAT PORTION OF LOTS 15 AND 16, LYING EAST OF A LINE WHICH IS THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 12 AS EXTENDED SOUTHERLY TO THE SOUTH LINE OF SAID LOT 16 AND ALSO LYING WEST OF THE SAID NORTHERN PACIFIC RAILROAD COMPANY RIGHT-OF-WAY, ALL IN SOUTH KIRKLAND ACREAGE, AS PER PLAT RECORDED IN VOLUME 11 OF PLATS, PAGE 94, RECORDS OF KING COUNTY;

EXCEPT THE NORTH 15 FEET OF THE WESTERLY 325 FEET THEREOF CONVEYED TO THE CITY OF KIRKLAND BY DEED RECORDED UNDER RECORDING NO. 7104230470;

SITUATE IN THE CITY OF KIRKLAND, COUNTY OF KING, STATE OF WASHINGTON.

Exhibit C

Cross Kirkland Corridor Legal Description

City Of Kirkland
Legal Description – Railroad Corridor

Triad Job Number 11-128
November 22, 2011
Revised December 06, 2011

That portion of Sections 5, 8, 17 and 20, Township 25 North, Range 5 East, W.M. and Sections 28, 32 and 33, Township 26 North, Range 5 East, W.M., in King County, Washington, lying within the eight (8) tracts of land described as follows:

Tract 1

That portion of that certain 100.0 foot wide Branch Line right of way, being 50.0 feet on each side of said Main Track centerline, as now located and constructed upon, over and across the S½,NE¼ and the NW¼,SE¼ and the SW¼ of Section 28, the W½,NW¼ and the NW¼,SW¼ of Section 33, the SE¼ of Section 32, all in Township 26 North, Range 5 East, W.M., bounded on the East by a line that is parallel with and 42.00 feet west of, when measured at right angles to, the centerline of 132nd Avenue NE (aka Slater Avenue NE or 132nd Place NE) as surveyed under King County Survey No. 28-26-5-19 and bounded on the South by South line of said SE¼ of Section 32, **EXCEPTING THEREFROM**, that certain tract of land described in Deed dated February 24, 1998 from The Burlington Northern and Santa Fe Railway Company to ANT, LLC recorded May 22, 1998 as Document No. 9805260805, records of King County, Washington; **ALSO EXCEPTING THEREFROM**, that certain tract of land described in Special Warranty Deed dated February 24, 1998 from The Burlington Northern and Santa Fe Railway Company to ANT, LLC recorded July 30, 1998 as Document No. 9807301468, records of King County, Washington, **ALSO EXCEPTING THEREFROM**, that certain tract of land described in Special Warranty Deed dated February 24, 1998 from The Burlington Northern and Santa Fe Railway Company to ANT, LLC recorded May 22, 1998 as Document No. 9805260791, records of King County, Washington, **ALSO EXCEPTING THEREFROM**, that certain tract of land described in Correction Quitclaim Deed dated January 6, 2000 from The Burlington Northern and Santa Fe Railway Company to ANT, LLC recorded February 11, 2000 as Document No. 20000211000454, records of King County, Washington;

Tract 2

That portion of that certain 100.0 foot wide Branch Line right of way in the City of Kirkland, Washington, being 50.0 feet on each side of said Main Track centerline, as now located and constructed, upon, over and across Blocks 3, 4, 5, 6, 11, 12, 13, 14, 18, 19, 23, 24, 25 and 26, the vacated alley between Blocks 13 and 14, and vacated Arlington Avenue between Blocks 14 and 19, as said Blocks and Streets are shown on plat of Lake Avenue Addition to Kirkland as recorded in Volume 6 of Plats, Page 86, Records of said King County, together with any right title and interest, if any to those portions of Victoria Avenue, Harrison Avenue, Moreton Avenue, Jefferson Avenue, and Washington Avenue and Maple Street and alleys within said Blocks which lie within said 100.0 feet wide Branch Line right of way, **EXCEPTING THEREFROM**, that portion of Lot 3; Block 5, Lake Avenue Addition to Kirkland, according to the official plat thereof in the office of the Auditor of King County, Washington lying between two lines drawn parallel with and distant, respectively, 34.0 feet and 50.0 feet Westerly of, as measured at right angles from The Burlington Northern and Santa Fe Railway Company's (formerly Northern Pacific Railway) Main Track centerline as now located and constructed upon, over, and across said Block 5;

Tract 3

That portion of that certain 100.0 foot wide Branch Line right of way in the City of Kirkland, Washington, being 50.0 feet on each side of said Main Track centerline, as now located and constructed, upon, over and across

Blocks 220, 223, 224, 232, 233, 238, and 241 as said Blocks are shown on the Supplementary Plat to Kirkland as filed in Volume 8 of Plats at Page 5, records of said King County, together with any right title and interest, if any to those portions of Massachusetts Avenue, Madison Avenue, Michigan Avenue, Olympia Avenue, Piccadilly Avenue, Cascade Avenue, Clarkson Avenue, Fir Street, and alleys within said Blocks which lie within said 100.0 foot wide Branch Line right of way;

Tract 4

That portion of Lots 1, 2, 4, 37, and all of Lots 3, 38, and 39, Block 227 as said Lots and Blocks are shown on the Supplementary Plat to Kirkland as filed in Volume 8 of Plats, at Page 5, records of said King County, which lie Northeasterly of a line parallel with and distant 50 feet Southwesterly from measured at right angles to said Railway Company's Main Track centerline as now located and constructed and Southwesterly of a line parallel with and distant 50 feet Northeasterly from, measured at right angle to said Railway Company's Main Track centerline as originally located and constructed;

Tract 5

That portion of that certain 100.0 foot wide Branch Line right of way, being 50.0 feet on each side of said Main Track centerline; as now located and constructed upon, over and across the SE $\frac{1}{2}$,SE $\frac{1}{4}$ of Section 5, NW $\frac{1}{4}$,NE $\frac{1}{4}$ and the E $\frac{1}{2}$,NW $\frac{1}{4}$ and the E $\frac{1}{2}$,SW $\frac{1}{4}$ of Section 8, all in Township 25 North, Range 5 East, W. M., bounded on the North by the South right of way line of Clarkson Avenue, City of Kirkland, Washington, and bounded on the West by the West line of said E $\frac{1}{2}$,SW $\frac{1}{4}$ of Section 8, **EXCEPTING THEREFROM**, that certain tract of land described in Special Warranty Deed dated February 24, 1998 from The Burlington Northern and Santa Fe Railway Company to ANT, LLC recorded May 22, 1998 as Document No. 9805260787, records of King County, Washington, **ALSO EXCEPTING THEREFROM**, that certain tract of land described in Correction Quitclaim Deed dated May 15, 1999 from The Burlington Northern and Santa Fe Railway Company to ANT, LLC recorded August 5, 1999 as Document No. 19990805001402, records of King County, Washington, **ALSO EXCEPTING THEREFROM** that certain tract of land described in Deed dated February 24; 1998 from The Burlington Northern and Santa Fe Railway Company to ANT, LLC recorded July 28, 1998 as Document No. 9807281544, records of King County, Washington,

Tract 6

That certain 0.23 acre tract of land described in deed dated July 15, 1903 from Samuel F. French to Northern Pacific Railway Company recorded August 8, 1903 in Book 361 of Deeds, Page 249, records of King County, Washington, said 0.23 acre tract being described in said deed for reference as follows:

"Commencing at a point in the east line of Lot four (4), Section eight (8), Township twenty-five (25) North, Range five (5) east, W.M., that is 395 feet north of the southeast corner of said lot, and running thence west parallel with the south line of said Lot four (4) 67 feet, more or less, to a point that is 50 feet distant from, when measured at right angles to, the center line of the proposed Seattle Belt Line Branch of the Northern Pacific Railway Company as the same is now located, staked out and to be constructed across said Section eight (8); thence running northeasterly parallel with said railway center line 200 feet; thence westerly at right angles to said railway center line 30 feet; thence northeasterly parallel with said railway center line, and 80 feet distant therefrom, 130 feet, more or less, to the east line of said Lot four (4); thence south along said east line of said lot four (4) 322 feet, more or less, to the point of beginning; containing 0.23 acres, more or less.";

Tract 7

That certain strip of land described in deed dated March 3, 1904 from Seattle and Shanghai Investment Company to Northern Pacific Railroad Company recorded March 9, 1904 in Book 387, Page 243, records of King County, Washington, said strip being described in said deed for reference as follows:

"A strip of land Two Hundred twenty-five (225) feet in width across that certain parcel of land designated as Tract "B" in deed from the Kirkland Land and Improvement Company to H.A. Noble, dated July 13, 1899 of record in the Auditor's office of King County, Washington in Volume 245 of Deeds, at page 41, reference thereto being had. Said strip of land hereby conveyed, having for its boundaries two lines that are parallel with and respectively distant One Hundred (100) feet easterly from, and One Hundred Twenty-Five (125) feet westerly from, when measured at right angles to, the center line of the Seattle Belt Line branch of the NORTHERN PACIFIC RAILWAY COMPANY, as the same is now constructed and located across said Tract "B", which said Tract "B" is located in Section 17, Township 25 North, Range 5 East, Willamette Meridian";

Tract 8

That portion of that certain 100.0 foot wide Branch Line right of way, being 50.0 feet on each side of said Main Track centerline, as now located and constructed, upon, over and across Government Lot 4 of Section 8, Government Lots 1, 2, and 3 and the E½,SW¼ of Section 17, and the NE¼,NW¼ and the NE¼ of Section 20, all in Township 25 North, Range 5 East, W.M., bounded on the North by the South line of that certain herein above described 0.23 acre tract of land described in deed dated July 15, 1903 from Samuel F. French to Northern Pacific Railway Company recorded August 8, 1903 in Book 361 of Deeds, Page 249, records of King County, Washington and the East line of said Government Lot 4 of Section 8, and bounded on the South by the westerly margin of 108th Avenue NE as described in the Quit Claim Deed from State of Washington to the City of Bellevue recorded under Recording Number 9303190367, records of said King County, together with such additional widths as may be necessary to catch the slope of the fill in N½ of said Government Lot 2, Section 17 as delineated in the 7th described parcel in deed dated June 20, 1903 from Kirkland Land and Improvement Company to Northern Pacific Railway Company recorded June 26, 1903 in Book 352, Page 582, records of King County, Washington. **EXCEPTING THEREFROM**, that portion of said 100.0 foot wide right of way lying within said hereinabove described parcel of land designated as Tract "B" in deed from the Kirkland Land and Improvement Company to H.A. Noble dated July 13, 1899 of record in the Auditor's office of King County, Washington in Volume 245 of Deeds, at page 41.

(Tracts 1 – 8 being a portion of the parcel of land conveyed by BNSF Railroad Company to the Port of Seattle by Quit Claim Deed recorded under Recording Number 20091218001535, records of said King County.)



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Lorrie McKay, Intergovernmental Relations Manager
Date: July 30, 2013
Subject: SCA OPEN SEATS ON REGIONAL BOARDS AND COMMITTEES - 2014

RECOMMENDATION:

Council should discuss the various open Sound Cities Association (SCA) seats to regional boards and commissions and strategically identify which Kirkland members are interested in serving on those regional boards or committees. The goal is to make a consensus recommendation from the Council to the SCA for all the potential Kirkland nominations. Councilmembers are encouraged to research and identify their desired appointments prior to the August 6th Council meeting.

BACKGROUND DISCUSSION:

SCA is anticipating some turnover on SCA appointed boards and committees in 2014. While the SCA appoints members to some 28 Regional Boards and Committees, there will be open seats on 15 Regional Boards and Committees due to member retirements and term limited positions. At its 2012 Annual Meeting, SCA Membership voted at to change the Bylaws, putting term limits on appointments of 6 years for member seats (term limits do not apply during the years in an alternate seat).

The following table lists known openings in 2014.

2014 Committee or Board	# of Term Limited/ Retirements
Regional Policy Committee (RPC)	1
Regional Transit Committee (RTC)	3
Regional Water Quality Committee (RWQC)	4
PSRC Executive Board (* Kirkland has seat. Not SCA eligible)	1
PSRC Operations Committee	1
PSRC Transportation Policy Board (TPB)	2
PSRC Economic Development District Board (EDD)	2
Growth Management Planning Council (GMPC)	2
Board of Health (BOH)	1
Regional Law Safety & Justice (RLSJ)	1
Consortium Joint Recommendations Committee for CDBG (JRC)	2
Emergency Management Advisory Committee (EMAC)	2
South Central Action Area Caucus Group (SCAACG)	1
Solid Waste Advisory Committee (SWAC)	2
King County Flood Control District Advisory Committee (KCFCDAC)	2

The SCA produces a 77 page 2013 Regional Board and Committee Appointment booklet which lists all of the boards and committees to which SCA makes appointments. The booklet also including background information on their scope and responsibilities, who currently serves on them, the dates and times of their meetings, as well as SCA positions statements on issues before each committee. The booklet can be accessed at the following link <http://soundcities.org/wp-content/uploads/pdf/2013-appointments-booklet.pdf>

Applicants interested in serving on a particular board or committee are encouraged to begin attending those meetings now, in order to develop your understanding of the subject-matter and issues. Dates and times of meetings can be found in the SCA's 2013 Regional Board and Committee Appointment booklet.

SCA Appointed Seats Currently Held by Kirkland City Councilmembers

Currently five Kirkland City Councilmembers serve on seven regional boards or committees to which SCA appoints.

1. Puget Sound Regional Council Transportation Policy Board - Amy Walen
2. Growth Management Planning Council (GMPC) - Penny Sweet
3. Regional Law, Safety & Justice (RLSJ) - Dave Asher
4. King County Flood Control District Advisory Committee (KCFCDAC) - Joan McBride
5. Emergency Management Advisory Committee (EMAC) (3 year term) - Penny Sweet
6. Committee to End Homelessness - Doreen Marchione
7. Mental Illness and Drug Dependency Oversight Committee (MIDD) - Dave Asher

Kirkland City Council participation on the above mentioned boards or committees is impacted by both a retiring member and by a term limit.

A seat on the King County Flood Control District Advisory Committee is open due to the retirement of Mayor McBride from Kirkland City Council. Further, a seat on the Regional Law, Safety & Justice Committee is open as Councilmember Asher has served on this committee for more than six years. The term limit only applies to individuals, not jurisdictions. So any other Kirkland Councilmember may apply for an appointment to the RLSJ Committee.

City of Kirkland Seats on Regional Boards or Committees

With the annexation of the northern neighborhoods in 2011, the City of Kirkland's population increased from 49,000 to over 80,000 making it eligible for its own seat on some boards or committees. The City has its own seat on the Puget Sound Regional Council's Executive Board and the Emergency Medical Services (EMS) Advisory Task Force. Because Kirkland has its own seats on these bodies, a Kirkland Councilmember would not be eligible for an SCA seat on either of these committees.

Next Steps and Timeline:

- The SCA will officially call for nominations in August
- Nominations are open through end of September
- Nominations due in October
- PIC Nominating Committee will convene to review all nominations
- Nominating Committee will make recommendations to the PIC at the November meeting
- PIC will make recommendations to the SCA Board
- SCA Board will make appointment selections in late November early December
- Appointment letters are mailed to appointees in December
- Newly appointed members convene in January for an orientation