
CITY OF KIRKLAND

CITY COUNCIL



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

Vision Statement

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

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AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chamber
Tuesday, October 6, 2015
6:00 p.m. – Study Session
7:30 p.m. – Regular Meeting

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

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

PLEASE CALL 48 HOURS IN ADVANCE (425-587-3190) if you require this content in an alternate format or if you need a sign language interpreter in attendance at this meeting.

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

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
 - a. Comprehensive Plan Update:
 - (1) Element Chapters
 - (2) Neighborhood Plans
 - (3) MRM Request
 - (4) Citizen Amendment Requests
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
 - a. Walk Your Child to School Week Proclamation
 - b. 2015 Arbor Day Proclamation
6. *COMMUNICATIONS*
 - a. *Announcements*
 - b. *Items from the Audience*

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.

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.

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.

c. Petitions

7. *SPECIAL PRESENTATIONS*

a. Alliant 2015 Award for Innovation in Health and Productivity

8. *CONSENT CALENDAR*

- a. *Approval of Minutes:* (1) September 15, 2015
(2) September 21, 2015 Special Meeting

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

c. General Correspondence

d. Claims

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

- (1) Resolution R-5150, Approving Participation by the City in an Interlocal Cooperative Purchasing Agreement With the Kitsap County Department of Emergency Management and Authorizing the City Manager to Execute the Agreement on Behalf of the City of Kirkland.
- (2) Resolution R-5151, Approving Participation by the City in an Interlocal Agreement With Participating Local Governments Within Water Resource Inventory Area 8 (WRIA 8) for Salmon Recovery Planning and Implementation and Authorizing the City Manager to Execute the Agreement on Behalf of the City of Kirkland.
- (3) Resolution R-5152, Designating U.S. Bank as the Official Banking Institution for the City of Kirkland for a Four-Year Period Commencing January 1, 2016, and Approving an Agreement With U.S. Bank for the Furnishing of Commercial Banking Services.

h. Other Items of Business

- (1) Resolution R-5153, Allocating the City's Portion of Community Development Block Grant (CDBG) Funds for 2016.
- (2) Adopting Recommendation of City Hall Arts Committee and Cultural Arts Commission to Retain Bruce Anderson, Metal Artist, for City Hall Interior Renovation

- (3) Ordinance O-4492 and its Summary, Granting XO Communications Services, LLC a Non-Exclusive Franchise for the Transmission of Telecommunications In, Through, Over and Under the Street Rights of Way of the City of Kirkland.
- (4) Resolution R-5154, 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 Jennifer and Coridon Brewer.
- (5) Advanced Transportation Technologies Conference Sponsorship
- (6) Tourism Development Committee Resignation
- (7) Report on Procurement Activities

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

9. PUBLIC HEARINGS

- a. Resolution R-5155, Supporting King County Proposition No. 1, a Regular Property Tax Levy to Fund Prevention and Early Intervention Strategies to Improve the Health and Well-Being of Children, Youth, Families and Communities.

- (1) Proposition No. 1

Regular Property Tax Levy for Children, Youth, Families and Communities

The King County Council passed Ordinance No. 18088 concerning funding to improve well-being of children, youth, families and communities. If approved, this proposition would provide funding for prevention and early intervention to achieve positive outcomes related to: healthy pregnancy; parental and newborn support; healthy child and youth development; the health and well-being of communities; and crisis prevention and early intervention for children and youth, including for domestic violence and homelessness. The measure would authorize an additional regular property tax of \$0.14 per \$1,000 of assessed valuation for collection beginning in 2016 and authorize maximum annual increases of 3% in the succeeding 5 years. Should this proposition be:

- Approved
- Rejected

10. UNFINISHED BUSINESS

11. NEW BUSINESS

- a. 2015 Urban Forestry Annual Report
- b. Park Board Interview Process

12. REPORTS

a. City Council Reports

- (1) Finance and Administration Committee

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.

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

b. City Manager Reports

- (1) Calendar Update

ITEMS FROM THE AUDIENCE

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

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT



CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033 425.587.3225
www.kirklandwa.gov

MEMORANDUM

Date: September 24, 2015

To: Kurt Triplett, City Manager

From: Teresa Swan, Senior Planner
Paul Stewart, Deputy Director, AICP
Eric Shields, Director, AICP

Subject: Study Session: 2013-2015 Comprehensive Plan Update, File CAM13-00465, #9

I. RECOMMENDATION

Staff recommends that the City Council review and provide direction on four Planning Commission transmittal memos in the following order:

1. General Elements and minor code and map amendments
2. Neighborhood Plans
3. MRM Request
4. Citizen Amendment Requests (CAR's) for Barsa, Griffis, Norkirk, Newland, Nelson/Cruikshank and Waddell

At the study session, staff recommends the following format for each of the items above:

- Staff introduction
- Planning Commission Chair Eric Laliberte summaries the Planning Commission recommendations
- Council questions, discussion and direction

Any items not completed will be continued to the October 20, 2015 study session on the Comprehensive Plan Update. The October 20, 2015 study session will cover the Totem Lake Business District Plan, Totem Lake CAR's and Walen CAR.

II. BACKGROUND DISCUSSION

The Planning Commission and Houghton Community Council have completed their review and recommendations of the 2013-2015 GMA update to the Comprehensive Plan. The Planning Commission recommendations (not including the Totem Lake Business District Plan, Totem Lake CARs and Walen CAR) are described in four transmittal memos for the October 6, 2015 study session. The recommendations for the remaining topics will be presented at the October 20, 2015 study session.

The Comprehensive Plan Update process began with an extensive public outreach effort from 2013 through 2015 that involved more than **204 public meetings and events with over 2,000 people participating** in many different ways. Attachment 1 is a list of the meetings and events (see Attachment 1).

The outreach effort had two main components:

- **Public Outreach, Visioning and Education:** The City had a year-long intensive, multidimensional visioning and outreach program starting in early 2013. Under the umbrella of [*Kirkland 2035 Your Voice, Your Vision, Your Future*](#), a coordinated community outreach effort embraced five new City master plans all at the same time: Comprehensive Plan Update, Transportation Master Plan, Park and Recreation Open Space Plan (PROS Plan), Surface Water Master Plan, and the Cross Kirkland Corridor. For the Comprehensive Plan Update alone the City held 84 public outreach meetings with neighborhoods, business and youth groups, schools, boards and commissions and other stakeholders. The outreach included on-line forums, surveys, city-wide community events, speakers, visioning programs, business presentations and displays, farmer market booths, and neighborhood association picnics.

The extensive outreach effort was critical in educating and getting input from the public on the five new City master plans. It was also important to reach out to the 30,000 new residents from the annexation area.

- **Amendment Update Process:** The update involved two meetings a month for the Planning Commission since late 2012, and meetings generally every month for the Houghton Community Council since 2013. Updates or briefings were provided at 38 City Council meetings. Staff met with the neighborhood associations at two or more of their regular meetings and had briefings with the Kirkland Association of Neighborhoods (KAN).

For **public notice**, monthly listserv bulletins were sent out and the Kirkland 2035 web page was updated regularly to provide information on the various City meetings with links to agendas and staff documents. Several of the *City Update* editions focused on the Comprehensive Plan Updates, including two special editions in October 2014 and June 2015 that provided detailed information on the Comprehensive Plan Update, the Citizen Amendment Requests and the public hearings and open houses. Lastly, the City produced planning publications "[*About Growth*](#)" on a variety of topics including the Growth Management Act, Smart Growth, Vision, Plan, Zone and Totem Lake Urban Center.

For the Citizen Amendment Requests, **notices** were mailed out in November 2014 and several weeks before each hearing in 2015 along with follow-up emails. **Public notice signs** were installed around each CAR study area.

Following 18 months of study sessions held by the Planning Commission and Houghton Community Council, six hearings were held on the Comprehensive Plan Update:

- [June 25, 2015](#): joint hearing on revised General Element chapters and hearings on neighborhood plans and Citizen Amendment Requests
- [July 9, 2015](#): deliberations on General Element Chapters and neighborhood plans, and hearing on the Draft Environmental Impact Statement
- [July 23, 2015](#): hearings and deliberations on neighborhood plans and Citizen Amendment Requests
- [August 13, 2015](#): hearing and deliberations on the Capital Facilities Tables, minor Zoning Map and code amendments, Totem Lake Business District Plan and Totem Lake Citizen Amendment Requests
- [September 10, 2015](#) and [September 24, 2015](#): continuation of hearing on Totem Commercial Center CAR

Open houses were held before the hearings on June 25, July 9, July 23 and August 13, 2015.

The City also prepared a Draft **Environmental Impact Statement** (EIS) on the Comprehensive Plan Update and the proposed Citizen Amendment Requests, and a Planned Action EIS for Totem Lake Urban Center. A public comment period was provided and a hearing was held on the EIS. The Final EIS will be issued in October 2015.

Public comments were accepted throughout the Comprehensive Plan update process and the Planning Commission and Houghton Community Council considered the comments as they were received. Comments from the various study sessions, hearings, visioning program, and community events have been summarized into **public comment logs** by topic and attached to the Planning Commission transmittal memos.

One comment is attached that was received after the comment log was prepared and uploaded for the Council packet (see Attachment 2). The comment letter is from Kayla Schott-Bresler of the Housing Development Consortium of Seattle-King County.

Note that a binder has been placed in the Council Study Room with paper copies of all of the public comments received during the Comprehensive Plan Update process, including those received at the various Kirkland 2035 events and neighborhood plan meetings. Comment logs by topic are attached to the Planning Commission transmittal memos and are also provided in the binder.

III. NEXT STEPS

- **October 20, 2015**: City Council will hold a study session on the Planning Commission's recommendation on the amendments to the Totem Lake Business District, and Totem Lake and Walen CARs.
- **December 8, 2015**: City Council will take final action on the Comprehensive Plan Update, and map and code amendments.

- **January 25, 2016**: Final action by the Houghton Community Council

Attachment:

1. List of public meetings and events
2. Comment from Kayla Schott-Bresler, Housing Development consortium of Seattle-King County, dated September 24, 2015

If the City Council has any questions regarding the four topics to be presented and discussed at the October 6, 2015 study session, please contact Teresa Swan at tswan@kirklandwa.gov, 425-587-3258.

PUBLIC OUTREACH MEETINGS

MEETING DATE	COMMUNITY OUTREACH EVENTS		
03/06/13	Finn Hill Neighborhood Alliance		
03/26/13	Everest Neighborhood Association		
04/09/13	Norkirk Neighborhood Association		
04/17/13	Lakeview Neighborhood Association		
05/01/13	CHNA -Comp Plan update		
05/13/13	Juanita Neighborhood Association		
05/14/13	Business Roundtable		
05/27/15	City Council Meeting with Finn Hill Neighborhood Alliance		
06/01/13	Totem Lake Park Workshop		
06/07/13	Walk and Roll Safety Fair		
06/08/13	Community Planning Day at City Hall		
06/19/13	Evergreen Hill Neighborhood Association		
06/24/13	Totem Lake Conversations		
06/26/13	Finn Hill Neighborhood Association		
07/18/13	Google exchange on Comp Plan Update-CKC-Trans Plan visioning		
07/20/13	North Rose Hill Picnic		
07/31/13	Business Roundtable		
08/02/13	Juanita Friday Markets		
08/18/13	Juanita Neighborhood Association Picnic		
08/21/13	Wednesday Market		
08/24/13	Highlands/Norkirk Association Picnic		
08/25/13	Everest Neighborhood Association Picnic		
09/02/13	Central Houghton Neighborhood Association Picnic "Hought Down"		
09/08/13	Finn Hill Neighborhood Association Picnic "Denny Fest"		
09/14/13	Market Neighborhood Association Picnic		
09/18/13	Market Neighborhood Association Picnic - Kirkland 2035 briefing		
09/30/13	Downtown Merchants Kirkland 2035 conversation stations		
10/09/13	Business Roundtable Visioning Exercise		
10/14/13	Totem Lake Conversations		
10/16/13	Everest Neighborhood Meeting		
10/19/13	Community Planning Day at Peter Kirk Community Center		
10/30/13	City Staff Visioning Exercise		
10/31/13	City Staff Visioning Exercise		
11/13/13	KAN Visioning Exercise		
11/12/13	SRH/Bridle Trails Visioning Exercise		
11/18/13	NRH/Evergreen Visioning Exercise		
11/18/13	Moss Bay/Lakeview Visioning Exercise		
11/19/13	Everest/Houghton Visioning Exercise		
11/20/13	Market Visioning Exercise		
01/15/14	Finn Hill Visioning Exercise		
01/22/14	Kirkland Business Roundtable discussion-panel on Economic Development Element		
01/28/14	Houghton-Everest-Lakeview Neigh plan update		
01/30/14	Moss Bay-Market-Norkirk-Highlands Neigh plan update		
02/11/14	N/S Rose Hill-Bridle Trails Neigh Plan update		
04/09/14	Business Roundtable Focus Groups Regarding Downtown at Maison Delille-Realogics		
02/19/14	Juanita-Finn Hill-Evergreen Hill Neigh Plan update		
04/26/14	Community Future Day at City Hall- info stations and panel on growth-transportation		
05/13/14	Neighborhood Plan Update Meeting #2 Everest/Houghton/Lview		
06/04/14	Neighborhood Plan Update Meeting #2NRoseHill/SRHill/Btrails/Totem Lake		

08/28/14	Planning Commission	x	
08/28/14	Planning Commission and Houghton Community Council		x
09/11/14	Planning Commission	x	
09/25/14	Planning Commission	x	
10/09/14	Planning Commission	x	
10/23/14	Planning Commission	x	
11/13/14	Planning Commission	x	
11/20/14	Planning Commission	x	
01/08/14	Planning Commission	x	
01/22/15	Planning Commission	x	
02/12/15	Planning Commission	x	
02/26/15	Planning Commission	x	
03/12/15	Planning Commission	x	
03/26/15	Planning Commission	x	
04/16/15	Planning Commission	x	
04/23/15	Planning Commission	x	
05/14/15	Planning Commission	x	
05/28/15	Planning Commission	x	
06/11/15	Planning Commission	x	
06/25/15	Planning Commission, Houghton Community Council & Transportation Commission		x
07/09/15	Planning Commission	x	x
07/23/15	Planning Commission	x	x
08/13/15	Planning Commission		x
09/10/15	Planning Commission continued on Totem Lake items and PC recommendation to CC		x
Total Meetings	48		
MEETING DATE	HOUGHTON COMMUNITY COUNCIL	Study Session	Public Hearing
04/22/13	Houghton Community Council	x	
07/22/13	Houghton Community Council	x	
03/24/14	Houghton Community Council	x	
08/25/14	Houghton Community Council	x	
09/22/14	Houghton Community Council	x	
10/27/14	Houghton Community Council	x	
03/23/15	Houghton Community Council	x	
04/27/15	Houghton Community Council	x	
06/25/15	Houghton Community Council		x
Total Meetings	9		
MEETING DATE	YOUTH COUNCIL	Study Session	Public Hearing
10/28/13	Youth Council	x	
Total Meetings	1		
MEETING DATE	SENIOR COUNCIL / HUMAN SERVICES COMMITTEE	Study Session	Public Hearing
10/08/12	Senior Council / Human Services	x	
Total Meetings	1		

MEETING DATE	TRANSPORTATION COMMISSION	Study Session	Public Hearing
01/23/13	Transportation Commission	X	
02/27/13	Transportation Commission	X	
03/27/13	Transportation Commission	X	
04/24/13	Transportation Commission	X	
05/22/13	Transportation Commission	X	
06/23/13	Transportation Commission	X	
08/28/13	Transportation Commission	X	
09/28/13	Transportation Commission	X	
10/23/13	Transportation Commission	X	
12/04/13	Transportation Commission	X	
01/22/14	Transportation Commission	X	
02/26/14	Transportation Commission	X	
03/26/14	Transportation Commission	X	
04/30/14	Transportation Commission	X	
05/28/14	Transportation Commission	X	
07/23/14	Transportation Commission	X	
09/24/14	Transportation Commission	X	
10/02/14	Transportation Commission	X	
12/17/14	Transportation Commission	X	
01/28/15	Transportation Commission	X	
02/25/15	Transportation Commission	X	
03/12/15	Transportation Commission	X	
04/22/15	Transportation Commission	X	
05/27/15	Transportation Commission	X	
07/22/15	Transportation Commission	X	
Total Meetings	25		
MEETING DATE	PARK BOARD4	Study Session	Public Hearing
4/10/2013	Park Board	X	
5/8/2013	Park Board	X	
7/10/2013	Park Board	X	
10/9/2013	Park Board	X	
11/13/2013	Park Board	X	
1/8/2014	Park Board	X	
2/12/2014	Park Board	X	
5/14/2014	Park Board	X	
6/11/2014	Park Board	X	
5/13/2015	Park Board	X	
Total Meetings	10		
TOTAL NUMBER OF MEETINGS	202		
	Final total of participants for community meetings is approximately 2000 people		
	<i>This does not include attendance at study sessions or people who submitted written comments</i>		

Teresa Swan

From: Kayla Schott-Bresler <kayla@housingconsortium.org>
Sent: Thursday, September 24, 2015 5:49 PM
To: Planning Commissioners
Cc: Leslie Miller; Teresa Swan; Kayla Schott-Bresler
Subject: HDC Comment on Kirkland's Comp Plan Update

Good Evening,

On behalf of the Housing Development Consortium of King County (HDC), thank you for this opportunity to comment on the Comprehensive Plan Update.

HDC is a nonprofit membership organization which represents more than 100 private businesses, nonprofit organizations, and public partners who are working to develop affordable housing and provide housing-related services in King County. HDC's members are dedicated to the vision that all people should be able to live in a safe, healthy, and affordable homes in a community of opportunity.

We very much appreciate the City of Kirkland's dedication to meeting affordable housing needs and the strategies included in the Housing Element that support this work. We also appreciate the City setting a timeline for implementation. We understand that community engagement and land use planning processes take time, but we also know that affordable housing waitlists are lengthening and market-rate rents are going up every day. We encourage you to commit to and take action on implementation as swiftly as possible to ensure more people in Kirkland can benefit from safe, healthy, affordable housing.

Thank you for your continued efforts to promote affordable housing in the City of Kirkland. We look forward to working with the City as the comprehensive plan and housing strategy plans conversations move forward.

Please don't hesitate to be in touch with any questions or follow-up.

Thanks,
Kayla

What's Happening:

- [Register for our 2015 Seattle Candidate Forum on 10.13](#)
- [Save the date for our 2016 Member Celebration on 3.29.16](#)

Kayla Schott-Bresler, Policy Manager
Housing Development Consortium of Seattle-King County
1402 Third Avenue, Suite 1230
Seattle, WA 98101
(206) 682-9541
www.housingconsortium.org





CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033 425.587.3225
www.kirklandwa.gov

MEMORANDUM

Date: September 24, 2015

To: Kurt Triplett, City Manager

From: Teresa Swan, Senior Planner
Joan Lieberman-Brill, Senior Planner, AICP
Janice Coogan, Senior Planner
David Barnes, Associate Planner
Dawn Nelson, Planning Supervisor, AICP
Jeremy McMahan, Development Review Manager
Paul Stewart, Deputy Director, AICP
Eric Shields, Director, AICP

Subject: Study Session: Planning Commission Transmittal Memo
Recommending the Amendments to the General Element Chapters,
and Minor Zoning Map and Code Amendments (2013-2015
Comprehensive Plan Update, File CAM13-00465, #9)

I. RECOMMENDATION

Staff recommends that the City Council review and provide direction on:

- Planning Commission's recommendation on the amendments to the **general Element Chapters and minor Zoning Map and Code Amendments** (see Attachment 1 – Planning Commission's transmittal memo).
- **Councilmember Jay Arnolds' email** (Exhibit 29 of Attachment 1) dated September 8, 2015, concerning new neighborhood plans and neighborhood plan updates, and the draft changes to the Implementation Strategies for Neighborhood Plans (pages 5 and 6 in Exhibit 15 of Attachment 1) in response to the email.

II. BACKGROUND DISCUSSION

The Planning Commission held the following three hearings and deliberations on amendments to the General Elements of the Comprehensive Plan, and minor code and map amendments:

- [June 25, 2015](#): hearing on revised General Element chapters
- [July 9, 2015](#): deliberations on General Element Chapters
- [August 13, 2015](#): hearing and deliberations on Capital Facilities Tables, and minor Zoning Map and code amendments

Open houses were held before each hearing.

On June 25, 2015, the Houghton Community Council recommended approval of the amendments. On July 22, 2015, the Transportation Commission recommended approval of the Transportation Element.

The Planning Commission had two follow up meetings on [September 10, 2015](#) and [September 24, 2015](#) to address comments from Puget Sound Regional Council and to take final action on its Comprehensive Plan Update recommendation.

III. PLANNING COMMISSION RECOMMENDATION

Attachment 1 contains the Planning Commission's transmittal memo that summarizes its recommendation for the following **18 chapter updates** of the Comprehensive Plan:

1. Introduction
2. Vision Statement and Guiding Principles
3. General Element
4. Community Character Element
5. Environment Element
6. Land Use Element
7. Housing Element
8. Economic Development Element
9. Transportation Element
10. Park, Recreation and Open Space Element
11. Utilities Element
12. Public Services Element
13. Human Services Element
14. Capital Facilities Element
15. Implementation Strategies
16. Appendix A – Level of Service Methodology (to be deleted and available on the web)
17. Appendix B Glossary
18. Appendix C - Design Principles - Residential Development (to be deleted and available on the web with the other design guidelines)

Attachment 1 includes 30 exhibits containing the revised General Elements along with code and map amendments, comments from State Department of Commerce and Puget Sound Regional Council, an email from Council member Jay Arnold concerning neighborhood plans and a public comment log.

The transmittal memo from Planning Commission includes information about the public outreach process for the citizen amendment requests.

A. Capital Facilities Plan and Park Element

It should be noted that the draft **Capital Facilities Plan (CFP) tables in the Capital Facilities Element** (Exhibit 14 to Attachment 1), may change with the final 2015 Capital Improvement Program (CIP). The CFP tables are based on the preliminary CIP. Also, the **dollar amount for the new Park level of service** in the Park, Recreation and Open Space Element (Exhibit 10 to Attachment 1) has been left blank until the new Park Impact Fees have been determined which should be done by the end of the year. Both the Capital Facilities Element and the Park Element will be finalized with the updated information prior to final adoption of the Comprehensive Plan Update in December 2015.

B. Comments from Department of Commerce and PSRC

The Planning Commission's recommendation also includes responses to two comments from **Washington State Department of Commerce** and seven comments from **Puget Sound Regional Council** on the Draft Comprehensive Plan Update as of June 25, 2015 (see Exhibits 27 and 28 attached to Attachment 1 – Transmittal memo from the Planning Commission). These agencies have authority under GMA to review comprehensive plans during the GMA update process. All comments were minor in nature and did not address any goals or policies.

C. Jay Arnold's Email dated September 8, 2015

Lastly, on September 24, 2015, Planning Commission discussed Council member **Jay Arnold's email** dated September 8, 2015 (see Exhibit 29 of Attachment 1) concerning **new neighborhood plans and neighborhood plan updates** and reviewed draft changes from staff to the Implementation Strategies chapter for Neighborhood Plans (see Exhibit 15 of Attachment 1) that reflected Mr. Arnold's email. On pages 13-14 of the Planning Commission's transmittal memo in Attachment 1 is a recommendation that includes the three new strategies described in Mr. Arnold's email:

- Prepare a set of general neighborhood plan policies and have polices in the neighborhood plans narrowed to those that address issues unique to each neighborhood;
- Have a simple template for new neighborhood plans; and
- Update neighborhood plans by larger geographic areas

The Council's Planning and Economic Development Committee discussed Mr. Arnold's email on September 14, 2015, and appeared supportive of the new approach to neighborhood plans.

With the **Finn Hill Neighborhood Plan** under way, it would be timely if the City Council could **give direction now** on whether it would like to consider preparing a set of general neighborhood plan policies in the future and then have polices in the neighborhood plans narrowed to those that address issues unique to each neighborhood. This is one way to reduce the size and complexity of the neighborhood plans which would reduce the time to update the plans.

Staff would recommend a discussion with KAN and the neighborhood associations in the near future about this approach since it came late in the Comprehensive Plan Update process.

IV. CITY COUNCIL BRIEFING COMMENTS ON THE COMMUNITY CHARACTER ELEMENT CHAPTER

The comments below on the Community Character Element were raised by the City Council at the January 20, 2015 Council briefings. Below is a summary of those comments and the staff response. Other City Council comments on the general Element Chapters have been incorporated into the Plan Update as described in the Planning Commission's transmittal memo (see Attachment 1).

Community Character Element

- Comment: *Add to Policy CC-4.3 a statement that quality architectural design should also include green building, energy efficiency, and solar power; especially with civic buildings given what we've done with the Justice Center and want to do with City Hall.*

Staff Response: Topics such as promoting green, energy efficient buildings are addressed in the draft Environment Chapter (see Goal E-4, Policies E-4.1, 4.2, 4.3)

- Comment: *Regarding Policy CC-4.2 the Council suggested keeping the existing text to "prohibit" rather than discourage gated developments. The Council also suggested that regulations be considered that would address prohibiting gated developments.*

Staff Response: Staff has kept the existing word "prohibit" and will also add this to the Implementation Strategies chapter to develop regulations to enforce prohibiting gated developments.

- Comment: *Policy 4.8- Keep existing text to "implement" sign regulations. Add to work program to implement sign regulations.*

Staff Response: Revising targeted sections of the sign code is on the Planning Work Program for 2016.

- Comment: *Have Planning Commission/City Council revisit policy to complete the public shoreline pedestrian access trail including requiring single family development to dedicate easements for shoreline access.*

Staff response: Currently City shoreline regulations reflect state law that requires public shoreline access only with multifamily and commercial developments and single family plats of five or more lots.

Attachments:

1. Transmittal Memo from the Planning Commission to the City Council on the recommendation for revisions to the general Element Chapters and minor map and code amendment along with 30 attached exhibits



CITY OF KIRKLAND

Planning and Building Department

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MEMORANDUM

Date: September 24, 2015

To: Kirkland City Council

From: Eric Laliberte, Chair, Kirkland Planning Commission

RE: **RECOMMENDATION ON AMENDMENTS TO THE GENERAL ELEMENT CHAPTERS, ZONING AND LAND USE MAPS, AND ZONING CODE AND MUNICIPAL CODE, 2013-2015 COMPREHENSIVE PLAN UPDATE, FILE NO. CAM13-00465, #9**

I. RECOMMENDATION

On behalf of the Planning Commission, I am pleased to submit our recommendation on amendments to the general Elements of the Comprehensive Plan, Zoning and Land Use Maps, and Zoning Code and Municipal Code. The Planning Commission recommends approval of the revisions provided in Exhibit 1-29.

This recommendation reflects over three years of work with an extensive public outreach process involving over 200 meetings with residents, neighborhood associations, business groups, and Boards and Commissions who contributed to this process to update the Comprehensive Plan. The Planning Commission carefully considered and deliberated all of the information and issues and comments from the public.

A **summary of the recommended key changes** to the Comprehensive Plan chapters, Zoning Map, Land Use Map, and the Zoning Code and Municipal are provided below.

A. **Introduction** (see Exhibit 1)

- Update **history and data** about Kirkland
- Add Kirkland's **history of annexation map**

B. **Vision Statement and Guiding Principles** (see Exhibit 2)

- New **vision statement** based on extensive public outreach resulting in the "wordle" describing the future of Kirkland. The new Vision Statement notes Kirkland as being a welcoming place to live, work and play; a green, livable and sustainable community; inclusive and diverse; and connected by walking, biking and transit

- New **guiding principles** based on the vision of a livable, sustainable and connected community

C. General Elements (see Exhibit 3)

- Add required **Vision 2040 Regional Statement**
- Revise text about **neighborhood and business district plans** to be at least once between every two major Plan Updates and more frequently if needed based on Council priorities

D. Community Character Element (see Exhibit 4)

- Look for opportunities for pedestrian connections, open space, art and public events with the **Cross Kirkland Corridor**
- Address **impacts of outdoor storage** of large vehicles, boats and junk in SF neighborhood
- Added **map of historic structures** designated in table of historic structures, sites and objects

E. Environment Element (see Exhibit 5)

Note: chapter has been rewritten and name revised

- New Introduction and explains the concept of a “**Livable and Sustainable Community**”
- Maintain current **tree and vegetation** canopy cover while achieving optimal health, safety and sustainability of the urban forest
- Look at ways to protect and stabilize **soils and geology** using best available science and practices to order to protect life and property
- Address **built environment** because of important connection between the built and natural environments
- Focus on **climate change** with a strong emphasis on reducing greenhouse gas emissions and definition.
- Added new section on **healthy food community** to encourage local food production, ensure access to healthy food, reduce environmental impacts of food production and plan for food emergencies and shortages.

F. Land Use Element (see Exhibit 6)

- Support land use patterns that promote **public health**
- Factor availability of **transit** into decisions about future growth
- Encourage land uses that are complementary with the **Cross Kirkland Corridor (CKC)**
- Update and clarify definitions and guidance for **commercial and mixed use areas**
- Emphasize importance of **streets and CKC** as parts of Kirkland’s **open space network**

G. Housing Element (see Exhibit 7)

- Establish city’s proportionate share of **housing needs** of very low-, low-, and moderate income households
- Address **homelessness**
- Support **senior housing needs and fair housing**

H. Economic Development Element (see Exhibit 8)

- Promote **sustainable and resilient economy**
- Encourage **diverse tax base**
- Promote access to **job opportunities and goods and services** to community
- Address **tourism & business retention**
- Address recruitment efforts toward businesses that **provide living wage jobs**
- Encourage **positive business climate**
- Foster **socially and environmentally responsible businesses**
- Support businesses that provide **access to healthy and locally grown food**
- Develop the Cross Kirkland Corridor to **attract businesses and housing** as well as a multimodal transportation facility to connect businesses and employees with employment centers
- Promote **socially responsible practices** in the private, public and non-profit sectors
- Help facilitate environmental **remediation** of contaminated sites

I. Transportation Element (see Exhibit 9)

Note: chapter has been rewritten based on new Transportation Master Plan

- Create a transportation system that supports the City's **land use plan**.
- Encourage safe and efficient **walking and biking, interconnected system** for all ages and abilities.
- Support viable and realistic **transit system**.
- Provide for efficient and safe **vehicular circulation** recognizing congestion is present
- Focus on **safety** to reduce fatal and serious injury crashes
- Promote **sustainability** that provides mobility using available funding sources and minimizes environmental impacts
- Being an **active partner** to advance Kirkland's interests with state, regional and neighboring transportation/transit agencies and transportation advocacy groups

Level of service:

- **New level of service approach** for each mode that addresses **completeness** of various aspects of the transportation network to complement the new concurrency system
- Uses term "**level of completion**" is used in place of "level of service" when referring to the actual measure. The level of completion choices made for each mode are aligned with the proposed 20-year network transportation project list. Time is the basis for evaluating the level of completion. Level of completion measures the rate of project completion over the course of the 20- year period.

J. Park, Recreation and Open Space (see Exhibit 10)

Note: rewritten element based on new PROS Plan.

- **Neighborhood & Community Parks.** Acquire additional parklands necessary to adequately serve the City's current and future population based on designated guidelines for levels of service
- **Waterfront Parks.** Maintain and enhance Kirkland's waterfront parks to connect residents with the water and provide unique recreational experiences
- **Trail Network.** Develop a network of shared-use pedestrian and bicycle trails to enable connections within parks and between parks, nearby neighborhoods, public amenities, and major pedestrian and bicycle routes identified in the Active Transportation Plan

- **Signature Trails.** Develop, enhance and maintain signature greenways and trails that stretch across the community and that connect residents to the City's many parks, natural areas, recreation facilities and other amenities
- **Recreation Facilities.** Develop additional multiuse indoor recreation, aquatic, and community spaces that provide a comprehensive recreation program to Kirkland residents.
- **Specialized Facilities.** Establish and operate specialized recreational facilities (e.g. action sports facilities, off leash areas, skateparks, community gardens) to respond to identified public needs, as appropriate
- **Athletics.** Provide a citywide system of sports fields, indoor and outdoor sports courts, gymnasiums, and programs to serve athletic needs of the community, in partnership with the Lake Washington School District, local sports organizations, and other regional providers
- **Conservation & Stewardship.** Preserve significant natural areas to meet outdoor recreation needs, provide opportunities for residents to connect with nature, and meet habitat protection needs
- **Restoration.** Restore and manage City-owned or managed natural areas to protect and enhance their ecological health, sensitive habitats and native species
- **Universal Access & Inclusion.** Strive to reduce barriers to participation and provide universal access to facilities and programs

Level of service:

- **New level of service approach of "investment per person"**

K. Utilities (see Exhibit 11)

- Support **equal access** to utility services
- Encourage **undergrounding** when telecommunication facilities are installed
- Encourage **screening utility infrastructure** to blend into surroundings
- Promote **water reuse** and **reclamation**
- Implement City's **Surface Water Master Plan**
- Promote **increasing renewable energy** and encouraging utility providers to make **efficiency improvements** and transition away from **fossil fuels** to address **climate change**
- Coordinate **emergency response** for utility disaster recovery
- Require **siting analysis** for electrical transmission facilities

L. Public Services (see Exhibit 12)

- Establish **emergency management** program
- Change desired closure of **Houghton Transfer Station** from 2016 to 2021 (Note: Later this summer, the Metropolitan King County Council is scheduled to consider changing the 2021 target closure date to 2023. The date stated in the draft Public Services Chapter will not be changed until such time that a change is formally considered by the Kirkland City Council, Resolution R-5001 and Position Statement adopted on September 17, 2013 and Resolution R-5031 and Letter adopted on February 4, 2014, reflecting the City's policy position to endorse a 2021 closure.)
- Promote increased **waste reduction and recycling**

- Support **Lake Washington School District** in planning, siting and development of school facilities
- Address **social equity** for underserved population and **equal access** for people with disabilities

M. Human Services (see Exhibit 13)

- Embrace **diversity** in population and strive for community **free of discrimination** and **equal opportunity** for all
- Create community that has ability to meet members' **basic physical, economic and social needs** and have opportunity to enhance their **quality of life**
- Encourage **partnerships** with city, schools, human services providers and others to meet needs of children and families
- Encourage human services facilities to **locate near commercial centers, and transit and non-motorized facilities** and provide **barrier free programs**

N. Capital Facilities (see Exhibit 14)

- Support **sustainable development practices** for design and construction of public facilities
- Establish new **Transportation LOS** of completion of a planned network based on **multimodal network**
- Establish new **Park LOS** of **dollar amount spent per person**

O. Implementation Strategies (see Exhibit 15)

- Update **one-time projects** to implement the Draft Elements
- Delete **ongoing activities** since they are part of existing programs or projects
- Revised text for **neighborhood and business district plans** to be amended at least between every two major Plan Update cycle and more frequently if needed based on City Council priorities

P. Appendices (see Exhibit 16-18)

- Delete **Appendices A, Level of Service Methodology**, and provide on the City's web site as background information
- Revise **Appendices B, Glossary**, to reflect changes to the Element Chapters and the Neighborhood Plans
- Delete **Appendices C, Design Principles - Residential Development**, and provide on the City's web site in same location as other design guidelines

Q. Zoning Map and Land Use Map (see Exhibit 19-22)

- Remove **suffixes on the Zoning Map** on 10 properties that reference policies with development standards in the Comprehensive Plan applicable to the site. The properties have been developed so that suffixes are no longer needed.
- Rezone **95 parcels in the annexation area** on both maps that are **small parks, open spaces, and stormwater ponds and surface water basins** that are also open spaces from Single Family Residential (RSA) to Park/Open Space (P)
- Revise the **legends** on both the Zoning Map and Land Use Map to **add the word "mixed use"** after the zoning/land use categories of **commercial, industrial** and **office**. Each term reflects the predominate use in the zone. However a mix of uses are allowed in these

zones, including residential in the commercial zones, retail in the office zones, and office in the industrial zones.

- Make the following **housekeeping amendments** to both maps:
 - Remove "**FC**" (freeway commercial) and "**Light Manufacturing Park**" zones in the legend of the Zoning Map. These zones no longer exist
 - Remove "**Completed Planned Unit Development**" from the legend on the Zoning Map." The PUD designation is removed once the project is completed
 - Change "Houghton Annexation" to "**Houghton Community Municipal Corporation**" in the legend on the Zoning Map as it was not an annexation
 - Add the "**Totem Urban Center boundary**" and delete the "**Totem Center boundary**" on the legend of both maps to match the amendments to the Totem Lake Business District plan

R. Code Amendments (see Exhibit 23-25)

- Amend **KZC 10.20** to authorize the **Planning Director to make minor administrative corrections** to the Zoning Map.
- Amend **KZC 10.35.3** concerning the interpretation of **zoning boundaries in Lake Washington** consistent with case law and other jurisdictions in the state.
- Amend **Chapter 142 Kirkland Zoning Code (KZC) and Kirkland Municipal Code 3.30.040** to reference the Design Principles - Residential Development that are deleted from Appendices C (will be available on the City's web page with the other design principles).
- Amend **Rose Hill Business District Design Guidelines** referenced in the Municipal Code to reflect the change in policy numbers in the NE 85th Street Subarea Plan and also a few minor editing changes to the guidelines.

II. RESPONSE TO COMMENTS FROM CITY COUNCIL BRIEFINGS

Below are comments raised by the City Council at the Council briefings between January and June 2015 on the General Element Chapters that have been incorporated into the Comprehensive Plan Update. City Council comments were then incorporated into the draft Elements prior to the public hearings held by the Planning Commission.

A. Introduction Chapter (see Exhibit 1)

Changes:

- Added information in Introduction section (page 2) that "With the 2012 Park Levy, the City took over maintenance of O.O. Denny Park while the City of Seattle still retains ownership of the park."
- Added not only the highest and lowest residential densities by neighborhood, but some of the neighborhood residential densities in between to provide a fuller picture in the Community Profile section (page 8).

B. General Element (see Exhibit 3)

Changes:

- Expanded the range of public participation opportunities in the Citizen Participation section (page 5) to include *Currently Kirkland* broadcasting, and that open houses occurred on the weekends and outreach activities were available at community events, such as the farmer's markets.
- Revised the Plan Amendment section (page 8) concerning neighborhood plan amendments to read: "The City amends the neighborhood plans and business district plans at least between every two GMA Comprehensive Plan Updates or more frequently as needed given City Council priorities."

C. Community Character Element (see Exhibit 4)

Changes:

- **Policy CC-1.5:** "Emergency Management Services" was added to the sentence referring to the importance of the Police and Fire Departments to ensuring a safe and crime free community.
- **Goal CC-4:** in response to a comment to refer to the "10 minute neighborhood philosophy", text was added to the Built and Natural Environment introduction paragraph of this goal to describe Kirkland a great place to live, work and play but also where people can reach their daily services within a short walking distance.
- **Policy CC-4.4:** in response to a comment to provide pedestrian and bike connections to the waterfront, parks on Lake Washington, Cross Kirkland Corridor, greenways and within neighborhoods this *new policy* was added.

D. Environment Element (see Exhibit 5)

Changes:

- **Policy E-3.2** modified to begin discussion on limiting density in areas with steep slopes (see edits on Page 16).
- **Policy E-4.12** added to promote and encourage product stewardship (see edits on Page 23).

E. Land Use Element (see Exhibit 6)

Changes:

- **Land Use Map and Definitions** section text added to describe how changes to the Land Use Map and zoning are initiated.
- **Growth Management** section incorporates the 10 Minute Neighborhood concept into the Comprehensive Plan.
- **Policy LU-3.7** modified to reflect that the current transit system does not appear to influence parking demand.
- **Policy LU 3.9** text added to strengthen connectivity policies.
- **Policy LU-4.4** added for future consideration of small neighborhood-oriented commercial uses within residential neighborhoods.
- **Map LU-2** clarify terminology to avoid confusion between the Cross Kirkland Corridor overlay district and the NE 85th St. and Market Street Corridor districts.
- **Policy LU 5.5** adds a new policy supporting future consideration of a Downtown Kirkland as an Urban Center.

Response to City Council comment:

The Planning Commission recommends that any potential future **Urban Center designation** of the area around Downtown Kirkland should be careful to not dilute Totem Lake's priority for the limited transportation funding that is available for Urban Centers.

F. Economic Development Element (see Exhibit 8)

Changes:

- **Policy ED-1.8:** text added to describe why small startup businesses benefit the local economy by providing jobs, increase the amount of work for small businesses and keep money in the local economy.
- **Policy ED-5.1:** text added to describe why businesses involved in resource conservation and environmental stewardship benefit the local economy because they generate good paying jobs, produce goods and services that expand clean energy production, promote energy efficiency or use innovative technologies.

G. Utilities Element (see Exhibit 11)

Changes:

- **Policy U-4.9** text added to educate the public about proper disposal of animal waste, including pet waste, to protect and enhance water quality.
- **Policy U-5.5** text added to ensure that stakeholders are involved in decisions affecting policies, practices and regulations for enhancements to broadband services.
- **New Policy U-5.6** added to address the need to enhance the City's audio and visual communications with citizens.
- **Policy U-7.7** text added that when siting new and expanded transmission lines and substation facilities, impacts to schools and residential areas should be minimized and trees should be preserved, and that accepted low cost methods should be used to reduce potential health risk from electromagnetic frequency (EMF) impacts, until scientific research warrants changes to policies.
- **New Policy U-8.6** added to coordinate emergency response for utility disaster recovery.

H. Public Services Element (see Exhibit 12)

Changes:

- **Introduction** text added to address challenges for provision of library services.
- **Existing Conditions** text added to address additional police protection functions (i.e. interlocal agreements for SWAT teams; explosives removal and other specialized services).
- **Existing Conditions** text added to address King County Library System mission.
- **Relationship to Other Plans** Continuity of Operations and Continuity of Government Emergency Management Plan added to documents adopted by reference to support Emergency Management functions.

I. Implementation Strategies (see Exhibit 15)

Change:

- Revised Implementation Methods section concerning Neighborhood Plan Amendments to read: "The City amends the neighborhood and business district plans at least between every two GMA Comprehensive Plan Updates or more frequently as needed given City Council priorities."

III. RESPONSE TO THE HOUGHTON COMMUNITY COUNCIL'S COMMENTS

On June 25, 2015, the Houghton Community Council recommended approval of the Comprehensive Plan Update with two suggestions concerning climate change and roundabouts. The following changes have made to respond to the comments:

A. Environment Element

A definition of climate change was added to the introduction portion of the climate change section pursuant to a request from the Houghton Community Council.

B. Transportation Element

Discussion about using roundabouts has a way to manage traffic in some circumstances and situations has been added to the Transportation Element.

IV. RESPONSE TO COMMENTS FROM THE DEPARTMENT OF COMMERCE

The City submitted the Draft Plan to the Department of Commerce on June 22, 2015. On August 6, 2015 and after the hearing on the General Element Chapters, the Department of Commerce responded with **four comments on the City's Draft Plan – all of which are minor in nature** (see Exhibit 27). Based on the comments, we recommend two minor changes to the Draft Plan. The other two comments do not require changes.

Introduction Element - Department of Commerce comment:

The Introduction Element list existing housing units as 37,450 with a base year of 2014 while the Land Use Element list them as 36,866 with a base year of 2013. The numbers are not conflicting, but to make the comprehensive plan easier to read, they could be brought into alignment by using the same base year.

Response: Revise the Introduction chapter so that the same base year of 2013 is used to match the Land Use Element

Environment Element - Department of Commerce comment

On page 5, the Environment Element discusses balancing environmental protection with obligations to accommodate growth. The GMA does not view the goals of environmental protection and accommodating growth as a balance, rather as two separate duties for jurisdictions to accomplish. This concept is recently discussed in the Growth Management Hearings Board Final Decision and Order for [Aagaard v. City of Bothell, 15-3-0001](#).

Response: Delete the discussion sentence under Natural Systems Management on page 5 that reads:

“Additionally, Kirkland’s desire and duty to protect natural resources must be balanced with the City’s obligations to accommodate future growth and provide a development process that is timely, predictable, and equitable to developers and residents alike. ”

The Environment Element addresses protection of the natural system while the Land Use Element addresses meeting our growth targets through zoning and development standards so the sentence is not needed to meet both objectives.

V. RESPONSE TO COMMENTS FROM PUGET SOUND REGIONAL COUNCIL (PSRC)

The City submitted the Draft Plan to PSRC on June 24, 2015. On September 14, 2015 and after the hearing on the General Element Chapters, the **PSRC responded with seven comments on the City’s Draft Plan – all of which are minor in nature** and do not affect any of the goals and policies (see Exhibit 28).

The Planning Commission reviewed the PSRC comments on September 24, 2015, and recommend the following minor changes to the Draft Plan. The changes are reflected in the attached Land Use, Housing, and Transportation Elements and the Implementation Strategies chapter (see Exhibits 6, 7, 9 and 15).

1. PSRC Comment: The City of Kirkland is commended for affirmatively planning for a significant share of the county’s growth, as called for in the regional growth strategy (RGS) in VISION 2040, as well as for extending land use assumptions beyond adopted countywide growth targets to cover a 20-year planning period that ends in 2035. However, the city should more clearly document how the targets have been extended to cover the period 2031-35.

Background Information: The Countywide 20-year growth targets were issued for the planning period of 2011-2031, yet the periodic update was to be completed by 2015 which would be a planning period from 2015-2035. PSRC wants the jurisdictions to explain how they derived its growth targets for the period of 2031 - 2035. The methodology can vary.

Recommendation: Revise the footnote for Table LU-4 in the **Land Use Element** to include an explanation of how the City derived the growth targets for the period of 2031 to 2035. See footnote below and Exhibit 6.

The City adjusted the numbers for housing units and employment by the amount of actual new development between 2006 and 2012 and by extending the target date to 2035 using the average growth rate needed to meet the targets.

2. PSRC Comment: The city should resolve an internal inconsistency in the plan. In the land use element, the plan anticipates growth of 8,361 housing units. The housing element states that 8,570 units are expected. Additionally, table LU-4 should be corrected to state the targets in housing units, rather than households.

Background Information: A Regional Coalition for Housing (ARCH) prepared the draft changes to the Housing Element. ARCH used a different data source for existing housing units and

housing capacity than what the City uses in the Land Use Element and used an incorrect housing target number.

Recommendation: Revise the **Housing Element** to reflect the same housing numbers as the Land Use Element and the correct housing target number. Also, revise Table LU-4 in the Land Use Element to change "households" to "housing units" as noted above in No 1 (see Exhibit 7).

3. **PSRC Comment:** Consistent with MPP-Action-18, the Transportation Master Plan includes mode split goals for the Totem Lake regional growth center. PSRC recommends including a baseline estimate of mode split to demonstrate the expected shift from current conditions and enable measurement over time. PSRC recently produced additional guidance about setting mode split goals, including data on existing conditions in centers that the city may find helpful in this work.

Recommendation: Revise the **Transportation Element** to provide a baseline estimate of mode split for Totem Lake regional growth for Policy T-8.3 to show the expected shift from current conditions to enable measurement over time. See new table below for existing mode split and Exhibit 9.

Mode Split Goals are required to be adopted for the Totem Lake Urban Center. A baseline estimate of mode split is 19% non-drive alone. This estimate is based on [2010 data from the Puget Sound Regional Council](#).

Totem Lake Existing Mode Split (2010) Peak Hour, Work Trip Types

Mode	Fraction of Trips
Drive Alone	81%
HOV 2+, vanpool, Transit	16%
Walk and Bike	3%

The future goals for the Totem Lake Urban Center are shown below:

Totem Lake Mode Split Goals (2035) Peak Hour, All Trip Types

Mode	Fraction of Trips
Drive Alone	45%
HOV 2+, vanpool, Transit	46
Walk and Bike	9%

4. **PSRC Comment:** The Transportation Master Plan indicates that travel forecasting has been completed in support of the update, but the draft plan doesn't provide information about forecasted travel. The city should provide additional detail about the travel forecasts, including documentation of consistency with land use assumptions in other elements and estimated impacts to state-owned facilities per RCW 36.70A.070(6)(a)(iii)(E).

Recommendation: Revise the **Transportation Element** to provide information on forecasted travel, including documentation of consistency with land use assumptions and estimated impacts to state-owned facilities. See new text box below and Exhibit 9.

Travel Forecasting

The 20 year land use assumptions, as described in the Land Use Element of the Comprehensive Plan, were input to the BKR model to perform travel modeling. The BKR model also assumes growth throughout the region, as forecast by PSRC. The travel modelling assumed the planned improvements along SR 520 and in the I-405 Master Plan, including tolling. The overall land uses in the BKR model were reasonably consistent with the land uses assumed in the modeling done for the WSDOT projects. Given the consistency with recent state efforts, the City did not undertake a separate study of freeway operations. Instead, the Comprehensive Plan includes policies to coordinate with the state to maintain mobility along state routes, which are vital transportation facilities connecting Kirkland with the rest of the region.

5. **PSRC Comment:** The plan should reference level of service standards for state-owned facilities (RCW 36.70A.070(6)(a)(iii)(C)). In Kirkland, I-405 has been designated a Highway of Statewide Significance, and WSDOT has established a level of service of "D" for this facility. More information is available at <http://www.psrc.org/transportation/t2040/los/>.

Recommendation: Revise the **Transportation Element** to provide a reference level of service standards for state-owned facilities. See new paragraph below and Exhibit 9.

Cities are required by RCW 36.70A.070(6)(a)(iii)(C) to reference the LOS standards for all state routes in the transportation element of their local comprehensive plans. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the office of financial management's ten-year investment program. The only state route in Kirkland is I-405, which is a highway of statewide significance. The Washington State Department of Transportation has established a level of service "D" as defined by the Highway Capacity Manual for I-405.

6. **PSRC Comment:** The Totem Lake Business District plan reflects that infrastructure funding will be prioritized to support development of the regional center, consistent with MPP-DP-7 and MPP-T-12. The city should consider including discussion of this policy direction in a relevant citywide element, such as the capital facilities element or Transportation Master Plan.

Recommendation: Revise the **Transportation Element** to provide additional policy discussion on infrastructure funding that prioritizes development of the Totem Lake regional center. See two new sentences below and Exhibit 9.

Because the 20 year Transportation Project List will be updated regularly, it should be viewed as a document that gives planning direction and that reflects the policy direction in the TMP rather than spelling out the specifics of each project to be completed between now and 2035. Revisiting the 20 year transportation project list when the Capital Improvement Program is updated would be a logical course of action. The 6-year Capital

Improvement Program is the document that draws on the 20 year transportation project list to develop a set of specific projects that can be programmed with immediately available revenue. Consistent with the Totem Lake Business District plan, spending on the 20 year list is prioritized to support development of the Regional Center. One example of this prioritization is the designation of an opportunity fund to respond to and support development in the Totem Lake Urban Center. (See Policy T-5.3)

7. PSRC Comment: The policies in the draft housing element go a long way to advancing VISION 2040's housing goals. Some of the policies (e.g. Housing Policies 2.2 and 3.1) appear to rely on future work for successful implementation. The city should consider adding more information on strategies and timelines for implementation of the policies in the housing element, particularly strategies to address the below 50% AMI need identified in the plan.

Background information: Based on a phone call between City staff and PSRC, the intent of the comment is to have a time commitment stated in the Implementation Strategies Chapter.

Recommendation: Revise the **Implementation Strategies chapter** for the Housing section to provide a time commitment towards working on meeting the City's goal of affordable housing for very low and moderate income households. See timeline below added to the Housing strategies and Exhibit 15.

Implementation Strategies

Housing Element

H.1 Adopt an updated housing strategies plan and work program by 2020.

H.4: Consider refinement to regulations by 2020 that:

H.4.1: Encourage innovate housing developments.

H.4.2. Encourage and/or require the creation of housing affordable for people with low- and moderate incomes.

VI. NEW NEIGHBORHOOD PLAN FORMAT AND NEIGHBOHROOD PLAN UPDATES

Council person Jay Arnold sent an email to Eric Shields dated September 8, 2015, wanting to pursue some additional policies about future new neighborhood plans and updates to existing plans based on past Council discussions (see Exhibit 29). The email was subsequently discussed at the Council's Planning and Economic Development Committee (PED) meeting on September 14, 2015, who indicated an interest in adding additional strategies to the **Implementation Strategies** for neighborhood plans.

The three issues in Jay Arnold's email regarding new neighborhood plans and neighborhood plan updates are:

- Develop a standard template for future neighborhood plan updates

- Create a set of city wide neighborhood plan policies with neighborhood plan policies reflecting only neighborhood issues (for example, Holmes Point overly, Bridle Trails lot size and horse paddocks requirements)
- Doing neighborhood planning updates in larger planning areas (though those areas need not necessarily be defined in the comp plan)

Recommendation: The Planning Commission discussed Jay Arnold's email and the interest of the PED committee at its September 24, 2015 meeting. The Planning Commission recommends the following strategies be added to the Neighborhood Plans section of the Implementation Strategies Chapter:

Implementation Strategies

NEIGHBORHOOD PLANS

- ◆ *NP.1: Update neighborhood plans and business district plans at least once between every two major Comprehensive Plan updates or more frequently as needed, given City Council priorities and available resources.*
- ◆ *NP.2: Establish a neighborhood plan update schedule by December 2016. Updates should occur by grouping neighborhood plans around shared business districts or other common features so that updates are based on larger geographic planning areas.*
- ◆ *NP.3: Consider creating a set of city-wide neighborhood plan policies.*
- ◆ *NP.4: Develop a standard template for future neighborhood plans that provides a framework for policies addressing neighborhood issues unique to each neighborhood. The intent is to make the neighborhood plans concise, streamlined and brief.*

These new strategies should be considered with development of the Finn Hill Neighborhood Plan.

VII. UPDATE REVIEW PROCES

The Planning Commission began our review of the Comprehensive Plan Update in early 2014 with the new Vision Statement and new Guiding Principles, and then worked through drafts of the General Element Chapters, neighborhood plans and code amendments over 16 months of study sessions. The Environment Chapter has been completely rewritten to reflect both the built and natural environment with an emphasis on sustainability and climate change. The Transportation and Park Recreation and Open Space Elements have been rewritten to reflect the new Transportation Master Plan and Park, Recreation and Open Space Plan (PROS Plan). The Utilities Element reflects the new Surface Water Master Plan. All of the Element Chapters now reflect the annexation area and many address the new Cross Kirkland Corridor.

As part of review of the 14 General Element Chapters, we considered the requirements of the [GMA Comprehensive Plan Update](#) for consistency with:

- The State Department of Commerce's [Comprehensive Checklist](#) for Growth Management Act (GMA) statutory requirements adopted since 2003;
- Puget Sound Regional Council's (PSRC) [Vision 2040](#) and [Transportation 2040](#); and
- King County 2012 [Countywide Planning Policies](#).

Also considered were the comments from the 2035 Visioning Conversations, the neighborhood meetings in 2014, the [City Council Goals](#), [Smart Growth Principles](#) and [Sustainable Principles](#), and other planning principles as part of their consideration of changes to the element chapters.

An Environmental Impact Statement was prepared for the Comprehensive Plan Update that includes an analysis of any probable significant impacts relating to the revisions to the Element Chapters and minor code and map changes.

VIII. CRITERIA FOR AMENDING THE COMPREHENSIVE PLAN

The [Zoning Code](#) contains five criteria for amending the Comprehensive Plan. The list of criteria is provided below:

1. The amendment must be consistent with the Growth Management Act.
2. The amendment must be consistent with the countywide planning policies.
3. The amendment must not be in conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.
4. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.
5. When applicable, the proposed amendment must be consistent with the Shoreline Management Act and the City's adopted shoreline master program.

The Planning Commission considered new GMA legislation, PSRC's Vision 2040 and Transportation 2040, and the Countywide Planning Policies when reviewing the Draft Plan to ensure consistency and implementation of these documents. Attention was taken to ensure that internal conflicts between goals and policies do not exist so that the Plan Update is internally consistent. Careful consideration was given to ensure that the Draft Plan will result in long-term benefits to the community and is in the best interest of the community by planning for the anticipated future growth while maintaining the values of the community expressed in the 2013 visioning outreach program and the 2014 neighborhood visioning meetings.

IX. PUBLIC NOTICE AND OPPORTUNITIES FOR PUBLIC COMMENT

Notice was sent about the public hearings and open houses held in June and July to the extensive Kirkland 2035 listserv, the neighborhood associations and those on the citizen amendment request mailing list. The [City Update Newsletter](#) mailed to all businesses and residents in the city provided information on the Comprehensive Plan Update throughout the process, including the [June 2015 Special Edition](#) that was dedicated completely to the draft plan and upcoming public hearings and open houses.

X. PUBLIC COMMENTS RECEIVED

A comment log with all comments received to date is attached in Exhibit 30. The Planning Commission has reviewed all of the written comments and considered them in reviewing the General Element Chapters and the code and map amendments. The written comments are available in City File CAM13-00465, #10.

Exhibits:

1. [Introduction](#)
2. [Vision Statement and Guiding Principles](#)
3. [General](#)
4. [Community Character](#)
5. [Environment \(new chapter\)](#)
6. [Land Use](#)
7. [Housing](#)
8. [Economic Development](#)
9. [Transportation Element \(new chapter\)](#)
10. [Park, Recreation and Open Space \(new chapter\)](#)
11. [Utilities](#)
12. [Public Services](#)
13. [Human Services](#)
14. [Capital Facilities](#)
15. [Implementation Strategies](#)
16. [Appendix A: Level of Service Methodology \(deleted/to be provided on the City's web page\)](#)
17. [Appendix B: Glossary \(only those definitions with changes included\)](#)
18. [Appendix C: Design Principles - Residential Development \(deleted/to be provided on the City's web page\)](#)
19. [Zoning Map amendments to remove 10 suffixes that reference policies in the Comprehensive Plan](#)
20. [List of 95 small City parcels in annexation area to be rezoned \(small parks or open spaces\)](#)
21. [Zoning Map and Land Use Map Amendments to rezone 95 small City parcels in annexation area](#)
22. [Zoning Map and Land Use Map amendments to the map legends](#)
23. [Section 10.20 KZC amendment for administrative corrections to the Zoning Map](#)
24. [Section 10.35 KZC amendment for interpretation of zoning boundaries in Lake Washington](#)
25. [Chapter 142 KZC and KMC 3.30.040 amendments for deleting Appendix C](#)
26. [Rose Hill Business District Design Guidelines - minor amendments](#)
27. [Comments from State Department of Commerce dated August 6, 2015](#)
28. [Comments from Puget Sound Regional Council dated September 14, 2015](#)
29. [Council person Jay Arnold's email dated September 8, 2015 about future new neighborhood plans and neighborhood plan updates](#)
30. [Comment log summarizing written public comments](#)



CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033 425.587.3225
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MEMORANDUM

Date: September 24, 2015

To: Kurt Triplett, City Manager

From: Teresa Swan, Senior Planner
 Joan Lieberman-Brill, Senior Planner, AICP
 Janice Coogan, Senior Planner
 Jeremy McMahan, Development Review Manager
 Paul Stewart, Deputy Director, AICP
 Eric Shields, Director, AICP

Subject: Planning Commission Transmittal Memo Recommending Amendments to the Existing Neighborhood Plans and the new Kingsgate Neighborhood Plan (2013-2015 Comprehensive Plan Update, File CAM13-00465, #9)

I. RECOMMENDATION

Staff recommends that the City Council review and provide direction on the Planning Commission's recommendations on amendments to the **existing neighborhood plans** and the new **Kingsgate Neighborhood Plan**.

II. BACKGROUND DISCUSSION

The Planning Commission held the following hearings and deliberations on amendments to the Neighborhood Plans contained in the Comprehensive Plan, related Zoning Map and Land Use Map amendments, and code amendments:

- [June 25, 2015](#): hearing on revisions to the Neighborhood Plans (Lakeview, Central Houghton, Bridle Trails, Juanita, Moss Bay, Everest, South Rose Hill, NE 85th Street Corridor, Market and Market Street Corridor), and the new Kingsgate Neighborhood Plan
- [July 9, 2015](#): deliberations on the Neighborhood Plans
- [July 23, 2015](#): hearings and deliberations on revisions to the North Rose Hill, Norkirk and Highlands Neighborhood Plans and NE 85th Street Corridor Plan

Open houses were held before each hearing.

On June 25, 2015, the Houghton Community Council gave its recommendation of approval for the amendments to the neighborhood plans within its jurisdiction: Central Houghton, Lakeview and Bridle Trails.

The Planning Commission had a follow-up meeting on [September 10, 2015](#) to take final action on its Comprehensive Plan Update recommendations, including the neighborhood plans.

Attachment 1 contains the **transmittal memo from the Planning Commission** with recommendations on each of the revised neighborhood plans and the new Kingsgate Neighborhood Plan. The transmittal memo from Planning Commission also includes information about the public outreach process for amending the neighborhood plan and preparing the new Kingsgate Plan.

Attached to the transmittal memo are 16 Exhibits, including the revised and new neighborhood plans, Zoning Code amendments for the LIT tables, and a comment log that summarizes the written public comments. Paper copies of all written comments are available in a binder located in the Council Study Room. Contact Teresa Swan at tswan@kirklandwa.gov if you would like your own binder with the comments.

Attachment:

1. Transmittal Memo from the Planning Commission to the City Council on recommendations for the neighborhood plans along with 16 exhibits



CITY OF KIRKLAND

Planning and Building Department

123 Fifth Avenue, Kirkland, WA 98033 425.587.3225

www.kirklandwa.gov



MEMORANDUM

Date: September 10, 2015

To: Kirkland City Council

From: Eric Laliberte, Chair, Kirkland Planning Commission

RE: **RECOMMENDATION ON THE AMENDMENTS TO THE NEIGHBORHOOD PLANS AND THE NEW KINGSGATE PLAN (EXCLUDING TOTEM LAKE) (2013-2015 COMPREHENSIVE PLAN UPDATE, FILE NO. CAM13-00465, #9)**

I. RECOMMENDATION

On behalf of the Planning Commission, I am pleased to submit our recommendation on amendments to the existing neighborhood plans and the new Kingsgate Neighborhood Plan. The Planning Commission recommends approval of the revised neighborhood plans and new neighborhood plan provided in Exhibits 1-14.

This recommendation reflects two years of work with an extensive public outreach process with the residents, neighborhood associations, business groups who contributed to this process to update the neighborhood plans and creation of the new Kingsgate Plan. The Planning Commission carefully considered and deliberated all of the information and issues.

A. Summary of the Recommended Key Changes to the Existing Plans

The following existing neighborhood plans are recommended to be revised (see Exhibits 1-13):

- Lakeview
- Central Houghton
- Bridle Trails
- Moss Bay
- Everest
- North Rose Hill
- NE 85th Street Subarea
- South Rose Hill
- North/South Juanita (which becomes Juanita)
- Market
- Market Street Corridor

- Norkirk
- Highlands

1. General Revision: All of the existing neighborhood plans, except Lakeview, Central Houghton, Market and Market Street Corridor, are recommended to be **updated with new and corrected information** to reflect new developments, changed conditions, completed city improvements and updated city policies. In many ways the neighborhood plans have been simplified. In some cases, sections are consolidated or reorganized for be more concise. The revised plans **reflect public comments** from neighborhood residents received at meetings in 2014-2015. The four plans that have no text revisions are current and thus do not require any changes.

Each plan will have the following seven new standardized neighborhood plan **maps**:

- Land Use Map
- Wetlands, Streams and Lakes Map
- Geologically Hazardous Areas Map
- Street Classifications Map
- Pedestrian System Map
- Bicycle System Map
- Urban Design Features Map

Some of the existing maps in some of the plans are deleted, including the park and open space map and the neighborhood boundary map (already reflected in the land use map).

2. Revisions Specific to Certain Neighborhoods

- a. **Moss Bay Neighborhood Plan** has been revised to reflect the **MRM request** and the **Nelson/Cruikshank Citizen Amendment Request (CAR)**. The Land Use Map reflects the entire area of Planned Area 6C being rezoned as Planned Area 6A. Text addressing Planned Area 6C has been deleted. In addition, the Downtown old figure maps have been redone using GIS (see Exhibit 4).
- b. **North Rose Hill and NE 85th Street Corridor Plan** have been revised to reflect the **Basra, Griffis and Walen CARs**, including the Land Use Map and related text to reflect the recommended rezones. Additionally, the Light Manufacturing Park designation has been eliminated and replaced with the Industrial designation to bring it into consistency with the remainder of industrial designations Citywide (see Exhibits 6 and 7).
- c. **Juanita Neighborhood Plan** has been significantly reorganized and consolidated and includes the **annexation area** of North Juanita. When North and South Juanita Neighborhood Plans were merged several years ago, the plan was not reworked to remove repetition or reorganized into logical sections. The plan has also been revised to reflect the **Newland CAR**, including the Land Use Map and text relating to development of the study area (see Exhibit 9).

B. Summary of Recommendation for the New Kingsgate Plan

The new neighborhood plan for Kingsgate has a new map based approach with brief policies that reference the corresponding, more detailed goals and polices in the city-wide Element Chapters rather than restating the goals and policies. The objective of the new plan outline is to shorten the length of the neighborhood plans and make them more concise and easier to update. The new plan addresses the following eight topics around 16 policies (see Exhibit 14).

- Overview
- Neighborhood Vision
- Historic Context
- Land Use: Residential and Commercial
- Natural Environment
- Park and Open Space
- Transportation: Roads, Pedestrian & Bicycle System
- Urban Design

The new Kingsgate Plan contains the seven standardized maps listed above for the revised existing plans.

C. Zoning Code Amendments Related to the Neighborhood Plan Amendments

The following amendments have been made to **Chapter 40 LIT Kirkland Zoning Code (KZC)** as part of two neighborhood plan updates and Norkirk LIT Citizen Amendment Request (see Exhibit 15):

- **Moss Bay Neighborhood Plan:** For **PLA 6G tables, remove multifamily residential and assisted living facilities** uses in the southern portion of the Light Industrial Technology Area/LIT west of the CKC located in the Moss Bay Neighborhood. The uses were added as permitted through a Citizen Amendment Request several years ago to allow for more development options. Office use (Google) has since been built on the site so the uses should no longer be listed in the development regulation table. The Moss Bay Neighborhood Plan has also been amended (see Exhibit 15).
- **Norkirk Neighborhood Plan:**
 - **Eliminate vehicle sales uses** allowed in the Norkirk industrial zone. The Norkirk Neighborhood plan and zoning were amended several years ago at the behest of the green car company to allow very limited sales of alternate fuel vehicles only in the Norkirk lit zone. The green car company has come and gone, and it seems highly unlikely that another car company would fit the limited circumstances where the use is allowed in this zone (primarily alternative fuel vehicles, only on 7th Avenue or 8th Street, no outdoor sales/storage/displays, limited signage, limited test drives). (see Exhibit 15)
 - **Limit the location of outdoor animals runs for veterinary clinics and kennels** that are adjacent to low density zones as far as possible from the zone boundary to reduce noise impacts associated with outdoor animal runs. This requirement only

applies to Norkirk LIT since it is the only LIT area that has an adjacent low density residential area (see Exhibit 15).

II. RESPONSE TO COMMENTS FROM CITY COUNCIL BRIEFINGS

Below are comments raised by the City Council at the Council briefings between February and June 2015 on the Neighborhood Plans that have been incorporated into the Draft Plan.

A. Juanita Neighborhood Plan

Regarding the **draft Juanita Neighborhood Plan**, several comments were suggested from the Council. First, because there is community interest in seeing the future redevelopment of the North Juanita neighborhood center, it was recommended to add text noting this as a future implementation goal with incentives that will encourage redevelopment. Updating neighborhood business district plans is already listed in the draft Implementation Strategies chapter. Second, the need for pedestrian facilities on 100th Avenue NE north of NE 132nd ST was mentioned. Proposed draft text in Section 4B of the Plan includes reference to this and implementation of the 100th Ave NE Corridor Plan.

Revised text reflecting the City Council feedback on the Juanita Plan is noted below in underlined text and in Exhibit 9 Section 4.B of the Plan on page 24:

Design Guidelines, design review and redevelopment incentives should be established for the Neighborhood Center for all new, expanded or remodeled commercial, multifamily or mixed use buildings.

B. Everest Neighborhood Plan

On May 5, 2015, the City Council reviewed the revised **Everest Neighborhood Plan**. One Council member suggested text be added to discourage expansion of existing storage facilities near the NE 85th ST interchange area along the Cross Kirkland Corridor. This is consistent with the policies in the Land Use Element as noted below. Another comment was to include a transportation corridor study for 6th Street So. This could occur with either the Everest or Central Houghton Neighborhood Commercial Center study to be initiated in 2016 or be part of an Everest Neighborhood Plan update. Finally, another suggestion was to add text noting that school walk routes and sidewalks in the neighborhood plan should be coordinated with the Transportation Master Plan.

Revised text reflecting the City Council feedback on the Everest Plan is noted below in underlined text and in Exhibit 5 on Page 10 of the Plan:

Land Use Commercial Section: The Houghton/Everest Neighborhood Center to be contained within its present boundaries. A plan for future development of the commercial area should be coordinated with the Central Houghton Neighborhood.

The Houghton/Everest Neighborhood Center is a commercial area that spans the north and south side of NE 68th ST. Commercial uses in this area should satisfy neighborhood needs rather than include intensive uses which would be located more appropriately in the Downtown or

other major commercial centers (see the Land Use Chapter). Within the Everest Neighborhood, the height of structures in this area should not exceed 35 feet. The Everest and Central Houghton Neighborhoods should coordinate a plan for the Houghton/Everest Neighborhood Center along both the north and south sides of the NE 68th Street and involve the surrounding neighborhoods in the process. The plan should promote a coordinated strategy for future redevelopment of the Neighborhood Center which minimize adverse impacts on surrounding residential areas. The plan could include a transportation corridor study for 6th Street So.

Page 13, Land Use Section: Professional office and limited commercial activities are appropriate in the NE 85th Street freeway interchange. Expansion of these activities is to be limited.

Conditions in the vicinity of the NE 85th Street freeway interchange are somewhat different. Although much of the surrounding land to the south is developed for single-family use, convenient access to NE 85th and Interstate 405 makes this area attractive for limited commercial activity. The existing office building north of Ohde Avenue takes advantage of this location while limiting impacts to the nearby single-family area. Expansion of existing storage facilities along the Cross Kirkland Corridor is discouraged. As redevelopment occurs along the Corridor, uses should be encouraged that will complement the use of the CKC, provide connections to the trail that will benefit the pedestrian and bicycle users of the trail. See Land Use Element policies from the Cross Kirkland Corridor Overlay.

Page 18, Transportation Section #4: Improve the pedestrian/bicycle circulation system in the neighborhood by providing improvements for pedestrians and bicycles according to Figure E-5 and consistent with the Transportation Master Plan.

C. Bridle Trails Neighborhood Plan

Regarding the draft **Bridle Trails Neighborhood Plan**, City Council suggested that the Houghton Park and Ride should be enhanced as a transit hub and transit oriented development. In response, text was added on page 20 of the draft Plan (see Exhibit 3) to encourage the site to be a potential candidate as a transit oriented development should the opportunity arise. If that occurs the City and State should work closely with the community to develop design guidelines and development standards for the site. It was also suggested to include in the Bridle Trails and South Rose Hill Neighborhoods reference to the Olympic Pipeline. However, in those areas the pipeline is out of the City limits. The Utilities Element discusses the pipeline.

D. Highlands Neighborhood Plan

Regarding the **Highlands** Plan, the Council suggested eliminating a goal and a policy to establish new multifamily residential design standards in the Highlands Neighborhood, since multifamily design regulations apply only in business districts, and are not anticipated in the remainder of Kirkland where multifamily is allowed. Appendix C to the Plan; Design Principles: Residential Development, and Community Character policy CC-4.1 could provide the framework and policy support for regulations in the future, should design regulations for multifamily be desired in other than business districts. (Note: Appendix C is proposed to be deleted from the Plan and instead provided on the City's website in same location as other design guidelines.)

Revised text reflecting the City Council feedback on the Highlands Plan is noted below in underlined text and in Exhibit 13 on Page 32 of the Plan:

~~**Goal H-16:** Promote high quality residential design by establishing building and site design standards that apply to new multi-family residential development.~~

~~**Policy H-16.1:**~~

~~Establish building and site design standards that apply to all new, expanded, or remodeled multifamily buildings consistent with City-wide policies.~~

~~Building design standards should address building scale, mass, materials, and entries; service areas; roof treatments; pedestrian-oriented frontage; and relationship to adjacent land uses.~~

~~Site design standards should address building placement on the site; site access and on-site circulation by vehicles and pedestrians; site lighting; landscaping, including that for parking lots; signs; preservation of existing vegetation; and buffers between multifamily developments and single-family housing.~~

E. Kingsgate Neighborhood Plan

Regarding the Kingsgate Neighborhood Plan, the Council suggest that Policy K-1 be revised to address maintaining the planned residential densities. Text has been added that the neighborhood vision is to generally maintain the current residential densities, but recognizing that over the long term densities may change for a variety of reasons (see page 6 in Exhibit 14).

F. Other Neighborhood Plans

City Council did not have any comments on any of the other neighborhood plans.

III. CRITERIA FOR AMENDING THE COMPREHENSIVE PLAN

The [Zoning Code](#) contains five criteria for amending the Comprehensive Plan. The list of criteria is provided below:

1. The amendment must be consistent with the Growth Management Act.
2. The amendment must be consistent with the countywide planning policies.
3. The amendment must not be in conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.
4. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.
5. When applicable, the proposed amendment must be consistent with the Shoreline Management Act and the City's adopted shoreline master program.

The existing and new neighborhood plans are consistent with the GMA, PSRC's Vision 2040 and Transportation 2040, the Countywide Planning Policies, and are internally consistent with the city-wide Element Chapters of the Comprehensive Plan. The policies in the neighborhood plans mirror many of the goals and policies in the city-wide Element Chapters, including the Land Use, Housing, Environment, and Transportation Elements. The neighborhood plans also contain land use maps that support the City's future assigned housing and job targets.

The neighborhood plans will result in long-term benefits to the neighborhoods and the community overall and is in the best interest of the community because they establish policies to address future growth in the neighborhoods while maintaining the values of the residents expressed in the 2013 visioning program and the 2014 neighborhood meetings.

IV. PUBLIC NOTICE AND OPPORTUNITIES FOR PUBLIC COMMENT

Notice was sent about the public hearings and open houses held in June and July to the extensive Kirkland 2035 listserv, the neighborhood associations and those on the citizen amendment request mailing list. The *City Update Newsletter* mailed to all businesses and residents provided information on the Comprehensive Plan Update throughout the process, including the [June 2015 Special Edition](#) that was dedicated completely to the draft plan and upcoming public hearings and open houses.

V. PUBLIC COMMENTS

Public comments relating to the neighborhood plans are summarized in Exhibit 16. The Planning Commission has reviewed all of the written comments and considered them in reviewing the revised and new neighborhood plans. The written comments are available in City File CAM13-00465, #10, and a binder has been prepared with copies of the written comments and placed in the Council Study Room.

Exhibits:

1. [Lakeview Neighborhood Plan \(only updated maps\)](#)
2. [Central Houghton Neighborhood Plan \(only updated maps\)](#)
3. [Bridle Trails Neighborhood Plan](#)
4. [Moss Bay Neighborhood Plan](#)
5. [Everest Neighborhood Plan](#)
6. [North Rose Hill Neighborhood Plan](#)
7. [NE 85th Street Subarea Plan](#)
8. [South Rose Hill Neighborhood Plan](#)
9. [Juanita Neighborhood Plan \(major revision\)](#)
10. [Market Street Neighborhood Plan \(updated maps only\)](#)
11. [Market Street Corridor Plan \(updated maps only\)](#)
12. [Norkirk Neighborhood Plan](#)
13. [Highlands Neighborhood Plan](#)
14. [Kingsgate Neighborhood Plan \(new\)](#)
15. [Chapter 40 KZC Amendments: remove residential uses and assisted living facilities in PLA6G LIT, and eliminate vehicle sales use and limit the location of outdoor animal runs for veterinary clinics in Norkirk LIT](#)
16. [Comment log summarizing written public comments](#)



CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
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MEMORANDUM

Date: September 24, 2015

To: Kurt Triplett, City Manager

From: Angela Ruggeri, Senior Planner, AICP
Paul Stewart, Deputy Director, AICP
Eric Shields, Director, AICP

Subject: Planning Commission Transmittal Memo Recommending MRM Request and related Comprehensive Plan and Zoning Code Amendments, 2013-2015 Comprehensive Plan Update, File CAM13-00465, #9

I. RECOMMENDATION

Staff recommends that the City Council review and provide direction on the Planning Commission's recommendation for the MRM Request and related Comprehensive Plan and Zoning Code Amendments (see Attachment 1):

II. BACKGROUND DISCUSSION

The Planning Commission held a hearing and deliberated on the MRM Request and related amendments to the Comprehensive Plan and Zoning Code on [June 25, 2015](#).

An open house was held before the hearing.

The Planning Commission had a follow-up meeting on [September 10, 2015](#) to take final action on its Comprehensive Plan Update recommendation, including the MRM Request.

Attachment 1 contains the recommendation of the Planning Commission for the MRM request with 5 Exhibits. The transmittal memo from the Planning Commission includes information about the public outreach for consideration of the MRM request.

III. NEXT STEPS

- **October 20, 2015:** City Council will hold a study session on the Planning Commission's recommendation on the amendments to the Totem Lake Business District, Totem Lake Citizen Amendment Requests and Walen CAR.

- **December 8, 2015**: City Council will take final action on the Comprehensive Plan Update, and map and code amendments.

Attachment:

1. Transmittal Memo for the recommendation on the MRM Request along with 5 exhibits



CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
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MEMORANDUM

Date: September 10, 2015

To: Kirkland City Council

From: Eric Laliberte, Chair, Kirkland Planning Commission

RE: **RECOMMENDATION ON MRM REQUEST, 2013-2015 COMPREHENSIVE PLAN UPDATE, FILE NO. CAM13-00465, #9**

I. RECOMMENDATION

On behalf of the Planning Commission, I am pleased to submit our recommendation on the Comprehensive Plan and Zoning Code amendments relating to the MRM request. The Planning Commission recommends approval of the revisions provided in Exhibits 1 through 4.

A public hearing was held by the Planning Commission on June 25, 2015. The staff report for that meeting is provided [here](#).

A **summary of the recommended key changes** to the Comprehensive Plan and Zoning Code includes:

1. Maintain existing step back requirements from Peter Kirk Park and Kirkland Way.
2. Maintain existing height limit of 67' above ABE (five stories) with two exceptions:
 - Allow five stories of residential over ground floor retail (six stories total, maximum 67') on the MRM site, if the proposed public amenities are provided.
 - Allow five stories of office over ground floor retail (six stories total, maximum 80') on the MRM site, if the proposed public amenities are provided.
3. Clarify landscape category and parking requirements in CBD 5 zoning chart – these are clarification edits only; there is no change to actual requirements (see Exhibit 4).

A. Public Amenities Proposed

The proposed public amenities are required in cases where 6 stories and residential use are allowed on the MRM site. Additional height is also allowed as an incentive for office if the proposed public amenities are provided.

- Easement improvements from Parkplace to Kirkland Way: The Park Promenade along the west side of the Parkplace project would be 54' to 56' wide and include: 12' wide sidewalks with tree wells on both sides, two 11' drive aisles and parking on the east side of the street.

The existing easement on the MRM property is only 20' wide. A requirement for two 11 foot wide drive aisles and two 8 foot wide sidewalks (total 38') is proposed for all new development on the site.

If 6 stories of residential or office are developed on the site, it is proposed that easement improvements at 54' to 56' wide be required to match those required on the Parkplace site for the Park Promenade. This pedestrian and vehicular connection across the MRM site that matches the Parkplace improvements will provide a significantly enhanced connection to Kirkland Way and the Kirkland Performance Center that will not be otherwise available. The width of this easement will be more than double what is there now and the Park Promenade will continue through to Kirkland Way. With proper design, landscaping and wider sidewalks, this will provide an inviting connection to Parkplace.

- Retail on the Ground Floor: Retail is not currently required for CBD 5. Retail use would tie the project into the Parkplace site and continue the pedestrian friendly environment through to Kirkland Way. Retail on the MRM site will activate the Park Promenade and surrounding area.

There will also be a requirement that one retail tenant space have a 9000 square foot minimum size that could potentially be used for a hardware store or drug store.

- Public Plaza: Require a minimum 2000 square foot open public plaza that relates to Kirkland Way, the Performance Center and Peter Kirk Park. The plaza will draw the public into the site; provide a gathering place; and enhance the Park Promenade to Parkplace.
- Public Art: Incorporate public art into the project with a minimum specified value of \$10,000. The art must be reviewed and approved by the Kirkland Cultural Arts Commission.
- Affordable Housing: Require 10% of the housing to be affordable as defined in Chapter 5 of the Zoning Code.
- LEED silver or a comparable standard: Require that the project be built to environmentally responsible standards.

B. Comprehensive Plan Amendments

Comprehensive Plan amendments are necessary for both the additional residential and the additional height of one story that is proposed. The required Comprehensive Plan amendments are included as Exhibit 1-3 to this memo. Proposed amendments are summarized below.

1. *Policy LU – 3.2: Encourage residential development within commercial areas.*
This policy actually supports residential development in CBD 5, but one sentence in the narrative following the policy states that “Residential use should not displace existing or potential commercial use.”

This sentence was called out in the EIS as an inconsistency with the proposed residential. The sentence has been proposed to be removed as part of the amendments to the Comprehensive Plan Land Use Element to alleviate the inconsistency.

2. *Policy LU – 5.2: Maintain and strengthen existing commercial areas by focusing economic development within them and establishing development guidelines.*

This policy was also called out in the EIS as an inconsistency with the proposed residential use. As part of the proposed amendments to the Comprehensive Plan Land Use Element, the policy is proposed to be amended to read as follows:

“Maintain and strengthen existing commercial and mixed use areas by focusing economic development within them.”

If this change is made, the policy will no longer be inconsistent with the proposed increase in residential use since a reference to “mixed use” has been added.

3. Moss Bay Neighborhood Plan text under East Core Frame states:

“Limited residential use should be allowed as a complementary use.”

The Planning Commission is recommending that the word “limited” be removed from the above statement (see Exhibit 2).

“~~Limited~~ Residential use should be allowed as a complementary use.”

4. The Moss Bay Neighborhood Plan text also limits building heights in Design District 5 (applicable to CBD 5 zoning) and so the following amendments are necessary.
 - Figure MB-7: Downtown Height and Design Districts should say 3 to 6 stories for the MRM site in CBD 5 (see Exhibit 3).
 - Design District 5 – amended to allow 6 stories on MRM site (see Exhibit 3).

C. Zoning Code Amendments (Exhibit 4)

1. ADDITIONAL RESIDENTIAL ALLOWED

The following changes are proposed to the existing zoning for CBD 5 for the MRM property, but not the entire study area.

Existing zoning (Allowed Uses): Office; Restaurant or Tavern; Entertainment, Cultural and/or Cultural Recreational Facility; Hotel or Motel; Retail; Church; School or Daycare; Public Utility, Government Facility, or Community Facility; Park; Assisted Living (in specific areas); and multifamily residential (in specific areas).

Retail on the ground floor is not required.

Existing zoning allows assisted living or multifamily residential only in the following locations:

- On properties with frontage on Second Avenue
- Within 170 feet of Peter Kirk Park provided that the gross floor area of this use does not exceed 12.5% of the total gross floor area for the subject property.

Recommendation:

- a. Allow additional residential uses at the MRM property if the proposed public amenities are provided;
- b. Continue to allow all other uses already listed, including office.

2. ADDITIONAL ONE STORY OF HEIGHT

The following changes are proposed to the existing zoning for CBD 5 for the MRM site only.

Existing zoning (Allowed Height): Maximum height allowed: 67' above average building elevation (ABE).

Recommendation:

- a. Maintain existing step back requirements from Peter Kirk Park and Kirkland Way that are in existing Zoning.
 - No portion of a structure above the elevation of Kirkland Way as measured at the midpoint of the frontage of the subject property on Kirkland Way may exceed the following:
 - Within 20' of Kirkland Way, 2 stories;
 - Within 40' of Kirkland Way, 4 stories;
 - Within 50' of Kirkland Way, 5 stories.

- No portion of a structure within 100 feet of Peter Kirk Park shall exceed three stories above average building elevation.
- b. Maintain existing height limit of 67' above ABE (five stories) with two exceptions:
- Allow five stories of residential over ground floor retail (six stories total, maximum 67') on the MRM site, if the proposed public amenities are provided.
 - Allow five stories of office over ground floor retail (six stories total, maximum 80') on the MRM site, if the proposed public amenities are provided.
3. EASEMENT IMPROVEMENTS FROM PARKPLACE TO KIRKLAND WAY
The existing easement on the MRM property is only 20' wide. A requirement for two 11 foot wide drive aisles and two 8 foot wide sidewalks (total 38') is proposed for all new development on the site.
4. LANDSCAPE CATEGORY AND PARKING CLARIFICATION FOR CBD 5
This is a housekeeping item to clarify landscape category and parking requirements in the CBD 5 zoning chart –no changes to actual requirements are made.

II. RESPONSE TO COMMENTS FROM CITY COUNCIL BRIEFINGS

At the June 2, 2015 City Council briefing on the MRM proposal, the following questions were asked.

1. *Are there other sites in the downtown area where office development could potentially occur?*

Maps with potential office redevelopment sites were included in the Planning Commission memo for the public hearing on June 25, 2015 as Attachment 5 and can be found [here](#).

2. *Staff was asked to provide information on the effect of the MRM proposal on the City's ability to meet employment growth targets and the ability of Downtown Kirkland to qualify as an urban center.*

A memo from the Planning Director, Eric Shields responding to these questions can also be found at the above link as Attachment 6.

III. CRITERIA FOR AMENDING COMPREHENSIVE PLAN AND ZONING TEXT

The Zoning Code (KZC 140) contains criteria for amending the Comprehensive Plan (including Neighborhood Plans) which are described below.

1. The amendment must be consistent with the Growth Management Act.
2. The amendment must be consistent with the countywide planning policies.

3. The amendment must not be in conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.
4. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.

The Zoning Code (KZC 135) contains three criteria for considering these amendments to the text of the Zoning Code. The list of criteria is provided below:

1. The proposed amendment is consistent with the applicable provisions of the Comprehensive Plan; and
2. The proposed amendment bears a substantial relation to public health, safety, or welfare; and
3. The proposed amendment is in the best interest of the residents of Kirkland.

Evaluation of Criteria

The Planning Commission has been studying this site in depth since 2011. We have weighed all of the public testimony and staff analysis and have given this careful and thoughtful consideration throughout the process. Over the course of the review, the Commission discussed a number of issues with the amendments. As a result, we believe the proposed amendments with the prescribed public benefits addressed those issues to our satisfaction. Therefore, the Planning Commission recommends approval for the following reasons:

- The proposal would allow for redevelopment of the site.
- There have been changes since the Comprehensive Plan envisioned CBD 5 as the office center for downtown Kirkland. These changes include:
 - Expansion of light rail through Bellevue
 - Rezone of the Bel Red Corridor
 - Rezone of the Spring District in Bellevue
 - Redevelopment of Group Health Hospital in Redmond
 - Proposed redevelopment of Parkplace in Kirkland
 - Google development in Kirkland

Bellevue is now a driver on the Eastside and has a considerable amount of office available. The Planning Commission is concerned that the site will sit underdeveloped for many years to come if existing Zoning and Comprehensive Plan direction remains. The Planning Commission wants to see downtown Kirkland blossom and Parkplace develop fully. The connector from Central Way to Kirkland Way and other benefits that will be required will contribute to this success. In addition, the proposed amendments do not preclude an office use – and actually provide a height incentive for an office project.

The Supplemental Environmental Impact Statement (SEIS) concluded that the amendments are consistent with the Growth Management Act and the Countywide Planning Policies. The amendments are also consistent with the Comprehensive Plan with the exception of those specific provisions proposed to be amended in the Land Use Element and the Moss Bay Neighborhood Plan, which relate to the residential and additional story on the MRM property.

Comprehensive Plan Policies that support this proposal include:

Policy LU-3.2: Encourage residential development within commercial areas.

Policy LU-4.2: Locate the densest residential areas close to shops and services and transportation hubs.

Policy LU-5.1: Reflect the following principles in development standards and land use plans for commercial areas:

Urban Design

- *Create lively and attractive districts with a human scale.*
- *Support a mix of retail, office, and residential uses in multistory structures...*

Policy LU-5.3: Maintain and enhance Kirkland's Central Business District (CBD) as a regional Activity Area, reflecting the following principles in development standards and land use plans:

- *Create a compact area to support a transit center and promote pedestrian activity.*
- *Promote a mix of uses, including retail, office and housing.*
- *Encourage uses that will provide both daytime and evening activities.*
- *Support civic, cultural, and entertainment activities...*

The applicant's proposal, which includes public amenities that are unique to this location, provides a compelling reason to allow 6 stories and additional residential use on the MRM site. Without the amendments, many of these public amenities which result in long term benefits to the community as a whole and are in the best interest of the community and the residents of Kirkland, will be lost. The proposed amendments bear substantial relation to public health, safety and welfare of the citizens of Kirkland as shown below.

- The Park Promenade and the public plaza will provide an enhanced connection to Parkplace, Peter Kirk Park and the Performance Center.
- The combination of the required retail on the ground floor, the Park Promenade and the public plaza will activate the area between Parkplace and Kirkland Way.
- The retail will enhance downtown vibrancy and provide the City with an additional fiscal benefit.
- The current 67' height limit combined with proposed retail and residential uses will provide a transition between Parkplace and the existing multifamily residential on the south side of Kirkland Way.
- The amendments still allow and will provide an incentive for office.
- The City will gain additional affordable housing in the downtown and promote green building.

- These changes will result in more opportunity for redevelopment of this site and do not preclude the economic use of the property.

Staff evaluation of criteria for the amendment request was included in the public hearing memorandum for the MRM request.

IV. PUBLIC NOTICE AND OPPORTUNITIES FOR PUBLIC COMMENT

Notice was sent about the public hearing and open house held on June 25, 2015, to the MRM mailing list (property owners and residents within the study area and 300' feet surrounding the area), the extensive Kirkland 2035 listserv, and the neighborhood associations. Public notice signs were installed surrounding the study area.

The [*City Update Newsletter*](#) mailed to all businesses and residents provided information on the Comprehensive Plan Update throughout the process, including the [*June 2015 Special Edition*](#) that was dedicated completely to the draft plan and upcoming public hearings and open houses.

V. PUBLIC COMMENTS RECEIVED

A comment log summarizing all comments received to date is provided in Exhibit 5. The Planning Commission reviewed these comments when considering the MRM request. Copies of the comments are available in the City official file, CAM13-00465, #10

Exhibits:

1. [Land Use Element of the Comprehensive Plan](#)
2. [Moss Bay Element – East Core Frame](#)
3. [Moss Bay Element – Height references](#)
4. [Zoning Code Amendments](#)
5. [Comment log summarizing the written comments](#)



CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033 425.587.3225
www.kirklandwa.gov

MEMORANDUM

Date: September 24, 2015

To: Kurt Triplett, City Manager

From: Teresa Swan, Senior Planner
Joan Lieberman-Brill, Senior Planner, AICP
Janice Coogan, Senior Planner
Jeremy McMahan, Development Review Manager
Paul Stewart, Deputy Director, AICP
Eric Shields, Director, AICP

Subject: Study Session: Planning Commission Transmittal Memo
Recommending Certain Citizen Amendment Requests and related
Comprehensive Plan, Zoning Code and Zoning Map Amendments
(2013-2015 Comprehensive Plan Update, File CAM13-00465, #9)

I. RECOMMENDATION

Staff recommends that the City Council review and provide direction on the Planning Commission's recommendations on the following Citizen Amendment Requests (CAR's) and related Comprehensive Plan, Zoning Code and Zoning Map Amendments (see Attachment 1):

- Basra (North Rose Hill Neighborhood)
- Griffis (North Rose Hill Neighborhood)
- Norkirk Light Industrial area (Norkirk Neighborhood)
- Newland (Juanita Neighborhood)
- Nelson and Cruikshank (Moss Bay Neighborhood)
- Waddell (Moss Bay Neighborhood)

Note that the Walen, Evergreen Healthcare, Morris, Rairdon, Astronics Corp. and Totem Commercial Center CAR's will be discussed at the October 20, 2015 study session along with the Totem Lake Business District Plan.

II. BACKGROUND DISCUSSION

The Planning Commission held the following hearings and deliberations on Citizen Amendment Requests and related amendments to Comprehensive Plan, Zoning Map amendments and code amendments (not including the Totem Lake and Walen CAR's):

- [June 25, 2015](#): hearings on the CARs for Newland, Nelson/Cruikshank and Waddell with deliberation on Newland and Waddell CAR
- [July 9, 2015](#): deliberation on Nelson/Cruikshank CAR
- [July 23, 2015](#): hearings and deliberations on Basra, Griffis, and Norkirk LIT CARs

Open houses were held before each hearing.

The Planning Commission had a follow-up meeting on [September 10, 2015](#) to take final action on its Comprehensive Plan Update recommendations, including the Citizen Amendment Requests.

Attachment 1 contains the **transmittal memo from the Planning Commission** with a recommendation for each CAR. Attached to the transmittal memo are 18 Exhibits, including land use and zoning map changes, Zoning Code and Comprehensive Plan policy changes, and a comment log that summarizes the written public comments. The transmittal memo from Planning Commission includes information about the public outreach process for the citizen amendment requests.

Paper copies of all written comments are available in a binder located in the Council Study Room. Councilmembers may contact Teresa Swan at tswan@kirklandwa.gov if they would like their own binder with the comments.

III. CITY COUNCIL BRIEFING COMMENTS NOT INCORPORATED INTO THE CAR'S

Below are comments raised by the City Council at the Council briefings between February and June 2015 on the CARs that have not been incorporated into the recommendation for the CAR's or reflected in the Comprehensive Plan Update.

- **Griffis CAR:** At the June 16, 2015 Council briefing the Council requested that the Planning Commission consider expanding the retail uses currently permitted in the RH 8 Office zone. Since this issue is outside the scope of the CAR and was not advertised in the notice provided for the CAR public hearing, staff will instead add this for future work program consideration. Currently, except for personal service establishments involving the care of a person or of a person's apparel, retail uses are limited to the ground floor. Additionally, some retail uses are prohibited in this zone, such as auto service and sales, gas stations and retail storage units.
- **Newland CAR:** At the March 12, 2015 City Council briefing the Council suggested adding text to the Juanita Neighborhood Plan to require new multifamily development to share driveways and provide greater landscape buffers adjacent to single family development. There are existing development standard policies on page 10 of the Juanita Neighborhood Plan related to how multifamily development should be designed to share vehicular points, provide buffering next to single family areas and protect streams and wetlands in the area. For multifamily development adjacent to low density development existing Zoning regulations require a 5 foot wide landscape buffer (planted with one row of trees and ground cover) and a six foot high solid screening fence or wall along the property line.

Attachment:

1. Transmittal Memo from the Planning Commission to the City Council on the recommendation for the Citizen Amendment Requests (not including Totem Lake and Walen CARs) along with 18 exhibits



CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
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MEMORANDUM

Date: September 10, 2015

To: Kirkland City Council

From: Eric Laliberte, Chair, Kirkland Planning Commission

RE: **RECOMMENDATION ON CITIZEN AMENDMENT REQUESTS – BARSА, GRIFFIS, NORKIRK LIT, NEWLAND AND NELSON/CRUIKSHANK, 2013-2015 COMPREHENSIVE PLAN UPDATE, FILE NO. CAM13-00465, #9**

I. RECOMMENDATION

On behalf of the Planning Commission, I am pleased to submit our recommendation on amendments for the following Citizen Amendment Requests (CAR's) that are being considered as part of the 2013-2015 update to the Comprehensive Plan. A summary recommendation for each CAR by neighborhood is provided below. The detailed recommendation for each CAR is provided by neighborhood in Sections A through D below.

This recommendation reflects over a year of work with an extensive public outreach process with residents, neighborhood associations and businesses who contributed to this process to consider the CAR's. The Planning Commission carefully considered and deliberated all of the information and issues.

Recommendation Summary:

- North Rose Hill CAR's
 - **Basra** – Approve a change to the land use and zoning for one parcel in the study area from Industrial (LIT) to Commercial (RH 5A) to allow development of a hotel. If affirmed, change the height regulations for hotel or motel uses on the newly rezoned RH 5A parcel (Basra site) from 35 to 45 feet above Average Building Elevation. Change the land use designation in the Comprehensive Plan on the remainder of the study area from Light Manufacturing Park to Light Industrial Technology (no change in zoning is needed). The recommendation is reflected in Exhibits 1 through 4 to this memorandum.
 - **Griffis** – Approve a change to the land use and zoning for the entire six parcel study area from Low Density Residential 6 du/acre (RSX 7.2) to Office Mixed Use (RH 8). If affirmed, change the RH 8 zoning regulations to allow RH 8 uses in the newly rezoned area only if development is consolidated with lots adjoining NE 85th Street, otherwise limit development to low density residential uses, as are now allowed in the RSX 7.2 zone. Allow isolated parcels to be developed independently with an office. Limit

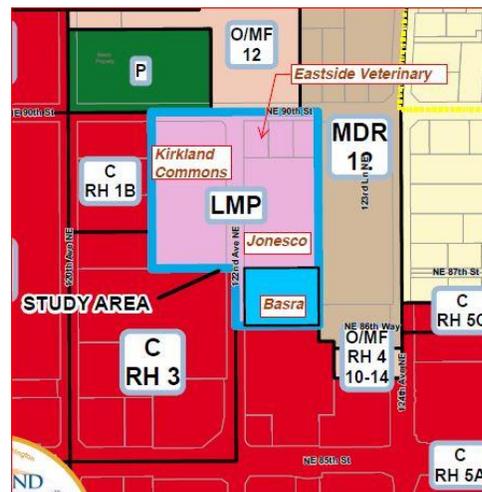
height to 30' above Average Building Elevation within 30 feet of the RSX zone, equivalent to the height limit in the low density zone. Amend the KZC Design Guidelines to require that development that is combined with parcels adjoining NE 85th Street or in the study area, be reviewed by the Design Review Board rather than administratively. The recommendation is reflected in Exhibits 5 through 10 to this memorandum.

- Norkirk CAR's
 - **Light Industrial Technology zone** - No change, except condition outdoor facilities associated with veterinary clinics or kennels in all industrial zones citywide to be located as far as possible from single family zones. The recommendation is reflected in Exhibit 11. No map change associated with this request.
- Juanita CAR
 - **Newland** - Approve a change in land use and zoning of three parcels within the study area from low density single family six dwelling units per acre (LDR 6*)/RSX 7.2 to medium density residential (MDR 12)/RM 3.6. If the recommendation is affirmed, text would be deleted in the Juanita Neighborhood Plan that currently allows clustered housing symbolized on the land use map with an asterisk (see recommendation section below). The recommendation is reflected in map Exhibits 12 and 13 to this memorandum.
- Moss Bay CAR's
 - **Nelson and Cruikshank** – Approve a change to the land use and zoning for the study area from low density residential at nine dwelling units per acre to high density residential at 24 units per acre. The Comprehensive Plan and Zoning for the study area would change from PLA 6C to PLA 6A. The recommendation is reflected in map Exhibits 14 and 15 to this memorandum. If affirmed, reduce the required front setbacks for the study area from 20' to 10' and the side setbacks to 5' minimum/15' total to 5'. Also recommended are minor corresponding changes to the CBD 3 and CBD 4 zones to the north to reflect the change. All KZC amendments related to this CAR recommendation are included as Exhibit 16.
 - **Waddell** – Approve an amendment to the Kirkland Zoning Code to remove common recreational open space requirements for the Planned Area 5C zone (see Exhibit 17).

A. North Rose Hill Citizen Amendment Requests

1. Basra CAR Study Area

- a. Request: Rezone from Industrial to Commercial to allow development of a hotel 60 feet above Average Building Elevation at 8626 122nd Avenue NE (parcel shown in blue). Study area expanded to the entire Industrial zone.
- b. Recommendation: The Commission unanimously recommends rezoning only the Basra parcel to commercial RH 5A, allowing a



height of 45 feet above ABE for hotel use on the rezoned parcel, and keeping the current industrial LIT zoning for the remainder of the study area. Redesignate the remainder of the study area from Light Manufacturing Park (LMP) to Light Industrial (LIT) land use to bring this designation into consistency with all other industrial zones in the City.

- c. Discussion: The Planning Commission considered four zoning options for this request: 1) keep existing LIT zoning; 2) rezone entire study area to commercial – either RH 5A or RH 3; 3) rezone only the Basra parcel to RH 5A or RH 3, keep Jonesco Business Park LIT, and rezone the remainder office; and 4) rezone the Basra parcel to RH 5A, and rezone the remainder office RH 4B. A link to the July 23 public hearing packet containing background information and staff analysis is provided [here](#).

We concluded a rezone may encourage more substantive redevelopment on the south end of the industrial zone (Basra site) more consistent with the vision of the Regional Center portion of the Rose Hill business district to accommodate regional and neighborhood commercial development. Basra's larger lot size (about an acre) and proximity to both the Rose Hill Shopping Center (Petco) and Rose Hill Plaza and freeway interchange offers more commercial alternatives than the smaller parcels along NE 90th Street, also ripe for redevelopment. We noted that commercial RH 5A zoning is more appropriate than RH 3 zoning since the Basra property is not part of a six acre consolidated development proposal envisioned for the RH 3 Rose Hill Shopping Center site.

Regarding the remainder of the study area, the Commission recommends keeping the industrial designation after concluding that there were no compelling reasons to rezone at this time. We observed that since existing LIT zoning allows office use, property owners can already transition to office if they are inclined to do so, and that office provides an appropriate transition from more intensive industrial to residential to the north and east. The Commission wanted to avoid the necessity of adopting complex criteria to ensure that existing viable industrial uses, (at the Jonesco Business Park), could transition over time rather than cease altogether, as a result of changes that trigger bringing non-conforming uses into conformance, should the area be rezoned to a commercial or office zone (i.e. either a vacancy lasting more than 90 days, or a structural alteration or an increase to gross floor area to a building housing the nonconforming use).

We also considered the expansion concerns of the owner of the Eastside Veterinary Clinic that if her property were to be rezoned, the LIT development standards be preserved pertaining to setbacks, height limits and outdoor runs, which would otherwise be nonconforming. At the hearing we considered public testimony including comments from the property owner of the remaining further developable study area parcel along NE 90th Street, who requested a rezone to commercial to allow a retail business. We do recommend that consideration of rezoning the remaining parcels in the LIT zone to either office or commercial be considered again during the next review of the NE 85th Street Subarea Plan.

The Commission spent considerable time studying the appropriate hotel height in the context of elevation changes between 122nd Avenue NE and surrounding property. A link to the public hearing packet containing height and massing information and

staff analysis is provided [here](#). We considered three options; keep existing 35' above ABE, 60 feet above ABE, and 43 feet above ABE. We also considered public hearing testimony from two condominium owners/occupants to the east who did not object to a height similar to that permitted at their condominiums.

The NE 85th Street Subarea Plan and Rose Hill Design Guidelines emphasize transitions that protect residential uses adjoining commercial development. The Commission concluded that a maximum height of 45' above ABE at the Basra site would approximate the maximum permitted height elevation on the abutting multifamily building east of the Basra property at the lowest portion of the site, while allowing for a four story hotel on Basra's parcel. We recommend 45' rather than 43' above ABE, as originally recommended by staff, recognizing that an additional two feet are required to achieve a four story hotel.

This compromise is in scale with the multifamily development to the east and also provides an appropriate height transition in context with the commercial and industrial development surrounding the remainder of the Basra site. 45' above ABE would be 1 foot higher than the maximum permitted height at the lowest building at Rose Hill Plaza to the south and 26 feet higher than maximum permitted height at the lowest building on the Jonesco site to the north. 45' above ABE is 10 feet higher than now allowed on Basra site, under either existing industrial zoning or recommended RH 5A commercial zoning. No change to the existing 15 foot landscape buffer requirement is being recommended.

Changing the Light Manufacturing Park (LMP) to the Industrial (LIT) land use designation accomplishes a goal of the 2035 update to streamline and simplify the Comprehensive Plan, while preserving current Light industrial Technology (LIT) zoning that is exactly the same for both the LMP and LIT land use designations.

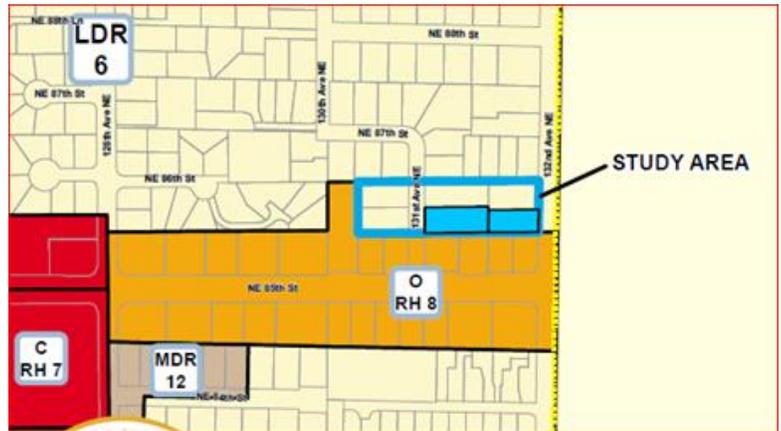
If this recommendation is affirmed, the following changes to existing Comprehensive Plan maps and text and Zoning Map and regulations are necessary:

- 1.) Zoning Map*** revised to reflect the zoning boundary change between the LIT and RH 5A zone (see Exhibit 1)
- 2.) Land Use Maps***, (i.e. North Rose Hill Plan, NE 85th St. Subarea Plan and Citywide land use map) revised to:
 - a. Reflect the land use boundary change between Industrial and Commercial land use.*
 - b. Reflect the change from Light Manufacturing Park (LMP) to Light Industrial Technology (LIT) in the remainder of the study area to match the industrial land use designation in the rest of Kirkland. (see Exhibit 2)*
- 3.) Comprehensive Plan text*** amended to eliminate the definition of Light Manufacturing Park and references to it throughout the Plan. This is an artifact from when there was a perceived difference between Light Industrial and Light Manufacturing Park characteristics. (see Exhibit 3)

4.) RH 5A zoning regulations revised to allow a maximum height of 45 feet above ABE for hotel use on the Basra property only, to recognize that the transitions to medium density residential uses and zoning to the east must be respected. This height coincides with the maximum height limit allowed (30' above ABE in RM zone) as measured from the lowest building on the Highlands Kirkland condo site east of Basra. Expressed as height above ABE, the maximum height on the Basra parcel would be 45 feet above ABE. (see Exhibit 4)

2. **Griffis CAR Study Area**

- a. Request: Rezone from low density single family to office RH 8 zoning at 8520 131st Avenue NE and 8519 132nd Avenue NE (parcels shown in blue) in order to combine them with RH 8 property along NE 85th Street already owned by the applicant to enable an unspecified office mixed use development. Study area expanded to include all parcels between the north boundary of the Rose Hill Animal Hospital and 132nd Avenue NE, rather than the two properties requested by the applicants, to square off the zone.



- b. Recommendation: The Commission unanimously recommends rezoning the entire study area to RH 8, with the following conditions: restrict the height of structures within 30 feet of RSX zone boundary to 30 feet above ABE; allow commercial development if access and buildings are consolidated with at least one lot abutting NE 85th Street, otherwise restrict study area to RSX uses; allow an isolated parcel abutting RH8 uses to develop independently with an office; and require affordable housing for residential development of four or more units.
- c. Discussion: The Planning Commission considered four zoning options for this request; 1) No Action, retain existing RSX zoning, 2) Rezone entire study area, 3) Rezone only parcels abutting the existing RH 8 zone, 4) Rezone only parcels east of NE 131st Street. A link to the July 23 public hearing packet containing background information and staff analysis is provided [here](#).

The Commission considered the relatively narrow depth of the existing RH-8 zone on the north side of NE 85th Street and its associated access challenges and concluded that a rezone from single family to office should be supported to address access concerns in the adjoining RH 8 zone that have contributed to lackluster redevelopment of a major gateway into Kirkland. Because access is problematic along NE 85th Street, additional depth would provide an opportunity for parcel aggregation and thus more access options for these lots off of 131st and 132nd Avenues NE.

The Commission concluded that given the aggregation potential of parcels if the entire study area is rezoned, redevelopment of the existing RH 8 parcels is more likely than if aggregation doesn't occur. Rezoning would provide an opportunity for property assembly, larger building envelopes, improved access from both 131st and 132nd Avenues NE, and improved traffic flow along NE 85th Street. It would enable driveways to be located further north from the intersections at NE 85th and 132nd Ave NE and 131st Ave NE (this is a desired outcome by the City and by the developer as indicated in the application for CAR). Aggregation would also allow the reduction of curb cuts on NE 85th Street by consolidating driveways and parking lots, depending on which parcels are aggregated.

The Commission also concluded that there is an opportunity to provide affordable housing in the study area in exchange for the rezone. Unlimited density in the RH 8 zone creates a development capacity bonus. The increased development capacity adds additional value to the property and an opportunity to create affordable housing.

The Commission considered the Neighborhood Association's concerns that adequate buffers should be provided between RSX and more intensive RH 8 business uses, should the rezone be affirmed. We concurred with staff's recommendation to address these concerns by limiting height within 30 feet of the RSX zone boundary to the same 30 feet above ABE that is allowed for single family, and restricting development in the study area to RSX uses if study area parcels are not consolidated with parcels abutting NE 85th Street. Additionally, if a parcel within the study area is surrounded on three sides with RH 8 uses, we recommend allowing it to be developed independently with an office use only. We concluded that these conditions provide an adequate transition to the residential core of the NRH neighborhood to the north while stimulating redevelopment that would improve the visual character of the commercial corridor, improve traffic flow along NE 85th Street, and potentially reduce piecemeal development.

If this recommendation is affirmed, the following changes to existing Comprehensive Plan maps and text and Zoning Map and regulations are necessary:

1. ***Zoning Map*** revised to reflect the zoning boundary change between the RSX and RH 8 zone (see Exhibit 5)
2. ***Land Use Maps***, (i.e. North Rose Hill Plan, NE 85th St. Subarea Plan and Citywide land use map) revised to reflect the land use boundary change between Low Density Residential and Office Mixed Use land use. (see Exhibit 6)
3. ***NE 85th Street Subarea Plan text*** amended to provide new and revised policies for conversion from low density to commercial or mixed commercial and multifamily uses when property consolidation of the study area with parcels abutting NE 85th Street occurs. (see Exhibit 7)
4. ***RH 8 zoning regulations*** revised to:

- a) *Restrict height to 30 feet above ABE within 30 feet of the RSX boundary, to recognize that the transitions to low density residential uses and zoning to the north must be respected. This height coincides with the maximum height limit allowed in RSX zones (30' above ABE).*
- b) *Restrict development in the study area to RSX uses unless lots in the study area are consolidated with at least one parcel abutting NE 85th Street.*
- c) *Allow isolated parcel in study area (surrounded on three sides by RH 8 uses) to develop independently with an office use.*
- d) *Require affordable housing, to balance the City goal of providing affordable housing with the benefit to the property owner of increased residential capacity in the RH 8 zone. (see Exhibit 10)*

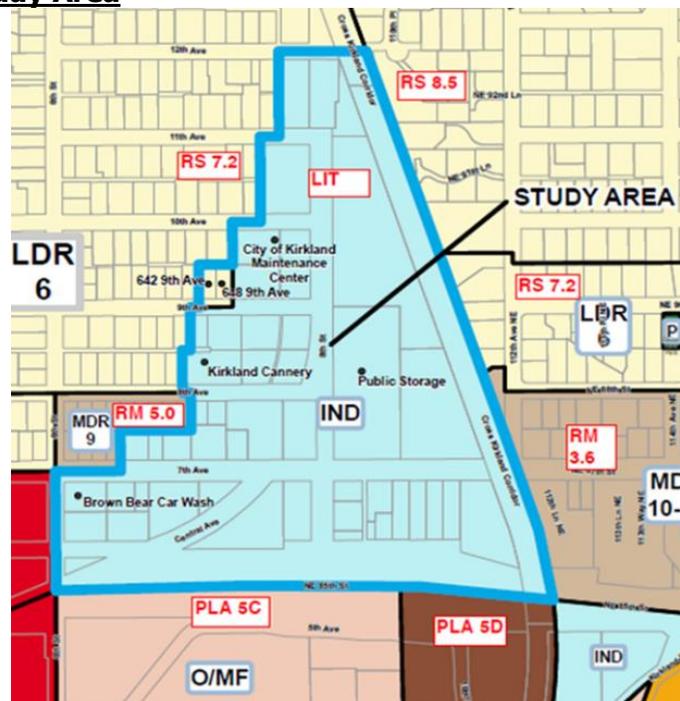
5. ***Design Review zoning regulations*** revised to require Design Review Board review rather than Administrative Design review for development that includes lots or portions of lots in the study area to further implement the design vision for the East End of the Rose Hill Business District. This higher level of review acknowledges that larger development proposals than would otherwise be possible will occur as a result of property consolidation. (see Exhibit 9)
6. ***Affordable Housing Incentives-Multifamily*** zoning regulations revised to note that the study area has been granted additional development capacity in exchange for affordable housing. The increased density is the incentive to provide affordable housing units. (see Exhibit 10)

B. Norkirk Citizen Amendment Requests

1. Norkirk Light Industrial CAR Study Area

- a. Request: Seven amendment requests were considered in or abutting the Norkirk industrial area. As part of the scoping process the study area was expanded to include all parcels in the LIT zone along with 642 and 648 9th Avenue. The requests include:

- Rezoning the area north of 7th Avenue to residential
- Providing a transition zone between industrial and single family uses some distance between zone boundary and 8th St, and between 8th and 9th Avenue.
- Expanding the LIT area by two lots on the north side of 9th Ave



- Preserving current zoning but adding residential work loft as allowed use.
- b. Recommendation: No change to uses allowed in the LIT zone. No rezone from single family to industrial. In all Industrial zones city wide require outside facilities associated with veterinary facilities and kennels to be located as far as possible from low density zone boundaries, in order to limit noise impacts.
- c. Discussion: A link to the July 23 public hearing packet containing background information and staff analysis is provided here. The following overlapping requests were combined for consideration:
 - 1) Provide buffer by limiting uses to apartments and offices between single family on 8th and 9th Avenues and LIT zone west of 8th Street.
 - 2) Rezone study area or a portion thereof to residential.
 - 3) Preserve current LIT zoning that excludes residential and most retail, but add low density live/work unit as allowed use.
 - 4) Rezone 642 9th Avenue (and intervening 648 9th Avenue) to LIT and allow live/work lofts.

Our recommendation is intended to support the current Comprehensive Plan policies to maintain the light industrial area to serve economic and employment needs of the community and ensure that adverse impacts are minimized on adjacent residential neighborhoods. Over 70 businesses operate in this zone, supporting nearly 400 jobs.

The Commission concluded that a rezone of study area from LIT to residential or an expansion of uses allowed in the LIT zone to include live/work units should not be supported in order to avoid introduction of more irreconcilable land uses in even greater proximity to each other. We recognize that buffers and parking are currently non-conforming next to the zone boundary but that with or without a rezone only redevelopment will trigger these non-conformances be brought into conformance. Therefore in the short run, a rezone to residential will not necessarily result in the intended purpose to provide some relief from visual, noise and traffic impacts. In the long run it isn't in the City's best interest to convert job and revenue generating uses to residential.

Similarly, limiting future land uses to offices (that are already permitted in industrial zones) will not address current parking and traffic problems. Offices generate more traffic than traditional industrial uses, and unless redevelopment occurs, nonconforming parking/buffers will not change.

Live/work lofts are not necessarily a transitional land use and would also require concentrated city oversight to ensure the business aspect of the use did not convert to residential over time.

Rezoning existing residential properties on 9th Avenue to industrial would shift incompatible industrial impacts west, and may destabilize established single family uses.

In order to provide some protection of residential uses abutting the zone boundary, we concur with staff to strengthen the current LIT zoning rules governing the location of outside runs or other outside facilities associated with veterinary facilities, to reduce

noise impacts. We also recommend a future planning work program task to consider a noise study for other than office uses abutting a low density zone boundary in all LIT zones throughout the City.

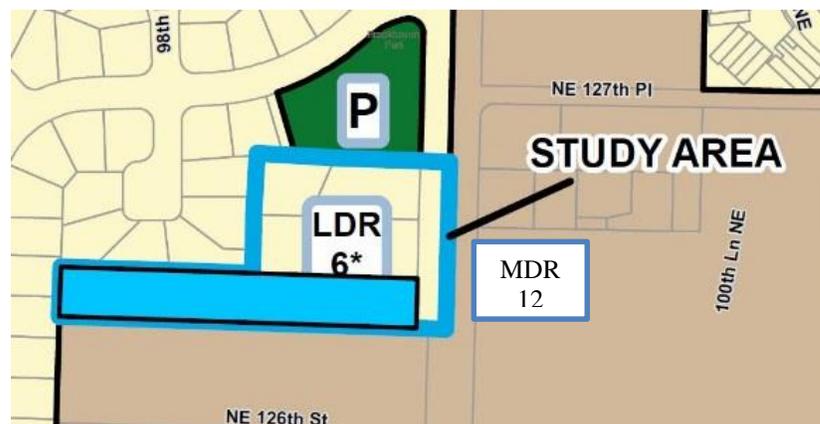
If this recommendation is affirmed, the following change to existing Zoning regulations is recommended:

LIT zoning regulations revised to require outside facilities associated with veterinary facilities and kennels Citywide to be located as far as possible from single family zone boundary, in order to limit noise impacts (see Exhibit 11).

C. Juanita Citizen Amendment Request

1. Newland CAR Study Area

- a. Request: Victoria Newland submitted the original citizen amendment request (CAR) application to rezone her property at 12625 100th Avenue from single family residential to multifamily (parcel shown in blue below). The property has since sold to a new owner who also supports the request. The study area was expanded to include three parcels to the north. The study area is surrounded by existing multifamily development zoned RM 3.6 on the south and across 100th Avenue NE. To the west is a single family neighborhood. Juanita Creek runs through the area separating several of the parcels and therefore it would be challenging to access the rear portions of the lots if redeveloped.



- b. Recommendation: Rezone the Newland parcel and the two parcels to the north from land use designation low density single family six dwelling units per acre (LDR 6*) to medium density residential and zoning designation RSX 7.2 to RM 3.6. The fourth parcel in the study area located at 9835 NE 128th ST is recommended to remain as low density single family RSX 7.2 because it is oriented to and receives vehicular access to a single family neighborhood street. See Exhibit 12 showing recommendation for land use map change and Exhibit 13 for Zoning Map change.

The rezone to RM 3.6 should be approved because conditions have changed since the properties were given their current zoning. Traffic speed and volumes along 100th Avenue NE and the narrow widths of the parcels make it not conducive to single

family development. Rezoning to RM 3.6 would allow attached or detached housing. RM 3.6 zoning would be consistent with the surrounding zoning to the south and east. The rezone would be consistent with the policies in the Land Use Element and other provisions of the Comprehensive Plan, GMA, countywide planning policies supporting compact growth and other criteria above. RM 3.6 zoning would allow flexibility in how future housing units could be arranged, especially given the existing stream and buffer requirements.

- c. Discussion: The Planning Commission and staff studied the implications of four options including keeping the existing low density residential zoning, rezoning to low density residential RS 5.0, medium density five dwelling units per acre (RM 5.0) and medium density twelve dwelling units per acre (RM 3.6).

The staff report for the February 12, 2015, Planning Commission packet provides a detailed analysis of the rezone options, environmental constraints of the properties and the number of potential new residential units/lots if rezoned and redeveloped (16-21). A link to the packet is provided [here](#).

A public hearing on the request was held on June 25, 2015. A link to the packet is provided [here](#). Three letters were received opposed to the CAR during the study session period.

If this recommendation is affirmed, the following changes to existing Comprehensive Plan text and Zoning Map are necessary:

1.) Zoning and Comprehensive Plan Land use Maps revised to:

Change three parcels from low density single family residential (LDR 6*)/RSX 7.2 (2) to medium density residential (MDR 12)/RM 3.6. (See Exhibits 12 and 13).

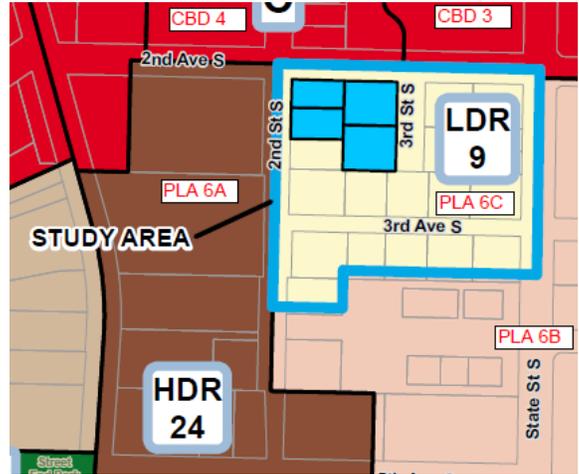
2.) Comprehensive Plan text revisions:

Text will be eliminated in the Juanita Neighborhood Plan that refers to clustered development of the four parcels in the study area currently designated as LDR 6* .

D. Moss Bay Citizen Amendment Requests

1. Nelson and Cruikshank CAR Study Area

- a. Request: Tom Cruikshank and France and Jason Nelson submitted applications for Citizen Amendments for their adjoining properties located in the Moss Bay Neighborhood. The request is for a change from low density single family to high density zoning. The Cruikshanks own two properties in the area, one with four apartment units and the other with a single family home. The Nelsons also own two properties, both with single family homes. As part of the scoping process, the Planning Commission and City Council expanded the scope to include the entire PLA 6C zone, rather than just the four properties owned by the applicants (highlighted in blue).



- b. Recommendation: The Planning Commission recommends changing the Comprehensive Plan designation and zoning for the study area from low density residential at nine dwelling units per acre to high density residential at 24 units per acre. This land use designation and zoning would be consistent with the Planned Area 6A area located immediately west of the study area. Due to the small blocks and small parcels in the subarea, the Commission also recommends reducing the required front yards from 20' minimum to 10' minimum and recommends five foot side yard setbacks, rather than the standard five foot minimum with 15 foot total. Finally, if the area is upzoned from low density to high density as recommended, the Commission is recommending minor changes to height and land use buffer standards that apply to properties north of Second Avenue South in the CBD 3 and CBD 4 zones (see Exhibits 14 and 15).

Discussion: The Planning Commission considered a range of density alternatives relative to this request including retaining the existing low density single family designation, changing to a medium density designation (similar to zoning to the south and east), and changing to high density (similar to zoning to the west).

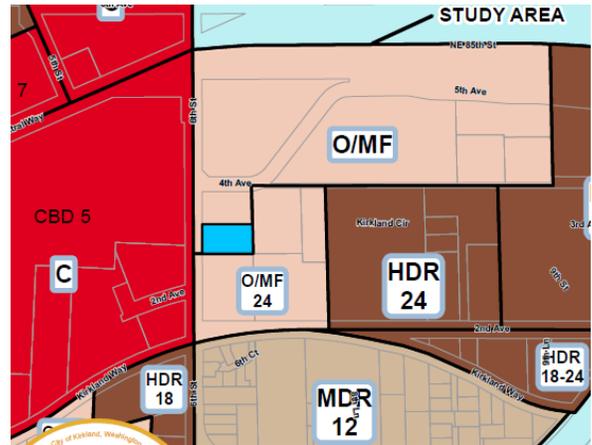
The Commission supports multifamily redevelopment of the study area due to the proximity of the area to the Central Business District with its walkable access to shops, services, and transportation choices. The Commission noted that, given the typical age of the existing housing stock in the study area, the area will see some form of redevelopment in the coming years under any density scenario. The Commission was concerned that, without a substantial increase in the allowed density, the likely redevelopment would continue to be high-end single family homes. Simply retaining the number of existing single family housing units in the study area would not take full advantage of the opportunity to provide new housing stock for residents in a compact, walkable location.

The staff report for the June 25, 2015 public hearing provides a detailed analysis of the rezone options. A link to the packet is provided [here](#). The public hearing was continued to July 9, 2015 to allow additional public testimony and Commission

deliberation of the options. Residents in and near the study area were somewhat divided on their preferred density alternative. Supporters noted the proximity to the downtown and the changed conditions since the single family zone was established. Opponents noted the validity of maintaining the single family character of the area, detrimental impacts of multifamily redevelopment, and traffic concerns.

2. Waddell CAR Study Area

- a. Request: Doug Waddell submitted an application for a Citizen Amendment Request for the Planned Area 5C properties located in the Moss Bay Neighborhood. The request is to eliminate requirements for common recreational open space in the PLA 5C area, consistent with other zones where density is determined by building height and bulk (such as the CBD, JBD and Totem Lake). Mr. Waddell owns the property located at 220 6th Street. The Planning Commission and City Council recommended that this CAR move forward for further consideration.



- b. Recommendation: The Planning Commission recommends deleting the requirement for common recreational open space in the Planned Area 5C (PLA 5C) zone.
- c. Discussion: Common recreational open space requirements are established in KZC 115.23. The PLA 5C zone is the only zone listed in that section that does not have a maximum density limit. While there is no direct policy rationale explaining the absence of common recreational open space requirements for other areas without a maximum density limit, it is likely that the desire was to make highly efficient use of land in these and other high density growth centers. The absence of common recreational open space requirements in these areas coincides with small or no setbacks, high lot coverage allowance, and design review. These factors all work in conjunction with policies that support density in these subareas as a means of creating compact mixed use centers where residents are close to shops, services and transit. As with nearby CBD projects that do not have this requirement, the PLA 5C zone is close to many parks and recreational opportunities in Downtown.

On a related note, during deliberations the Commission discussed code issues, including current height limits that make development of rooftop open space for residents difficult. The Commission would like to review those regulations as part of a future work program.

II. REVIEW PROCESS FOR CITIZEN AMENDMENT REQUESTS

Initially, the Planning Commission considered over 30 CAR applications on July 10, 2014 and made a recommendation to City Council on which applications should move forward for

additional study. In July, the City Council considered the recommendation and approved the final list. In September, the Planning Commission scoped the study areas for the CARs and those study areas define the analysis contained in this memorandum.

An Environmental Impact Statement has been prepared for the Comprehensive Plan Update that includes an analysis of any probable significant impacts relating to each of the CARs.

III. CRITERIA FOR AMENDING THE COMPREHENSIVE PLAN AND LEGISLATIVE REZONES

The Zoning Code (KZC 140) contains criteria for amending the Comprehensive Plan (including Neighborhood Plans) as described below.

1. The amendment must be consistent with the Growth Management Act.
2. The amendment must be consistent with the countywide planning policies.
3. The amendment must not be in conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.
4. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.
5. When applicable, the proposed amendment must be consistent with the Shoreline Management Act and the City's adopted shoreline master program.

The Zoning Code (KZC 130) contains three criteria for considering legislative rezones as part of the Comprehensive Plan amendment and Zoning Code or Map. The list of criteria is provided below:

1. Conditions have substantially changed since the property was given its present zoning or the proposal implements the policies of the Comprehensive Plan; and
2. The proposal bears a substantial relationship to the public health, safety, or welfare; and
3. The proposal is in the best interest of the community of Kirkland.

Staff evaluation of criteria for each CAR was included in the public hearing memorandum for that CAR on either [June 25, 2015](#) or [July 23, 2015](#).

IV. PUBLIC NOTICE & OPPORTUNITIES FOR PUBLIC COMMENT

Public notice was provided for study of the Citizen Amendment Requests. The City issued a Special Comprehensive Plan Update Edition of the *City Update* newsletter in October 2014, including a section on the CARs with a map showing the location of the CARs and a link to the CAR web page where meeting dates would be posted. In early November 2014, property owners and residents within the study areas and property owners within 300 feet of the study areas were notified by mail of the CAR study and directed to the City's web page for meetings dates once they were scheduled. In late November 2014, CAR applicants were notified by email of the meeting dates that had since been scheduled. Email notice was also provided to the neighborhood associations and the Kirkland 2035 listserv. In January 2015, email notice of the meeting date was sent to the CAR applicants, and letters containing information about the process and copies of the notice that was mailed in November 2014 were sent to property owners within the study areas. A *City Update* newsletter was mailed in June 2015 to all residents and businesses in Kirkland describing the citizen amendment requests and public hearing schedule.

Planning Commission Transmittal Memo City Council
Citizen Amendment Requests – Basra, Griffis, Norkirk LIT, Newland and Nelson/Cruikshank
Page 14 of 14

Prior to the public hearing and open houses, notices of the hearing date were mailed to property owners and residents within the study area and 300' feet surrounding the area. Public notices signs were installed surrounding the study area.

Public outreach with the Neighborhood Associations occurred from November 2014 through February 2015 to present the proposed CAR's applicable to each neighborhood and to receive comment on the CAR's.

V. PUBLIC COMMENTS RECEIVED

A comment log summarizing all comments received to date is enclosed in Exhibit 18. The Planning Commission reviewed these comments when considering the CARs. Copies of the comments are available in the City official file CAM13-00465, #10 and in the Council Study Room.

Exhibits:

1. [Basra proposed Zoning Map changes](#)
2. [Basra proposed Comprehensive Plan Land Use Map changes](#)
3. [Basra proposed Comprehensive Plan text changes eliminating Light Manufacturing Park](#)
4. [Basra proposed RH 5A zoning changes](#)
5. [Griffis proposed Zoning Map changes](#)
6. [Griffis proposed Comprehensive Plan Land Use Map changes](#)
7. [Griffis proposed NE 85th Street Subarea Plan text changes](#)
8. [Griffis proposed RH 8 zoning regulations changes](#)
9. [Griffis proposed Design Review zoning regulations](#)
10. [Griffis proposed Affordable Housing Incentives-Multifamily](#)
11. [Norkirk LIT proposed Industrial zoning changes](#)
12. [Newland proposed Comprehensive Plan Land Use Map changes](#)
13. [Newland proposed Zoning Map changes](#)
14. [Nelson/Cruikshank proposed Zoning Map changes](#)
15. [Nelson/Cruikshank proposed Comprehensive Plan Land Use Map change](#)
16. [Nelson/Cruikshank proposed Zoning text amendments](#)
17. [Waddell proposed Zoning text amendments](#)
18. [Comment log summarizing written public comments](#)



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

To: Kurt Triplett, City Manager

From: Rosalie Wessels, Administrative Assistant
Kathy Brown, Public Works Director

Date: September 21, 2015

Subject: WALK YOUR CHILD TO SCHOOL WEEK PROCLAMATION

RECOMMENDATION:

It is recommended that the Mayor proclaim October 5-9, 2015, as Walk Your Child to School Week in Kirkland.

BACKGROUND DISCUSSION:

The City of Kirkland continues to be active in partnering with the Lake Washington School District to develop safe routes to school. A portion of the Streets Levy funding is dedicated to pedestrian safety, benefitting students walking or biking to school. Since 2013, twenty-six Rapid Flashing Beacons (RFB's) have been installed in the City, including street junctions along the Cross Kirkland Corridor interim trail. Seven of the RFB's were installed on Safe Routes to School. These crossings will benefit students walking to schools, and will also increase overall pedestrian safety in Kirkland. In addition, a Safe Routes to School map was adopted by the City Council in early 2014.

The 7th of October is International Walk to School Day. The City Council supports school safety and healthy, active lifestyles by declaring the Walk Your Child to School Week each year with a proclamation, and it is time again to declare October 5-9 the annual Walk Your Child to School Week in Kirkland.

School events are planned and carried out primarily by PTA volunteers at each school. City staff help by coordinating Fire and Police appearances and the use of Ped Bee costumes at each participating school. Council members are invited to participate by visiting any of the schools' events, generally held in the morning at the beginning of the school day. Below is the event schedule with the nine schools in Kirkland that have thus far planned to participate. Lakeview Elementary, not on the schedule, held their Walk Your Child to School Week September 21-25. Changes, additions, or updates will be emailed to the Council as events are firmed up.

Day/Date	School	Time
Monday, Oct 5	AG Bell Elementary	8:30 AM
Monday, Oct 5	Juanita Elementary	8:30 AM
Tuesday, Oct 6	Thoreau Elementary	8:30 AM
Tuesday, Oct 6	Peter Kirk Elementary	8:10 AM

Wednesday, Oct 7	Robert Frost Elementary	8:15 AM
Thursday, Oct 8	Ben Franklin Elementary	8:25 AM
Thursday, Oct 8	Rose Hill Elementary	8:00 AM
Friday, Oct 9	AG Bell Elementary	8:30 AM
Friday, Oct 9	Mark Twain Elementary	8:00 AM

Students and parents from each school will be invited to the October 6 City Council meeting to be present in the audience while a selected group receive the Proclamation from the Mayor. The school coordinators will be encouraging students and parents to support this important week in Kirkland to emphasize the priorities of pedestrian safety and healthy kids in Kirkland.

Attachment: Proclamation



A PROCLAMATION OF THE CITY OF KIRKLAND

Proclaiming October 5-9, 2015 as "Walk Your Child to School Week" in Kirkland, Washington

WHEREAS, the National Center for Safe Routes to School, a group working to improve safety and health and walking conditions for children, encourages local communities to support International Walk to School Day and similar activities; and

WHEREAS, walking or biking to school supports an active, healthy lifestyle through a common and enjoyable form of exercise and teaches children the skills to walk and bicycle safely and to identify safe routes to school; and

WHEREAS, Kirkland voters approved the Street Levy in 2012 which provides annual funding toward creating and enhancing school walk routes to elementary schools; and

WHEREAS, the Kirkland City Council has approved the Walkable Kirkland Innovative appropriating \$400,000 annually from 2015-2020 to complete school walk routes and community based neighborhood safety program projects; and

WHEREAS, the City of Kirkland recognizes the importance of pedestrian safety and has constructed multiple improvements to school walk routes across the City, including twenty-six Rapid Flashing Beacons at strategic school and other crosswalk sites since 2013; and

WHEREAS, the City of Kirkland has asked the Lake Washington School District to have the Cross Kirkland Corridor as a school walk route; and

WHEREAS, children and parents in Kirkland are encouraged to walk or bicycle to school every day, but particularly during the week of October 5 through 9, 2015;

NOW, THEREFORE, I, Amy Walen, Mayor of Kirkland, do hereby proclaim the week of October 5 to 9, 2015, as "Walk Your Child to School Week" in the City of Kirkland, Washington and encourage Kirkland residents to participate in this annual event and to always consider the safety of pedestrians and bicyclists.

Signed this 6th day of October, 2015

Amy Walen, Mayor



CITY OF KIRKLAND

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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Deb Powers, Urban Forester
Date: September 24, 2015
Subject: 2015 ARBOR DAY PROCLAMATION

RECOMMENDATION

That the Mayor proclaim October 17, 2015 as Arbor Day in the City of Kirkland.

BACKGROUND

Attached is the proclamation declaring Saturday, October 17, 2015 as Arbor Day in the City of Kirkland. The annual Arbor Day Celebration and forest restoration will take place at Watershed Park from 10am to 2pm. Volunteers are invited to reconnect with nature and support stewardship efforts by planting native trees, shrubs and ground cover, and removing invasive plants.

Following a free pizza lunch for volunteers, a ceremonial native tree planting will take place with Mayor Amy Walen, Washington State Department of Natural Resources Ben Thompson, and Kirkland Urban Forester Deb Powers.

Since 2001, Kirkland has celebrated its autumnal Arbor Day to coincide with a Green Kirkland Partnership forest restoration project. The event brings together different groups of staff and volunteers – all working together for a healthy, sustainable urban forest in Kirkland.

By meeting the National Arbor Day Foundation standards in 2015, Kirkland will maintain its status as a Tree City USA for fourteen consecutive years. In addition, Kirkland is one of a limited number of cities in the State of Washington that has received numerous Growth Awards for exceeding these standards on an annual basis.

Kirkland Urban Forester Deb Powers and Green Kirkland Partnership Supervisor Sharon Rodman are the recipients of the 2015 Arbor Day Proclamation.

cc: Sharon Rodman
Paul Stewart

Attachment:
2015 Arbor Day Proclamation



A PROCLAMATION OF THE CITY OF KIRKLAND

Proclaiming October 17, 2015 as Kirkland Arbor Day in Kirkland, Washington

WHEREAS, Arbor Day is observed around the world to celebrate, plant, and care for trees; and

WHEREAS, by proclaiming and celebrating Arbor Day each year, Kirkland meets 'Tree City USA' criteria set forth by the National Arbor Day Foundation; and

WHEREAS, National NeighborWoods Month is an annual campaign to plant and care for community trees during the month of October; and

WHEREAS, Washington State Governor Jay Inslee officially proclaimed October as "Urban and Community Forestry Month" in Washington for the third consecutive year; and

WHEREAS, to celebrate Arbor Day, Green Kirkland Partnership volunteers restore the City's natural areas by planting an abundance of native trees, contributing to a healthy, sustainable urban forest; and

WHEREAS, trees are essential to the health and livability of Kirkland,

NOW, THEREFORE, I, Amy Walen, Mayor of Kirkland, do hereby proclaim Saturday, October 17th, 2015 as Kirkland Arbor Day and encourage residents to appreciate the value of trees and support their protection.

Signed this 6th day of October, 2015

Amy Walen, Mayor



CITY OF KIRKLAND
Human Resources Department
123 5th Avenue, Kirkland, WA 98033 425.587.3210
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: James C. Lopez, Director of Human Resources & Performance Management
Date: September 23, 2015
Subject: Alliant 2015 Award for Innovation in Health and Productivity – Special Presentation

RECOMMENDATION:

City Council to receive the Alliant 2015 Award for Innovation in Health and Productivity.

BACKGROUND DISCUSSION:

On August 21, City of Kirkland was recognized for their "Healthy Kirkland Initiative", the City's innovative approach to Health and Productivity by Alliant Employee Benefits.

For nearly a decade, Alliant Employee Benefits has recognized clients that are innovative in their approach to employee health and benefits while driving results. Each year, clients are invited to complete an application for the Health & Productivity Awards. This year, Alliant had 10 applicants for the awards. The awards committee selected the City of Kirkland and Valley Medical Center as the 2015 winners. Winners were recognized at the Annual Summer Celebration at Bell Harbor in Seattle, Washington on August 21, 2015.

The selection committee identified the City of Kirkland as a winner for their innovative and forward thinking approach to health and benefits. For 2015, the City of Kirkland made significant changes to their overall health and benefits strategy. The vision set forth was to change the way employees experience and utilize health care. Named the "Healthy Kirkland Initiative", the city's innovative "full systems" approach to plan design changes includes the implementation of a high deductible health plan with a strong wellness incentive program, an HRA/VEBA contribution that promotes savings and informed health care decision making, and a near site employee health clinic that promotes pro-active primary care utilization and coaching. The high level of commitment from city leadership and the city's human resources department was also a significant part of the selection criteria for the award.



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
September 15, 2015

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

a. Discussion with State Legislators

Joining Councilmembers for this discussion were 48th Legislative District Senator Cyrus Habib, 1st Legislative District Legislators Luis Moscoso and Derek Stanford, 45th Legislative District Legislators Roger Goodman and Larry Springer, City Manager Kurt Triplett, Intergovernmental Relations Manager Lorrie McKay, and the City's contract State Legislative advocacy consultants Majken Ryherd and Teresita Torres.

4. EXECUTIVE SESSION

a. Potential Property Acquisition

At 7 p.m. Mayor Walen announced that Council would be entering into executive session to discuss property acquisition and would return to regular meeting at 7:30 p.m., which they did. City Attorney Robin Jenkinson, City Manager Kurt Triplett, Deputy City Manager Marilynne Beard, Deputy City Manager Tracey Dunlap, Acting Fire Chief Joe Sandford, and Facilities Services Manager Chris Dodd were also in attendance.

5. HONORS AND PROCLAMATIONS

Police Chief Eric Olsen

Mayor Walen recognized the retirement of Police Chief Eric Olson later in the month and that this would be his final City Council meeting.

- a. National Pollution Prevention Week Proclamation – September 21-25, 2015

Public Works Director Kathy Brown accepted the proclamation from Mayor Walen and Councilmember Asher.

- b. Manufacturing Day Proclamation - October 2, 2015

Executive Director of Government and Industry Relations for the Lake Washington Institute of Technology Terry Byington and Vice President of DeYoung Manufacturing Johanna Palmer accepted the proclamation from Mayor Walen and Councilmember Nixon.

6. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience

Lisa McConnell
Dr. Traci Pierce
Lynn Leonard
Heather Mariano-Skeels
Forrest Miller
Nora Carlson
Brian Staples
Nikki Alldredge
Brian Derdowski

- c. Petitions

7. SPECIAL PRESENTATIONS

None.

8. CONSENT CALENDAR

- a. Approval of Minutes:

(1) August 3, 2015

(2) September 1, 2015

- b. Audit of Accounts:

Payroll \$3,053,623.00

Bills \$3,597,364.92

run #1451 checks #564803 - 564944

run #1452 checks #564971 - 565069

- c. General Correspondence

d. Claims

Claims received from 120 Park LLC and George Lebesis were acknowledged via approval of the Consent Calendar.

e. Award of Bids

- (1) The construction contract for the 6th Street South Sidewalk Project was awarded to Kamins Construction of Bothell, Washington in the amount of \$319,339.22 via approval of the Consent Calendar.

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

- (1) Ordinance O-4492 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING XO COMMUNICATIONS SERVICES, LLC A NON-EXCLUSIVE FRANCHISE FOR THE TRANSMISSION OF TELECOMMUNICATIONS IN, THROUGH, OVER AND UNDER THE STREET RIGHTS OF WAY OF THE CITY OF KIRKLAND." first Reading only, not for approval.

- (2) Converting Temporary Electrical/Building Inspector to a Regular Electrical/Building Inspector

- (3) Resolution R-5147, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST, EXCEPT FOR A UTILITY EASEMENT, THE CITY MAY HAVE IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER VLADIMIR LEBEDEV."

- (4) Approve Surplus of Equipment Rental Vehicles/Equipment

Fleet #	Year	Make	VIN/Serial Number	License #	Mileage
C-07	2005	Chevrolet Uplander Cargo Van	1GBDV13L05D278013	39849D	73,390
F-17	2004	Nissan UD2300 Utility Truck	1FDXF46P53ED60389	36371D	45,101
F316	2007	Ford E450 Road Rescue Aid Car	1FDXE45P17DA13139	46258D	51,348
K-01	2006	Ford E546 Pipeline Video Van	1FDXE45S06HA03861	41150D	29,836
PU-12	2001	GMC Sonoma Ext. Cab Pickup	1GTCS19W618216278	32476D	52,441
PU-49	2000	Chevrolet 1500 Ext Cab Pickup	2GCEC19V8Y1388273	30953D	64,894
PU-58	2006	Ford F250 Pickup Crew Cab Pickup	1FTSW21536EA33504	40538D	65,442
PU-63	2006	Chevrolet 1500 Silverado Pickup	1GCHC24U36E215368	42065D	69,810
PU-65	2007	Chevrolet Colorado Pickup	1GCDT13E378198249	44121D	31,992
PU-87	2006	Ford Escape Hybrid SUV	1FMYU95H86KC95917	42606D	64,815
S04-04	2004	Go-4 Parking Scooter	2W9MPH5554P044084	1384EX	34,087

(5) Report on Procurement Activities

Motion to Approve the Consent Calendar.

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

Vote: Motion carried 7-0

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

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

a. Cross Kirkland Corridor Update

Cross Kirkland Corridor Coordinator Kari Page provided a status report on current Cross Kirkland Corridor issues and projects. City Manager Kurt Triplett and Public Works Director Kathy Brown also provided information and responded to Council questions.

Motion to authorize the use of REET Reserves funding in the amount of \$250,000 to fund pre-design and cost estimating for Bus Rapid Transit on the Cross Kirkland Corridor to help ensure a proposed Sound Transit Board Bus Rapid Transit plan is compatible with Kirkland values and scale.

Moved by Councilmember Dave Asher, seconded by Councilmember Jay Arnold

Vote: Motion carried 6-1

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

No: Councilmember Toby Nixon.

b. Neighborhood Safety Program Update

Neighborhood Services Coordinator Kari Page reviewed the program to date and proposed process improvements for 2016.

c. Impact Fee Rate Studies and Related Issues

Deputy City Manager Tracey Dunlap provided an overview of the studies and related issues and received related feedback and direction from Council to bring back to a future meeting. In addition staff addressing specific impact fees were Transportation Engineering Manager David Godfrey, Randy Young from Henderson Young & Co., and Superintendent Dr. Traci Pierce and Director of Support Services Forrest Miller from the Lake Washington School District.

Council recessed for a short break.

d. Fire District #41 Interlocal Agreement Clarification and North Kirkland Fire Station Update

Deputy City Manager Marilynne Beard provided an update on the North Kirkland Fire Station project in preparation for an October 6, 2015 public hearing regarding a resolution clarifying the intent of the 2011 Interlocal agreement between Fire District #41 and the City of Kirkland in order to allow the renovation of Station 25 and the purchasing of property for a new Station 24 using Fire District #41 funds.

11. NEW BUSINESS

a. Resolution R-5148, Declaring Electric Vehicle Charging Stations and Stalls to be for the Purpose of Charging Electric Vehicles Rather than for Use as Parking Spaces and to Allow Any Member of the General Public, Including Downtown Employees and Business Owners, to Charge Electric Vehicles at Charging Stations Owned by the City of Kirkland.

Motion to Approve Resolution R-5148, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND DECLARING ELECTRIC VEHICLE CHARGING STATIONS AND STALLS TO BE FOR THE PURPOSE OF CHARGING ELECTRIC VEHICLES RATHER THAN FOR USE AS PARKING SPACES AND TO ALLOW ANY MEMBER OF THE GENERAL PUBLIC, INCLUDING DOWNTOWN EMPLOYEES AND BUSINESS OWNERS, TO CHARGE ELECTRIC VEHICLES AT CHARGING STATIONS OWNED BY THE CITY OF KIRKLAND" as amended.

Moved by Councilmember Dave Asher, seconded by Councilmember Toby Nixon
Vote: Motion carried 4-3

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

No: Councilmember Dave Asher, Councilmember Shelley Kloba, and Mayor Amy Walen.

Motion to Amend Resolution R-5148 to add a new section that says, "By December 31, 2018, City staff will prepare an assessment and the City Council will evaluate the utilization of charging stations, the effectiveness of the policy and whatever changes to the policy are needed."

Moved by Councilmember Jay Arnold, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

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

Motion to Amend Resolution R-5148 to add a new section that reads, "Any time that parking stalls surrounding an electric vehicle parking station are subject to a fee for parking, members of the public, including downtown employees and business owners, using such charging stations to connect vehicles to the station and actively charge vehicles shall pay the parking fee placed on all other stalls at the parking lot."

Moved by Deputy Mayor Penny Sweet, seconded by Councilmember Jay Arnold

Vote: Motion carried 6-1

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

No: Councilmember Doreen Marchione.

Motion to Amend the initial amendment to change the date from December 31, 2018 to December 31, 2016.

Moved by Councilmember Dave Asher, seconded by Councilmember Shelley Kloba

Vote: Motion carried 7-0

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

- b. Resolution R-5149, Ratifying an Amendment to the King County Countywide Planning Policies.

Motion to Approve Resolution R-5149, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RATIFYING AN AMENDMENT TO THE KING COUNTY COUNTYWIDE PLANNING POLICIES."

Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

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

12. REPORTS

- a. City Council Reports

- (1) Finance and Administration Committee

- Did not meet.

- (2) Legislative Committee

- Chair Asher reported on the evening's previous discussion with state legislators.

- (3) Planning, and Economic Development Committee

- Chair Arnold reported on the results from a business satisfaction and broadband survey; an update on the planned action ordinance for Totem Lake; a briefing on the Park Place development and the need for a temporary access road; a discussion of potential implementation policies in the Comprehensive Plan to address feedback about neighborhood

plans from the Council Retreat; a report on lessons learned from the recent South Kirkland Transit Oriented Development project.

(4) Public Safety Committee

Did not meet.

(5) Public Works, Parks and Human Services Committee

Chair Kloba reported on a discussion of multi-family recycling strategies; an overview of the impact fee rate studies discussed tonight's council meeting; and an overview of Resolution R-5148 concerning electric vehicle charging stations discussed at tonight's council meeting.

(6) Tourism Development Committee

Chair Nixon reported on the review of the Tourism grant applications and approved a funding recommendation to be provided to the City Council as part of the budget process.

(7) Regional Issues

Councilmembers shared information regarding the Sound Cities Association Public Issues Committee meeting; the recent LEOFF 1 Disability Board meeting; the John Muir Elementary School ice cream social; the upcoming All City Dinner; the upcoming Moss Bay/Neighborhood City Council meeting on September 21; an upcoming King County Regional Law Safety and Justice Committee meeting; the Kirkland Police Explorers' Benefit Car Show; the Finn Hill Neighborhood Alliance DennyFest neighborhood event; the Market Neighborhood Association Ice Cream Social; the South Rose Hill/Bridle Trails Neighborhood Association meeting; the Kirkland Alliance of Neighborhoods meeting; the Transportation Choices Coalition "TCC" annual event; the upcoming Advanced Transportation Technologies Conference; volunteers are needed for the upcoming Eastside's Month of Concern for the Hungry; the new Committee to End Homelessness will be announced soon and will have new members and a new name; the Greater Kirkland Chamber of Commerce business luncheon; a Puget Sound Regional Council Transit Oriented Development Advisory Committee meeting; Master Builders Association of King and Snohomish Counties 2015 Housing Summit; a King County Regional Water Quality Committee meeting; a King County Regional Emergency Management Advisory Committee; a King County Metropolitan Solid Waste Management Advisory Committee meeting; the Leadership Eastside Kick-Off Luncheon featuring Eastside Mayors; recent meetings around the issue of a Public Safety Answering Point (PSAP); referenced Representative Larry Springer's receipt of the Association of Washington Cities City Champion All-Star Award; and congratulations to City staff for

their work on the King County Flood Control District grant award for the Totem Lake Boulevard flood reduction project.

Motion to Sponsor the Advanced Transportation Technologies Conference at the \$2500 level, funded from the Council contingency funds.

Moved by Councilmember Jay Arnold, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

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

b. City Manager Reports

(1) City Hall Seismic Update

City Manager Kurt Triplett presented the Council with a brief update on the proposed seismic enhancements and the impact to the City Hall Renovation project.

(2) Calendar Update

City Manager Kurt Triplett reminded the council of the public hearing on King County Proposition 1 "Best Start for Kids" Levy on agenda for the October 6 council meeting; October meeting packets file size issues

Councilmember Nixon proposed two topics for Council committee agendas:

- development of a policy regarding the deployment of surveillance equipment to be considered to the Public Safety Committee;
- development of regulations regarding banning cars from parking in bike lanes to be considered by the Public Works, Parks and Human Services Committee.

Mayor Walen requested an update about the efforts of staff and the City Council in connection with the Firwood Lane Mobile Home Park.

Councilmember Asher provided information about the upcoming Eastside Timebank lecture.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of September 15, 2015 was adjourned at 11:26 p.m.

City Clerk

Mayor

CITY OF KIRKLAND CITY COUNCIL

Council Meeting: 10/06/2015
Agenda: Approval of Minutes
Item #: 8. a. (2)



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

Vision Statement

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

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • TTY Relay Service 711 • www.kirklandwa.gov

AGENDA KIRKLAND CITY COUNCIL MOSS BAY AND LAKEVIEW NEIGHBORHOODS SPECIAL MEETING

**Peter Kirk Room
Kirkland City Hall
123 5th Avenue**

**Monday, September 21, 2015
7:00 – 8:45 p.m.**

**PLEASE CALL 48 HOURS
IN ADVANCE** (425-587-
3190) if you require this
content in an alternate
format or if you need a sign
language interpreter in
attendance at this meeting.

- 6:45 – 7:00 p.m. 1. Informal Casual Conversations
- 7:00 – 7:05 p.m. 2. Welcome and Introduction – Mayor Amy Walen
- 7:05 – 7:10 p.m. 3. Comments from:
Moss Bay Neighborhood Board Member – Bea Nahon
Lakeview Neighborhood Interim Chair – Lori Isch
- 7:10 – 7:30 p.m. 4. Introductions from City Council Members
- 7:30 – 8:45 p.m. 5. General Discussion and Questions from the Audience
- 8:45 p.m. 6. Adjourn
- 8:45 – 9:00 p.m. 7. Social Time

Deputy Mayor Penny Sweet called the September 21, 2015 Kirkland City Council Special Meeting to order at 7:02 p.m. The following members of the City Council were present: Deputy Mayor Penny Sweet, Councilmembers Jay Arnold, Dave Asher, Shelley Kloba, Toby Nixon, and Doreen Marchione. Mayor Amy Walen was excused.

The Kirkland City Council Special Meeting was adjourned at 8:45 p.m.



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: September 18, 2015
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) Robert and Laru Moctezuma
10009 NE 141st St.
Kirkland, WA 98034

Amount: Unspecified Amount

Nature of Claim: Claimant states ongoing damage to property results from encroaching tree roots from trees on City park property.

- (2) National Car Rental
P.O. 801770
Kansas City, Missouri 64180

Amount: \$1,659.43

Nature of Claim: Claimant states damage to vehicle resulted from being struck by a City vehicle.

- (3) Andrea Nordmark
11637 NE 75th Street
Kirkland, WA 98034

Amount: Unspecified Amount

Nature of Claim: Claimant states damage to property resulted from a water main break at 75th St. and 119th Ave.

- (4) David Todd
11643 NE 75th Street
Kirkland, WA 98034

Amount: Unspecified Amount

Nature of Claim: Claimant states damage to property resulted from a water main break at 75th St. and 119th Ave.

- (5) Sally Vilardi
12630 NE 68th Pl.
Kirkland, WA 98033

Amount: \$438.00

Nature of Claim: Claimant states damage to property resulted from a broken City water pipe.

- (6) Wenjie Zheng
145 105th Avenue #21
Bellevue, WA 98004

Amount: Unspecified Amount

Nature of Claim: Claimant states damage to property resulted from trees on City property falling onto the fence at 12207 102nd.

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



CITY OF KIRKLAND
Department of Finance and Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Barry Scott, Purchasing Agent

Date: September 23, 2015

Subject: INTERLOCAL COOPERATIVE AGREEMENT WITH THE KITSAP COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE PURCHASE OF LIDAR DATA

RECOMMENDATION:

It is recommended that the City Manager be authorized to execute an Intergovernmental Cooperative Agreement with the Kitsap County Department of Emergency Management for the purchase of Light Detection and Ranging (LiDAR) data for use with GIS and to support landslide hazard mapping. Authority will be granted to the City Manager through the approval of the consent calendar.

BACKGROUND DISCUSSION:

The Information Technology Department is seeking to join with King County and other municipalities in the acquisition of high-resolution LiDAR elevation data for the King County area. The Kitsap County Department of Emergency Management has a contract with Quantum Spatial, Inc. that was awarded using a competitive Request for Proposals process. The contract with Quantum Spatial, Inc. is to provide high-resolution LiDAR topographic survey data in the Pacific Northwest.

This interlocal agreement is specific to the purpose of acquiring the desired LiDAR data and it will not be applicable to other purchases. The City's total cost for its portion of the LiDAR data to be purchased will be \$7,606.40 (see table on page 5 of the Cooperative Purchasing Agreement).

Staff has determined that this agreement complies with the intergovernmental cooperative purchasing requirements set forth in KMC 3.85.180 and RCW 39.34.

Please contact Barry Scott or Brenda Cooper if additional information is needed.

RESOLUTION R-5150

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THE KITSAP COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND.

1 WHEREAS, the City of Kirkland and Kitsap County Department
2 of Emergency Management seek to enter into an intergovernmental
3 agreement enabling the City of Kirkland to purchase Light Detection
4 and Ranging (LiDAR) data through the Kitsap County Department of
5 Emergency Management contract with Quantum Spatial, Inc. to the
6 extent permitted by law; and
7

8 WHEREAS, the City Council has determined it to be in the best
9 interest of the City of Kirkland to enter into such an interlocal
10 cooperative purchasing agreement; and
11

12 WHEREAS, Chapter 39.34 RCW authorizes City of Kirkland and
13 Kitsap County Department of Emergency Management to enter into an
14 interlocal cooperation agreement to perform any governmental service,
15 activity or undertaking which each contracting party is authorized by law
16 to perform;
17

18 NOW, THEREFORE, be it resolved by the City Council of the City
19 of Kirkland as follows:
20

21 Section 1. The City Manager is authorized to execute on behalf
22 of the City of Kirkland an Interlocal Agreement substantially similar to
23 that attached as Exhibit "A", which is entitled "Intergovernmental
24 Cooperative Purchasing Agreement."
25

26 Passed by majority vote of the Kirkland City Council in open
27 meeting this ____ day of _____, 2015.
28

29 Signed in authentication thereof this ____ day of _____,
30 2015.

MAYOR

Attest:

City Clerk

<p>KITSAP COUNTY DEPT. OF EMERGENCY MANAGEMENT 911 Carver Street Bremerton, WA 98312 (360) 307-5871</p>	<p>EXHIBIT A</p>
---	-------------------------

<p>INTERLOCAL COOPERATIVE AGREEMENT TO PURCHASE LIDAR DATA KING COUNTY, WA. LIDAR PROJECT BY PARTNERS LISTED IN EXHIBIT A KC-_____-2015</p>
--

THIS AGREEMENT is between Multiple Partners (Exhibit A) all municipal corporations, and Kitsap County, a municipal corporation, all in the State of Washington.

WITNESSETH:

WHEREAS, The Interlocal Cooperation Act, as amended and codified in Chapter 39.34 RCW provides for Interlocal cooperation between governmental agencies; and

WHEREAS, Chapter 39.33 of the Revised Code of Washington provides for the intergovernmental disposition of property, and

WHEREAS, both parties are required to make certain purchases by formal advertisement and bid process, which is a time consuming and expensive process; and it is in the public interest to cooperate in the combination of bidding requirements to obtain the most favorable bid for each party where it is in their mutual interest; and

WHEREAS, the parties also wish to utilize each other's contracts where it is in their mutual interest;

NOW, THEREFORE, the parties agree as follows:

1. PURPOSE. The purpose of this agreement is to acknowledge the parties' mutual interest to jointly bid the acquisition of goods and services and disposition of property where such mutual effort can be planned in advance and to authorize the acquisition of goods and services and the purchase or acquisition of goods and services under contracts where a price is extended by either party's bidder to other governmental agencies;
2. ADMINISTRATION. No new or separate legal or administrative entity is created to administer the provision of this agreement. The Administrator of this agreement is the Director of Emergency Management of Kitsap County, Washington.
3. SCOPE. This agreement shall allow the following activities:
 - A. Purchase or acquisition of goods and services by each party acting as agent for either or both parties when agreed to in advance, in writing;
 - B. Purchase or acquisition of goods and services by each party where provision has been provided in contracts for other agencies to avail themselves of goods and services offered under the contract.
 - C. Disposal of goods by each party acting as agent for either, or both parties when agreed to in advance, in writing.

COOPERATIVE PURCHASING AGREEMENT

4. DURATION OF AGREEMENT - TERMINATION. This agreement shall become effective upon signature of both parties for a one (1) year period.
5. RIGHT TO CONTRACT INDEPENDENT ACTION PRESERVED. Each party reserves the right to contract independently for the acquisition of goods or services and or disposal of any property without notice to the other party and shall not bind or otherwise obligate the other party to participate in the activity.
6. COMPLIANCE WITH LEGAL REOUIREMENTS. Each party accepts responsibility for compliance with federal, state or local laws and regulations including, in particular, bidding requirements applicable to its acquisition of goods and services or disposal of property.
7. FINANCING. The method of financing of payment shall be through budgeted funds or other available funds of the party for whose use the property is actually acquired or disposed. Each party accepts no responsibility for the payment of the acquisition price of any goods or services intended for use by the other party.
8. FILING. Executed copies of this agreement shall be filed as required by Section 39.34.040 RCW prior to this agreement becoming effective.
9. INTERLOCAL COOPERATION DISCLOSURE. Each party may insert in its solicitations for goods a provision disclosing that other authorized government agencies may also wish to procure the goods being offered to the party and allowing the bidder the option of extending its bid to other agencies at the same bid price, terms and conditions.
10. NON-DELEGATION/NON-ASSIGNMENT. Neither party may delegate the performance of any contractual obligation, to a third party, unless mutually agreed in writing. Neither party may assign this agreement without the written consent of the other party.
11. HOLD HARMLESS. Each party shall be liable and responsible for the consequences of any negligent or wrongful act or failure to act on the part of itself and its employees. Neither party assumes responsibility to the other party for the consequences of any act or admission of any person, firm or corporation not a party to this agreement.
12. SEVERABILITY. Any provision of this agreement, which is prohibited or unenforceable, shall be ineffective to the extent of such prohibition or unenforceability, without invalidating the remaining provision or affecting the validity or enforcement of such provision.
13. LiDAR SURVEY DATA. Kitsap County has contracted with Quantum Spatial Inc. to provide public-domain high-resolution LiDAR topographic survey data in the Pacific Northwest. Exhibit C outlines costs associated with Puget Sound LiDAR Consortium's rate structure agreed upon with Quantum Spatial, Inc. under its contract terms and used in Exhibit B to define Quantum Spatial, Inc. project proposal. The proposal and cost structure is the basis of the King County LiDAR Project partnership to purchase LiDAR Data.

The jurisdictions or municipal partners in Exhibit A agree to participate in the King County LiDAR Project and to the costs outlined in the Exhibit. Kitsap County will act as the agent for each partner in Exhibit A and a signatory to this agreement to obtain the data described in Exhibit B from Quantum Spatial, Inc. The project, referred to as the King County LiDAR Project has a total costs of \$623,146.00. The Project Costs is a total of LiDAR services and a service fee for contract administration and Quality Assurance, which is 14% of the total Project costs. This Agreement is for a total cost of \$95,585.00 to include associated administrative and quality assurance cost noted in Exhibit A. Each LiDAR Partner listed in Exhibit A will be responsible for their obligated LiDAR costs and payments will be made per contract milestones as follows: (1) acquisition (50% of total costs), (2) delivery (30% of total costs) and acceptance (20% of total costs).

COOPERATIVE PURCHASING AGREEMENT

Accepted and Approved:

Accepted:

**Kitsap County Department of Emergency Management
Kitsap County, Washington**

CITY OF AUBURN

By: _____

Michael Gordon, Director
Kitsap County Emergency Management

Title: _____

Date: _____

Attest:

Date

By: _____

CITY OF BELLEVUE

Approved DATED this _____ day of _____
,2015

By: _____

BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

Title: _____

Date: _____

Attest:

ROBERT GELDER, Chair

By: _____

CITY OF BOTHELL

By: _____

EDWARD E. WOLFE, Commissioner

Title: _____

Date: _____

CHARLOTTE GARRIDO, Commissioner

Attest:

By: _____

CEDAR RIVER WATER AND SEWER DISTRICT

ATTEST:

By: _____

Clerk of the Board

Title: _____

Date: _____

Attest:

By: _____

COOPERATIVE PURCHASING AGREEMENT

CITY OF ISSAQUAH

By: _____

Title: _____

Date: _____

Attest:
By: _____

CITY OF KENT

By: _____

Title: _____

Date: _____

Attest:
By: _____

NORTHSHORE UTILITIES

By: _____

Title: _____

Date: _____

Attest:
By: _____

CITY OF RENTON

By: _____

Title: _____

Date: _____

Attest:
By: _____

CITY OF SAMMAMISH

By: _____

Title: _____

Date: _____

Attest:
By: _____

CITY OF SEATTLE

By: _____

Title: _____

Date: _____

Attest:
By: _____

CITY OF KIRKLAND

By: _____

Title: _____

Date: _____

Attest:
By: _____

Exhibit A								
King County LiDAR Project Partners and Contract Costs								
King County Lidar Partner	Sq Mi Assigned Area	Equivalent Acres	Partner: QSI Acquisition Cost	Partner: Admin Cost 7%	Partner: QA Cost 7%	TOTAL: City/Agency Cost	TOTAL: King County Shared Cost	Total City/Agency and King County Shared Cost
Auburn	50.67	32430.76	\$12,648.00	\$885.36	\$885.36	\$14,418.72	\$13,735.27	\$28,153.99
Bellevue	50.29	32184.90	\$12,552.11	\$878.65	\$878.65	\$14,309.41	\$13,631.14	\$27,940.55
Bothell	20.48	13108.92	\$5,112.48	\$357.87	\$357.87	\$5,828.22	\$5,551.97	\$11,380.19
Cedar River Water and Sewer District	21.56	13798.65	\$5,381.47	\$376.70	\$376.70	\$6,134.88	\$5,844.09	\$11,978.97
Issaquah	18.08	11571.01	\$4,512.69	\$315.89	\$315.89	\$5,144.47	\$4,900.62	\$10,045.09
Kent	51.59	33020.58	\$12,878.02	\$901.46	\$901.46	\$14,680.95	\$13,985.07	\$28,666.02
Kirkland	26.73	17108.41	\$6,672.28	\$467.06	\$467.06	\$7,606.40	\$7,245.86	\$14,852.26
Northshore Utility District	27.77	17769.70	\$6,930.18	\$485.11	\$485.11	\$7,900.41	\$7,525.93	\$15,426.34
Renton	35.17	22509.62	\$8,778.75	\$614.51	\$614.51	\$10,007.78	\$9,533.41	\$19,541.19
Sammamish	33.58	21488.24	\$8,380.41	\$586.63	\$586.63	\$9,553.67	\$9,100.83	\$18,654.50
Totals	\$334.94	\$214,990.79	\$83,846.39	\$5,869.24	\$5,869.24	\$95,584.91	\$91,054.19	\$186,639.10

NOTE: King County has agreed, under a separate agreement, to pay a proportionate cost for the project as outlined in the Table above.

COOPERATIVE PURCHASING AGREEMENT

Exhibit B**LiDAR Data Acquisition Cost Proposal – King County LiDAR Project**

September 9, 2015

Michael Gordon

Kitsap County Department of Emergency Management
 911 Carver St
 Bremerton, WA 98312
 360-307-5872
 mgordon@co.kitsap.wa.us

RE: LiDAR Data Acquisition Cost Proposal – King County 2015 Project Area, WA

Quantum Spatial, Inc. appreciates the opportunity to present to the **Puget Sound LiDAR Consortium (PSLC)** a cost proposal for acquiring and processing high-resolution (> 8 pulses/m²) LiDAR data for the project area of interest to King County, WA. Our cost for LiDAR acquisition and processing abides by our negotiated cost structure with the PSLC, assuming that a contract for standard deliverables will be administered through Kitsap County, WA.

LiDAR point cloud colored by NAIP imagery of downtown Redmond, Washington.

**Services*****Airborne LiDAR***

QSI will collect LiDAR data using a Leica LiDAR system to produce a highly accurate, high resolution (≥ 8 pulses/m²) LiDAR dataset with no gaps and ample buffers (at least 100m) around project boundaries. Data will be collected at a $\leq 30^\circ$ field of view ($\pm 15^\circ$ from nadir), with at least 50% overlap among swaths to minimize gaps and laser shadowing. The LiDAR system records up to four range measurements (returns) per pulse (first, second, third, and last). All overlapping flight lines will be flown in opposing directions to maximize detection of swath to swath inconsistencies used to resolve system misalignments. Our GPS receivers and LiDAR systems are GNSS-capable ensuring low PDOP values and adequate satellite constellations throughout the mission. GPS quality is predicted before the flight and checked during post processing to ensure that positional accuracy exceeds specifications.

Using a combination of automated and manual techniques that are tailored to the particular land cover and terrain of the study area, LiDAR processing will include kinematic corrections, calculation of laser point position, relative accuracy testing and calibrations, classification of ground and non-ground points, assessments of statistical absolute accuracy, and creation of ground surface models.

Absolute accuracy assessments will compare known RTK ground survey points to derived LiDAR points. Accuracies are described as the mean and standard deviation ($\sigma \sim \sigma$) of divergence from RTK ground survey point coordinates. All accuracy statistics ($RMSE_z$, $Accuracy_z - 1.96\sigma$, skewness/distribution, and percentile deviations) will be reported in the final report. Statements of statistical accuracy will apply to fixed terrestrial surfaces only.

LiDAR Specifications Summary	
Multi-Swath Pulse Density	≥ 8 pulses/m ²
Scan Angle	$\leq 30^\circ$ (+/-15° from Nadir)
Returns Collected Per Laser Pulse	Up to 4
Intensity Range	1-255
Swath Overlap	50% side-lap (100% overlap)
GPS PDOP During Acquisition	≤ 3.0
GPS Satellite Constellation	≥ 6
Maximum GPS Baseline	13 nautical miles
Accuracy _z (1.96 σ), slope <20°	≤ 20 cm
Vertical Accuracy (σ), slope <20°	≤ 15 cm
Horizontal Accuracy (σ)	≤ 30 cm

Survey Control

Simultaneous to the LiDAR data collection mission, QSI will conduct a static (1 Hz recording frequency) survey of the horizontal and vertical positions of two or more survey control dual-frequency DGPS base stations established at monuments with known coordinates. Maximum baseline lengths between control points and the aircraft GPS do not exceed 24 kilometers (13 nautical miles). After the static GPS data have been collected, the files will be processed using the Online Positioning User Service (OPUS). Multiple sessions will be processed over the same monument to confirm antenna height measurements and reported OPUS position accuracy. Control monument locations will be certified by a QSI Washington PLS.

Quality control real-time kinematic (RTK) ground check survey data will be collected within the project area, with an established Root Mean Square Error (RMSE) of less than 2 cm. Absolute laser spot accuracies will be statistically analyzed based upon an adequate sample (500 per 50,000 acres, depending on access and GPS conditions within study area) of well-distributed RTK ground survey points on open, bare earth surfaces with level slope.



COOPERATIVE PURCHASING AGREEMENT

Deliverables

Deliverables will match standard for Puget Sound LiDAR Consortium:

LiDAR	
Report of Survey	Text report that describes survey methods; results; vendor's accuracy assessments, including internal consistency and absolute accuracy; and metadata <i>.pdf, .doc, or .odt format</i>
Aircraft trajectories (SBET files)	Aircraft position (easting, northing, elevation) and attitude (heading, pitch, roll) and GPS time recorded at regular intervals of 1 second or less. May include additional attributes. <i>ASCII text format</i>
All-return point cloud	List of all valid returns. For each return: GPS week, GPS second, easting, northing, elevation, intensity, return#, return classification. May include additional attributes. No duplicate entries. <i>ASCII text and LAS version 1.2 format</i> <i>1/100th USGS 7.5-minute quadrangle (0.75 minute by 0.75 minute) tiles</i>
Ground point list	List of X,Y,Z coordinates of all identified ground points. <i>ASCII text.</i> <i>1/100th USGS 7.5-minute quadrangle (0.75 minute by 0.75 minute) tiles</i>
Ground surface model	Raster of ground surface, interpolated via triangulated irregular network from identified ground points. No unavoidable point misclassification <i>ESRI floating point grid, 3 ft cell size, snapped to (0,0), 1/4th USGS 7.5-minute quadrangle (3.75 minute by 3.75 minute) tiles</i>
First-return (highest-hit) surface model	Raster of first-return surface, cell heights are highest recorded value within that cell, voids may be filled with ground surface model <i>ESRI floating point grid, 3 ft cell size, snapped to (0,0), 1/4th USGS 7.5-minute quadrangle (3.75 minute by 3.75 minute) tiles</i>
Intensity image	<i>GeoTIFF, 1.5. ft pixel size, 1/4th USGS 7.5-minute quadrangle (3.75 minute by 3.75 minute) tiles</i>
<i>Files shall conform to a consistent naming scheme. Files shall have consistent internal formats. Surface models shall have no tiling artifacts and no gaps at tile boundaries. Areas outside survey boundary shall be coded as NoData. Internal voids (e.g., open water areas, shadowed areas in first-return surface) may be coded as NoData.</i>	

Coordinate System*	
Projection	Washington State Plane North
Horizontal Datum	NAD83 (CORS96)
Vertical Datum	NAVD88 (GEOID03)
Units	U.S. Survey Feet
Delineations	USGS Quadrangle tiling scheme
<i>*To match with existing data. The data will be created in NAD83 (CORS96), but for GIS purposes will be defined as NAD83 (HARN).</i>	

COOPERATIVE PURCHASING AGREEMENT

Area of Interest – King County, WA

The area of interest (AOI) for this cost proposal includes 700,329 acres spread through King County, WA (Figure 1). Previous LiDAR collections for the PSLC and Pierce County are shown in grey. Overlap between collections will facilitate data matching. The AOI will be buffered by 100 meters to ensure complete coverage and adequate point densities around study area boundaries.

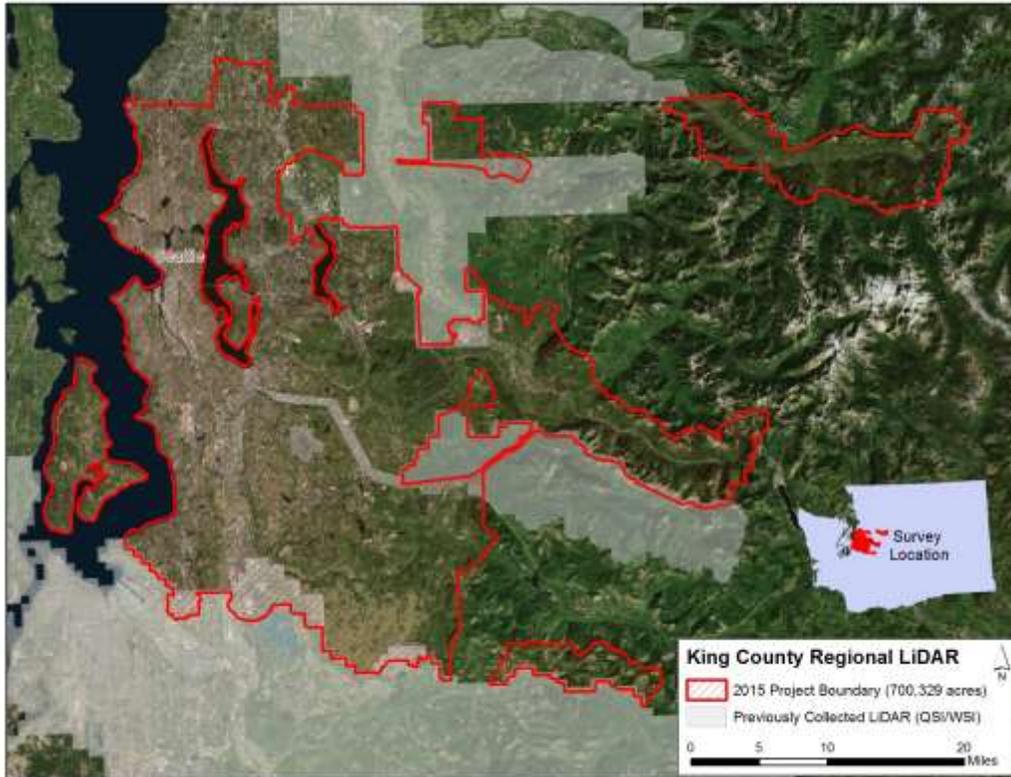


Figure 1. Area of interest for LiDAR acquisition in King County, WA.

Schedule

QSI will work with PSLC and King County to coordinate timing of data collection during fall 2015 as best meets the needs of the project. All data are delivered to PSLC within 60 days of acquisition.

Cost Proposal

The following table presents LiDAR acquisition and processing costs for the project area portrayed in Figure 1, assuming above specifications and deliverables. Costs for acquisition and base level processing are in accordance with QSI’s negotiated area-weighted rate structure with the Puget Sound LiDAR Consortium.

King County, WA Regional LiDAR 2015 (700,329 acres)	Total Cost	Per Acre Cost
LiDAR Acquisition and Base Processing	\$546,256.62	\$0.78

* Budget does not include 14% PSLC administrative fee.

COOPERATIVE PURCHASING AGREEMENT

Exhibit C**Puget Sound LiDAR Consortium Rate Structure**

Provider:	Kitsap County
Agreement No.:	KC-244-12 w/extension
Agreement Title:	Remote Watershed LiDAR Services

Area Extent	Price per Acre	Price per Square Mile	Contours	Intensity Images	Gain-normalized Intensities
50 to 100 sq. miles (32,000 to 64,000 acres)	\$1.42	\$909	\$0.142	\$0	\$0.080
100 to 150 sq. miles (64,000 to 96,000 acres)	\$1.11	\$710	\$0.111	\$0	\$0.060
150 to 200 sq. miles (96,000 to 128,000 acres)	\$0.94	\$602	\$0.094	\$0	\$0.050
200 to 250 sq. miles (128,000 to 160,000 ac)	\$0.84	\$538	\$0.084	\$0	\$0.040
Greater than 250 sq. mi (Greater than 160,000 ac)	\$0.78	\$499	\$0.078	\$0	\$0.035

The Puget Sound LiDAR Consortium (PSLC) adds a 14% overhead fee to the total cost. 7% is for contract and administrative services by Kitsap County Department of Emergency Management and 7% to the Puget Sound LiDAR Consortium for Data analysis.

**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: Stacey Rush, Senior Surface Water Utility Engineer
Jenny Gaus, Surface Water Engineering Supervisor
Kathy Brown, Public Works Director

Date: September 24, 2015

Subject: 2016-2025 INTERLOCAL AGREEMENT SUPPORTING SALMON RECOVERY IN LAKE WASHINGTON/CEDAR/SAMMAMISH (WRIA 8) WATERSHED

RECOMMENDATION:

Staff recommends that Council approve the resolution authorizing the City Manager to execute the Interlocal Agreement (ILA) to continue support for regional salmon recovery efforts in our watershed. Approval of this memo by adopting the Consent Calendar will authorize the ILA.

BACKGROUND DISCUSSION:

This ILA is a renewal of our existing ILA with 28 jurisdictions that expires December 31, 2015. Last January, King County staff provided a presentation to Kirkland City Council members on the ILA renewal. A staff memo describing the benefits and costs to the City of Kirkland was also provided to the Council. A brief background is provided below, and more detail can be found in the January 20, 2015 Council packet.

Previous resolutions by Kirkland Council – ILA renewal

In November 2006, the Kirkland City Council authorized our existing ILA with other jurisdictions in the watershed for salmon recovery planning and implementation. The ILA renewal begins January 1, 2016 and continues through December 31, 2025. Continued participation in the ILA renewal demonstrates our commitment to proactively working together within the watershed to address the Federal Endangered Species Act (ESA) listing of Puget Sound Chinook salmon in 1999.

ILA Changes

Attachment A lists the changes in the ILA language with this renewal, the most significant of which are as follows:

- “Whereas” statements were added to document the rationale for the ILA, identify WRIA 8’s role as the “lead entity” authorized in state statute, and emphasize the use of monitoring and adaptive management to guide implementation of the WRIA 8 Plan.
- The eligible ILA partners have been expanded to include public agencies other than cities and counties that affect land use decisions (like tribes, port districts, etc.).
- The individual ILA partner cost shares may be updated more often than every three years when a substantial annexation occurs.
- An opportunity was created to establish a cost share for newly added public agencies other than cities and county members.
- Wording was changed to clarify an independent audit is optional instead of required (currently provided by an anonymous King County client satisfaction survey).

ILA Funding

The approved annual budget under the ILA renewal for 2016 is \$553,713 (Attachment B). Kirkland's portion is anticipated to be \$27,719, depending on how many members participate. The ILA renewal will obligate Kirkland to pay similar annual amounts. Reasonable increases can be expected over 10 years, but will not exceed the annual Consumer Price Index for Wages (typically not more than 2-3% per year). Attachment B provides the anticipated annual amount for Kirkland's cost-share portion (assuming continuation of 28 jurisdictions).

ILA purpose

The ILA renewal continues with the same purpose, which is to facilitate salmon recovery as a multi-jurisdictional effort, with shared interests and responsibility for addressing watershed health and salmon habitat protection and restoration. The ILA provides funding for King County staff to perform coordination and implementation tasks for the WRIA 8 Salmon Recovery Council (WRIA 8 SRC). WRIA 8 SRC is an effective, long-standing forum for regional coordination and a governance structure to implement the Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan (WRIA 8 Plan), which supports implementation of the Puget Sound Partnership Action Agenda for recovery of Puget Sound.

While the ESA only prohibits "take" and does not require species recovery, the WRIA 8 Plan has the goal of recovery and eventually the de-listing of Chinook salmon. In addition to preserving and sustaining a species important to Puget Sound's culture, this effort would reduce the risk of third party lawsuits limiting private/public development and City maintenance activities in Kirkland.

The WRIA 8 SRC is the governing body created to implement the ILA and the WRIA 8 Plan. In addition to the 28 jurisdictions, there are 19 stakeholder groups that elect a member to serve on the SRC (for example, Friends of the Issaquah Salmon Hatchery and WA Association of Sewer and Water Districts).

Salmon recovery funding and continued restoration efforts

Regional salmon recovery continues to be under-funded. Staff funded by the ILA coordinate grants for salmon recovery projects and programs, and continue to advocate for more sustainable funding sources. Without their efforts the amount of funding would be significantly lower. In the 5-year WRIA 8 Plan Implementation Report (2005-2010) (Attachment C), the WRIA 8 Plan's anticipated level of funding needed for salmon recovery is shown (page 16) along with the actual funding for the last 10 years. The SRC works with the state legislature, Congressional delegation, and state and federal agency partners every year to support state and federal funding.

Recovery efforts have protected and restored priority salmon habitat throughout the watershed. However, more work remains. As a result of the lack of funding, only 22% of the 10-Year Start List of priority actions have been completed. Chinook salmon population numbers can fluctuate dramatically on a year-to-year basis due to their life cycle. Recent years' monitoring of juvenile Chinook produced in the watershed appear to show encouraging signs of increasing numbers of juveniles leaving the watershed for the ocean, which indicates progress is being made.

Indian Tribes have Tribal treaty rights guaranteeing them the ability to harvest salmon. Puget Sound Tribes recently expressed their concern at the lack of progress towards habitat recovery. The tribes are requesting local, state, and federal governments do more to adopt and enforce protective regulations, and have threatened lawsuits over the continued decline of habitat and fisheries. Lawsuits could severely impact private/public development and City maintenance activities in Kirkland.

Attachment A: WRIA 8 ILA Renewal Changes from previous ILA

Attachment B: WRIA 8 Kirkland's portion of cost-share under ILA renewal

Attachment C: WRIA 8 Plan Implementation Progress Report (2005-2010)

WRIA 8 ILA Renewal for 2016-2025 - Changes from previous ILA

Attachment A

Item	Proposed Change	Document Reference	KC Explanations and Considerations for Proposed Changes	COK Staff Comment
1	Add a series of "Whereas" statements to help document the rationale for the ILA and some history of the effort.	Preamble (p.1-2)	<ul style="list-style-type: none"> Helps explain the impetus for establishing/renewing the ILA; Documents history of the effort during the first 10 year period covered by the initial ILA; Documents WRIA 8's interest in regional and state recovery efforts; Recognizes the role salmon recovery action plan in helping to address the effects of climate change; Acknowledges the importance of kokanee recovery actions, and indicate WRIA 8's intent to seek opportunities to partner where kokanee and chinook recovery priorities overlap. 	Support change; provides helpful background and clarification. Staff supports adding the whereas statement recognizing efforts to protect and restore habitat for multiple species (including kokanee), and to seek opportunities to coordinate with other efforts.
2	Expand the eligible ILA partners to include public agencies other than cities and counties that have land use jurisdiction, including tribes, ports, utilities, etc.	Definitions – Eligible Jurisdictions (Section 1.1, p3); Organization and Nature of WRIA 8 Salmon Recovery Council (section 4, p.6); Latecomers (Section 8, p.11)	<ul style="list-style-type: none"> Broadens potential ILA membership and coordination; Spreads annual ILA cost share among more partners, reducing annual cost shares of individual partners Would likely require changes to the proportional/ weighted voting rules in Section 5.1.2; Would allow entities other than cities and counties more influence in WRIA 8 decisions, but could also dilute the local governments' decision making authority. 	Support change; increases membership and reduces cost shares. This change is in response to WA Association of Sewer & Water Districts filling their position with the commissioner of Skyway Water & Sewer, and the addition of the commissioner from Alderwood Water and Sewer District. There is the possibility of having too many public utilities influencing WRIA 8 decisions, so in the future there may be a need to change the weighted voting rules but not a problem at this time.
4	Add description of WRIA 8's role as the salmon recovery "Lead Entity" under state law to convene local watershed-based technical and citizen's committees to review, prioritize, and recommend projects for funding to the state Salmon Recovery Funding Board.	Purposes (Section 2.6, p4)	<ul style="list-style-type: none"> Documents WRIA 8's formal designation and role as the salmon recovery "Lead Entity" in the watershed. 	Support change.
5	Add additional emphasis on the use of monitoring and adaptive management to guide implementation of the WRIA 8 Plan.	Purposes (Section 2.11, p.5)	<ul style="list-style-type: none"> Including language to support use of monitoring and adaptive management. 	Support change.
6	Incorporate the current practice of updating individual ILA partner cost shares more often than every three years when there is a substantial annexation that changes the area and population calculation for affected jurisdictions enough to change their individual cost shares.	Organization and Nature of WRIA 8 Salmon Recovery Council (Section 4.2.1, p.7); Obligations of Parties; Budget; Fiscal Agent; Rules (Section 7.1, p.10)	<ul style="list-style-type: none"> Formalizes a common practice Results in a less predictable cost share distribution, and requires tracking annexations more closely Need to define "substantial" (i.e. what threshold would prompt an update to occur?) 	Support change, but the threshold/definition of a "substantial annexation" needs to be determined, including if 1 annexation would be used to meet a specific threshold or if multiple annexations in one year could be combined to meet the threshold of substantial.
7	Add description of how the level of funding and resource obligation for public agencies other than cities and counties would be determined in negotiation with and approved by the Salmon Recovery Council.	Organization and Nature of WRIA 8 Salmon Recovery Council (Section 4.2.1, p7)	<ul style="list-style-type: none"> Creates a flexible mechanism to establish an appropriate, fair cost share for public agencies other than cities and counties that are approved ILA partners by the Salmon Recovery Council Requires Salmon Recovery Council approval Is not a predictable and clear cost share for potential ILA partners and existing ILA partners 	Support change. This change allows for the SRC to determine the cost share for public agencies other than cities and counties, but the formula for cost share has not been determined yet. This change in language is needed now that utility districts are included in SRC.
8	Replace "shall" with "may" in section on service provider evaluation, which enables SRC to approve use of an annual anonymous service provider (currently King County) client satisfaction survey to meet the service provider performance evaluation requirement or to hire an outside consultant to provide a professional service provider assessment.	Organization and Nature of WRIA 8 Salmon Recovery Council (Section 4.2.2, p.7)	<ul style="list-style-type: none"> Formalizes a current practice approved by the Salmon Recovery Council Requires Salmon Recovery Council approval Saves costs associated with retaining an outside consultant to perform an assessment of service provider performance 	Support change. Provides us the option of an independent audit by someone other than KC but does not require it. The current internal survey practice has been adequate so far, but in the future the SRC might feel it is needed.

Attachment B

Kirkland's portion of WRIA 8 cost-share under ILA Renewal for 2016-2025

	Current	ILA Renewal									
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Increase Each Year ¹		2.18%	2.22%	2.36%	2.32%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Kirkland Annual Cost Share	\$27,128	\$27,719	\$28,295	\$28,962	\$29,634	\$30,523	\$31,439	\$32,382	\$33,354	\$34,354	\$35,385
Total WRIA 8 Budget	\$541,900	\$553,713	\$565,895	\$579,250	\$592,688	\$610,469	\$628,783	\$647,647	\$667,076	\$687,088	\$707,701

¹Increase each year is an annual estimate not to exceed the Consumer Price Index for Wages.

Note: Above cost-share assumption based on the continuation of 28 jurisdictions.

Kirkland's portion of WRIA 8 cost-share under previous ILA for 2001-2015

	Previous ILA (2001-2015)									
	2001-2006	2007	2008	2009	2010	2011 ²	2012 ³	2013	2014	2015
Increase Each Year	Initial	3.42%	0.00%	0.00%	7.68%	60.93%	-3.17%	0.00%	3.00%	3.78%
Kirkland Annual Cost Share	\$14,626	\$15,126	\$15,126	\$15,126	\$16,287	\$26,211	\$25,379	\$25,379	\$26,140	\$27,128
Total WRIA 8 Budget	\$501,063	\$501,063	\$501,063	\$501,063	\$501,063	\$501,063	\$501,063	\$501,063	\$516,672	\$541,900

²Large increase in 2011 due to COK annexation.

³Small decrease in 2012 due to Bothell annex from Sno. Co. and Bellevue annex from King Co.

SALMON AND PEOPLE LIVING TOGETHER

Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan

Implementation Progress Report 2005-2010

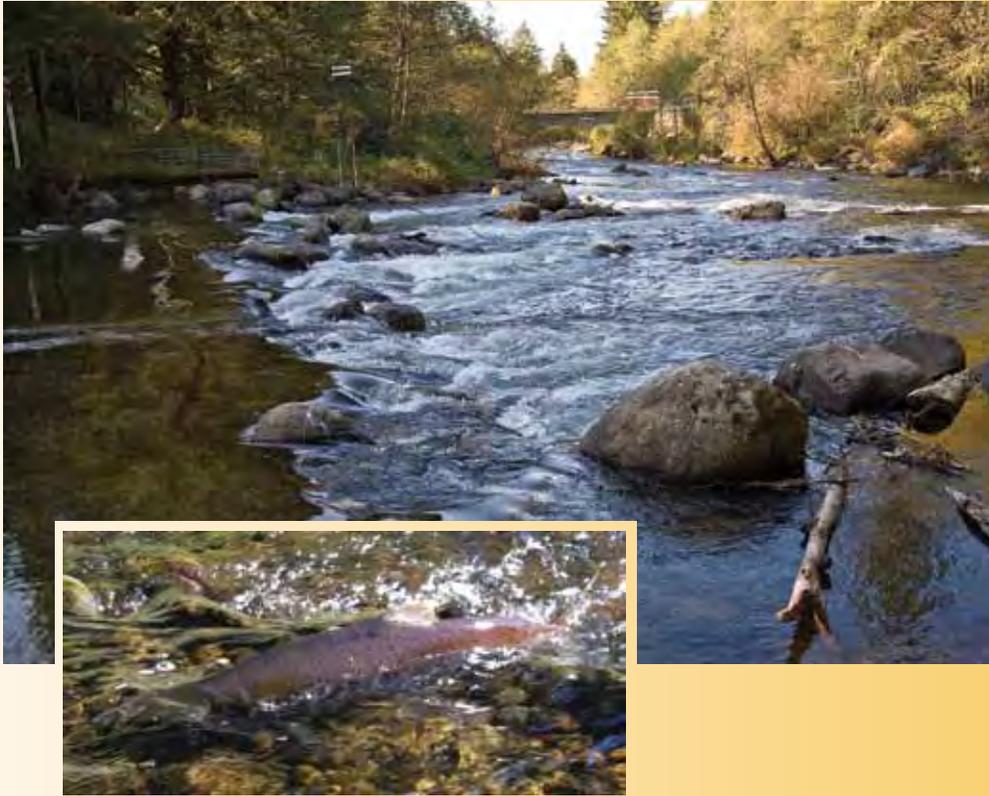


December 2011



THE LAKE WASHINGTON/CEDAR/SAMMAMISH WATERSHED

The Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan guides our efforts to create a future where people and salmon can live together. This report documents our progress during the first five years of Plan implementation.



“I’m thrilled when people tell me they saw salmon near Microsoft in Kelsey Creek. That’s upstream of downtown Bellevue. It means our hard work is paying off – for both salmon and people in our watershed. When my grandkids get excited about returning salmon, it reminds me why our efforts are so worthwhile.”

*Don Davidson, Bellevue Mayor and
Chair, WRIA 8 Salmon Recovery Council*

I. The First Five Years and Our Future

“Solving shared problems together on behalf of a shared place is the essence of democracy.”

—Kemmis 2001

Author Timothy Egan described the Pacific Northwest as “any place salmon can get to.” Since 2000, members of the Lake Washington/Cedar/Sammamish Watershed (WRIA 8¹) Salmon Recovery Council, and its supporting staff and committees, have worked to ensure that our watershed remains a quintessentially Northwest place where salmon return each fall.

Our shared goal is to make our watershed a place where salmon and people can live together. We are working to ensure that Chinook and other salmon species can return to sustainable, harvestable levels. In the most populated watershed in Washington State this is no small task, and it requires both optimism and resolve. The community that cleaned up Lake Washington in the 1950s is applying that same spirit and commitment to recovering salmon today.

In 1999, the federal government listed Puget Sound Chinook salmon as threatened under the Endangered Species Act. In 2000, concerned about the need to protect and restore habitat for Chinook salmon for future generations, 27 local governments in WRIA 8 came together to develop a salmon conservation plan. They were joined by citizens, community groups, state and federal agencies, and businesses. Participating local governments include King and Snohomish counties, Seattle, and 24 other cities.

In 2005, local jurisdictions ratified the WRIA 8 Chinook Salmon Conservation Plan. They agreed to pay for a small team to coordinate implementation of the WRIA 8 Plan through 2015. The WRIA 8 Plan was approved by the National Oceanic and Atmospheric Administration (NOAA) in 2006 as a chapter in the overall Puget Sound Salmon Recovery Plan. What we do for salmon in this watershed is an important component of restoring Puget Sound.

On December 3, 2010, over 100 stakeholders from throughout the WRIA 8 Watershed and Puget Sound gathered to learn about the state of our watershed and its salmon, talk about the progress we have made during the first five years of salmon recovery implementation, and chart a course for the next five years. This Watershed Summit was a vital component in the “adaptive management” of our efforts. This progress report summarizes the analysis done in preparation for the five-year Watershed Summit and points to priorities for future action based on our analysis and progress to date.



¹ WRIA stands for Water Resource Inventory Area, a geographic watershed area designated by the Washington Department of Ecology for watershed planning purposes. The WRIA boundaries were also used to delineate watersheds for salmon recovery planning in Puget Sound.

II. Status of WRIA 8 Chinook Salmon

The Puget Sound region uses the Viable Salmonid Population (VSP) concept as its general approach to determine the conservation status of Chinook salmon.³ A viable salmonid population is defined as an independent population with a negligible risk of extinction over a 100-year time frame. The VSP attributes used by NOAA and others (including WRIA 8) to evaluate the status of Chinook salmon are abundance, population growth rate (also called productivity), population spatial distribution, and diversity (Table 1).⁴



Abundance

Abundance is what the public most often thinks of when they consider the status of a population, and is the most commonly reported indicator in the news media. Abundance is measured by counting the number of adults returning to the spawning grounds, either through estimation methods or by directly counting the number of redds (nests) that have been constructed by females.

However, this indicator is often heavily influenced by factors beyond the control of watershed managers (for example, ocean conditions and fishing pressure). Because of this, abundance is not the best overall measure for watershed managers trying to gauge the effects of local actions on salmon conservation and recovery. An accurate abundance estimate is the critical first step, however, in determining egg-to-migrant survival, one of the most important measures of freshwater productivity.

The WRIA 8 Plan lists both short-term (10-year) and long-term (50-year) goals for Chinook salmon abundance (Figure 1). Compared to the NOAA Fisheries measures reported at the time of ESA listing of WRIA 8 Chinook salmon, abundance has increased for the Cedar population and remained low for Bear/Cottage Creek (a surrogate measure for the Sammamish population).

Table 1. Monitoring of Chinook salmon in WRIA 8

Parameters for Evaluating Chinook Populations				
Monitoring Program	Abundance (How many fish?)	Productivity (Is the population growing?)	Distribution (Where are the fish?)	Diversity (Genetics, life history)
Spawner Surveys	Escapement, Redd Counts (Figure 1, Table 2)	Prespawning mortality rate; Redd:red productivity (Figure 2)	Redd mapping (Table 2)	Age structure, Hatchery/natural origin (Table 3)
Fry/Parr Trapping	Juvenile abundance (Figure 4)	Egg to migrant survival (%) (Figure 3) Juvenile abundance (Figure 4)		Fry vs. parr (Figure 6), Migration timing
PIT-Tag Monitoring		Migration survival		Migration timing to ocean

³ McElhany, P., M. Ruckelshaus, and others. 2000. Viable salmonid populations and the recovery of evolutionarily significant units. U. S. Department of Commerce. 156 p. http://www.nwfsc.noaa.gov/assets/25/5561_06162004_143739_tm42.pdf

⁴ Since 1998, annual Chinook salmon population status and trends monitoring has been funded primarily by King Conservation District, with collaboration and support from Washington Department of Fish and Wildlife, Muckleshoot Indian Tribe, Seattle Public Utilities, and King County.

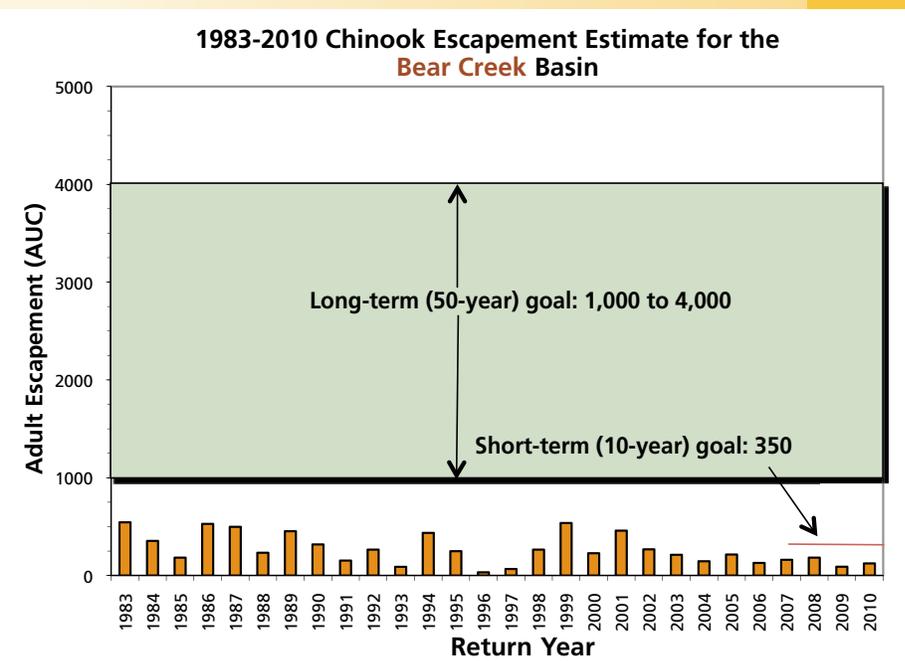
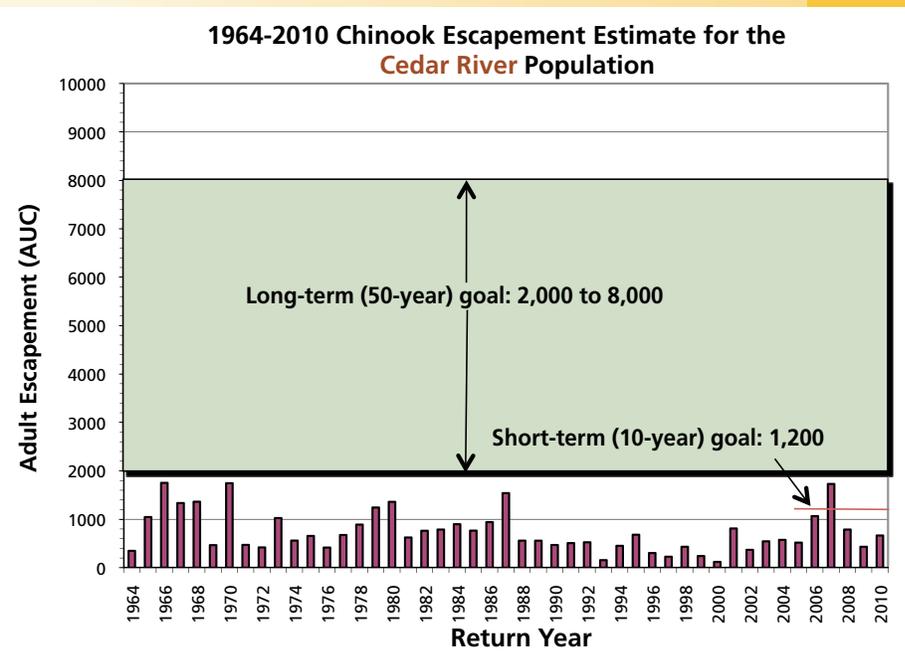
Productivity

Productivity indicates whether a population is growing or shrinking over time. A productivity value of one indicates that for each fish returning, one fish is produced – that is, the population is essentially replacing itself. A value greater than one indicates that the population is increasing, while a value less than one indicates the population is decreasing.

Scientists can measure overall population productivity (whether the number of Chinook salmon returning to a watershed is increasing from year to year), which includes survival throughout the entire salmon life-cycle. This is complicated by a number of factors, including the variable return age for Chinook salmon (they may return to spawn after two, three, four, or even five years at sea). Redd-to-redd productivity (Figure 2) is WRIA 8’s indicator of productivity over the entire Chinook life cycle, and incorporates age class proportions into the productivity estimate.

Freshwater productivity. Two indicators of freshwater salmon productivity that are especially important for watershed managers are *egg-to-migrant survival* (Figure 3) and *overall juvenile output* (Figure 4 and 5). Egg-to-migrant survival compares the estimated number of eggs deposited by spawning Chinook salmon in the fall (through redd counts) against the number of juvenile Chinook salmon migrating out of the watershed the following spring. This number can be compared over time as well as against regional averages. Overall juvenile outmigrant abundance provides an estimate of the overall numbers of juvenile Chinook produced in the Bear Creek and Cedar River basins. Ideally, both these numbers should increase over time if freshwater restoration and conservation efforts are successful.

Figure 1. Number of adult Chinook on the spawning grounds in the Cedar and Bear/Cottage basins. Escapement refers to the number of fish that escaped various causes of mortality to reach the spawning grounds. The numbers include both natural-origin and hatchery-origin adults. Bear/Cottage Creek Chinook surveys began in 1983. Data source: WDFW.



Juvenile Chinook productivity is influenced by a number of factors, including restoration efforts, flooding during the incubation and rearing period, and habitat for refuge and rearing. WRIA 8's main objective is to improve the amount and condition of juvenile habitat, which will improve both egg-to-migrant survival and overall juvenile survival. Egg-to-migrant survival in WRIA 8 remains variable, while overall juvenile output in the Cedar River appears fairly constant by comparison (Figure 4).

Spatial Distribution

In WRIA 8 our goal is to maintain and increase the spawning and rearing distribution of both Chinook populations throughout the watershed. Annual Chinook spawning ground surveys have been conducted in WRIA 8 Chinook salmon streams since 1999 (Table 2). While spawning has varied from year to year, there is no evidence that spawning and rearing distribution has declined, with the exception of the loss of spawning on the Walsh diversion, an artificial tributary to the lower Cedar River. Streamflow from the Walsh diversion was restored to upper Rock Creek in 2009.

The construction of a fish passage facility at the Landsburg diversion dam on the Cedar River in 2003 nearly doubled the length of available habitat for Chinook salmon in that river.⁵

Diversity

Scientists give three primary reasons why genetic and life-history diversity is important for species and population viability (McElhany et al. 2000):

1. Diversity allows a species to use a wider array of environments.
2. Diversity protects a species against short-term spatial and temporal changes in the environment.
3. Genetic diversity provides the raw material for surviving long-term environmental change.

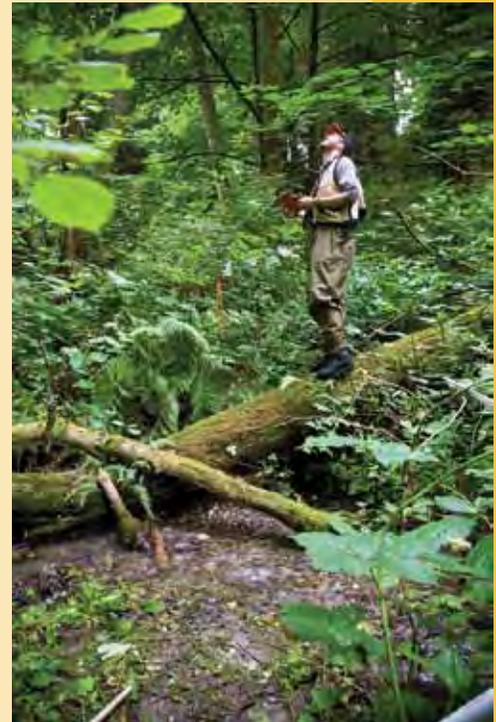
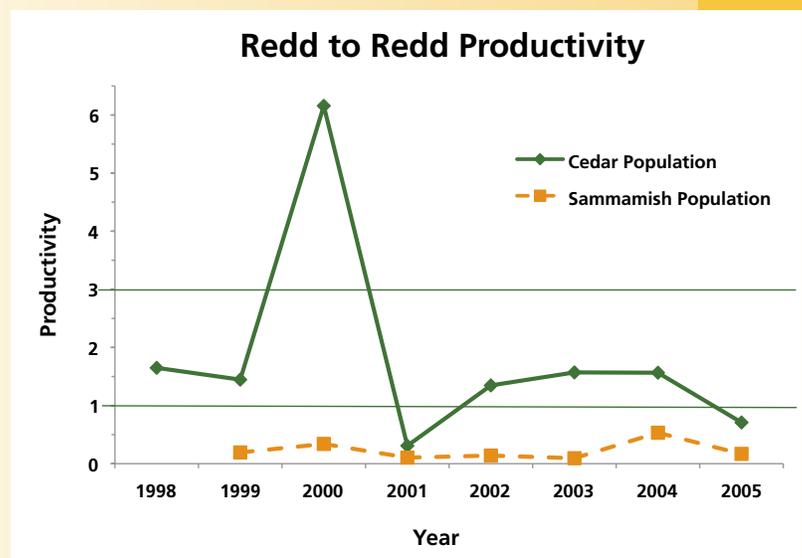


Figure 2. Cedar River and Bear Creek redd productivity. Each point on this graph represents the number of salmon nests (redds) counted each year divided by the number of redds counted in following years, when the salmon that hatched would be returning to create their own redds. Chinook salmon in WRIA 8 spend 2 to 5 years at sea before returning to spawn. Most Chinook in WRIA 8 return after 3 to 4 years. A population replaces itself at a value of 1; the WRIA 8 Plan has a short-term goal of 3 for the Cedar River and Bear Creek (Sammamish) population. In other words, 3 redds would need to be produced for each returning redd in the parent year. (Note: since it may take up to 5 years for Chinook to return to spawn, the 2005 spawning year is the latest for which we can accurately assess productivity.)
Data source: King County unpublished data.



⁵ http://www.seattle.gov/util/About_SPU/Water_System/Habitat_Conservation_Plan/FishPassageAboveTheDam/

In WRIA 8, we monitor diversity through assessing the age of returning adults, proportion of juvenile salmon migrating as fry or parr (Figure 6), overall timing of migration, and proportion of hatchery fish on the spawning grounds (Table 3). WRIA 8 goals are to increase the proportion of parr migrants on the Cedar River and to decrease the proportion of hatchery-origin Chinook spawning with natural-origin fish on the spawning grounds.

Figure 3. WRIA 8 Chinook salmon egg-to-migrant survival rates for Bear Creek and Cedar River Basins.
Data source: WDFW.

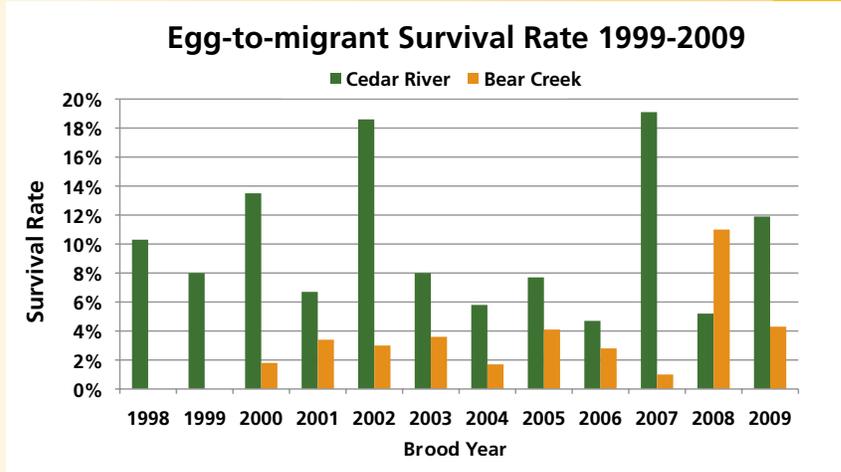


Figure 4. WRIA 8 Chinook salmon juvenile abundance estimates for Bear Creek and Cedar River populations.
Data source: WDFW.

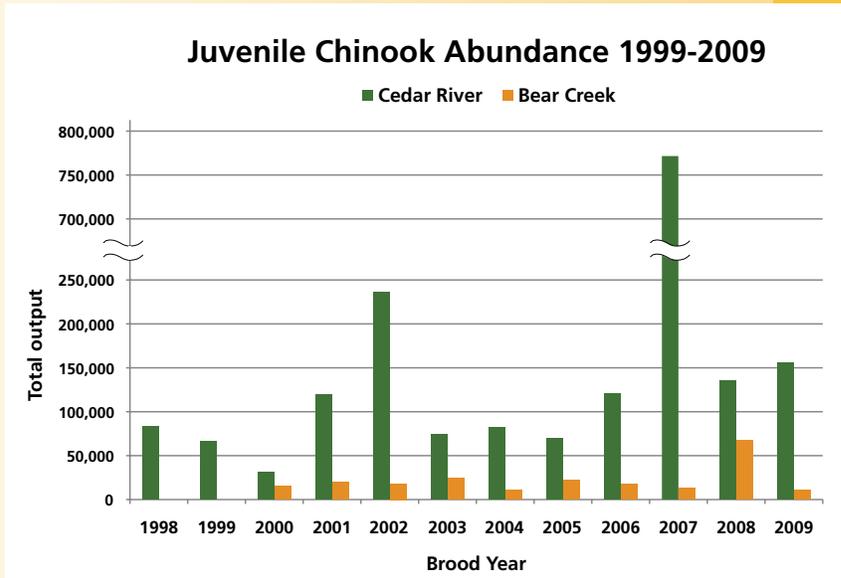


Figure 5. Juvenile Chinook outmigrants in the Cedar and Bear basins. Juvenile Chinook salmon have two different life history strategies. Very small fish called “fry” migrate out of streams into Lake Washington between January and late March, while larger juvenile migrants (“parr”) rear in streams for a few more months and migrate later, between May and July. Chinook conservation goals in both basins include increasing the percentage of fish rearing in the basins and migrating to the lake at a larger size. Research has shown that larger migrants have a higher survival rate.
Data source: WDFW.

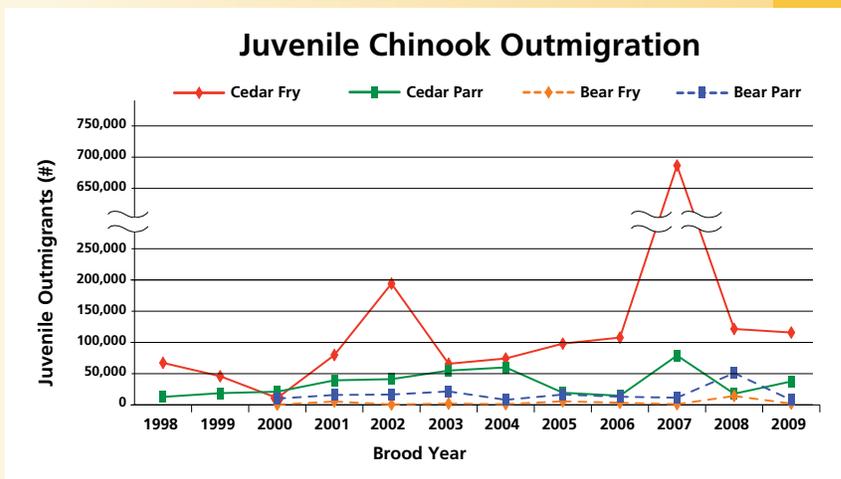


Table 2. WRIA 8 Chinook redd survey results, 1999-2010. Shaded cells represent years when surveys were not performed. Cells with "X" represent an artificial tributary that no longer supports spawning. *Data source: King County unpublished data.*

Creek	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Bear	140	30	42	25	24	25	40	12	20	44	9	1
Cottage	171	103	96	102	120	96	82	119	69	88	60	59
EF Issaquah				0	3	26	8	3	30	3	19	29
Little Bear	1	1	1	3	3	1	0	0	2	1	0	0
North Creek	2	4	6	10	1	4	5	9	3	8	7	3
Kelsey Creek		5	4	4	0	0	4	72	77	8	5	1
May Creek	0	1	3		5	9	1	0	7	1	2	1
Rock Creek (Lower)	0	0	0	0	0	0	0	0	0	0	0	0
Taylor Creek	0	0	7	12	11	8	7	1	30	0	0	1
Peterson Creek	0	0	0	0	1	1	1	0	0	0	0	0
Walsh Diversion	0	0	1	0	6	12	0	0	10	0	X	X
Cedar River Mainstem (and tribs above Landsburg)	182	53	390	269	319	490	331	586	859	599	285	265

Figure 6. Proportion of parr migrants from the Cedar River, 1999-2009.

Data source: WDFW.

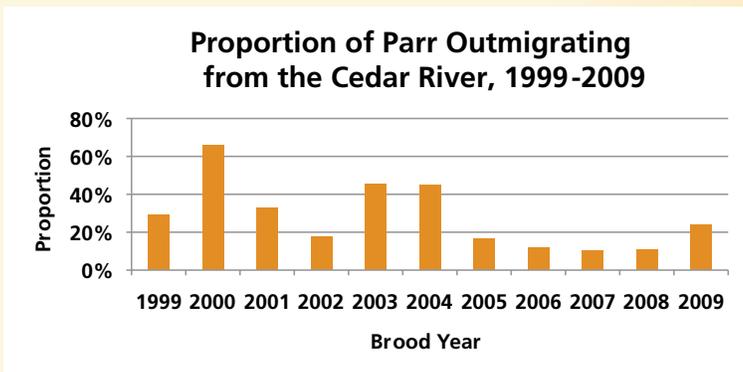


Table 3. Proportion of hatchery-origin Chinook salmon detected in Cedar River and Bear/Cottage Lake Creek spawning surveys since 2004.

Data source: WDFW and King County unpublished data.

	2004	2005	2006	2007	2008	2009
Cedar River	34%	32%	20%	10%	11%	18%
Bear/Cottage Lake Creek		79%	80%	75%	77%	68%



III. Status of the Watershed

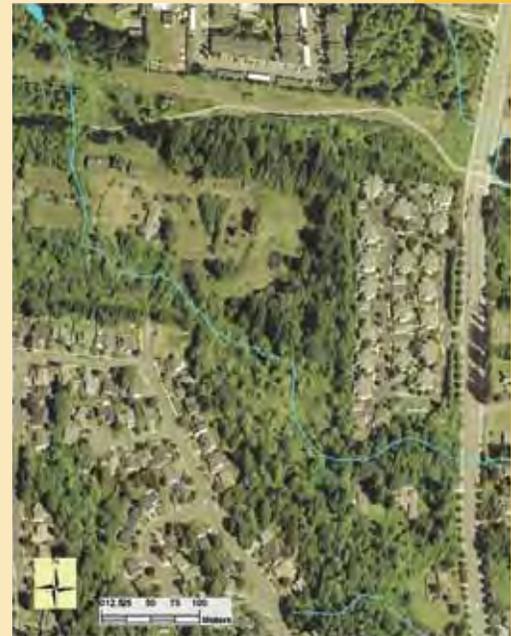
Monitoring Watershed Conditions

In WRIA 8, we monitor for changes in habitat and water quality as recommended by the WRIA 8 Plan, to the degree possible with limited funding. Thanks to a National Estuary Program grant awarded through the Puget Sound Partnership, we assessed land cover change to gauge the rate of change in overall forest cover and streamside areas. For water quality trends in the watershed, we rely on water quality and benthic macroinvertebrate data collected by King County. Overall trends in watershed stream conditions are monitored by King County through an Environmental Protection Agency (EPA) grant co-administered by WRIA 8 and King County – a program that contributes data to the Washington Department of Ecology Status and Trends monitoring project.⁶ Funding for this project lasts through 2013.

Land Cover Change

The WRIA 8 Plan places a high priority on protecting forest cover wherever practical throughout the watershed. Intact forests contribute to natural watershed processes and high water quality, both of which are necessary for salmon survival. In priority areas where forest cover no longer exists or cannot be maintained, it is crucial to protect and restore riparian buffers (i.e., forested streamside areas).

Overall forest cover declined in 42 of 47 WRIA 8 subbasins between 1991 and 2006. Areas *outside* the urban growth area (UGA) boundary displayed negligible forest cover loss during that period, while forest cover *inside* the UGA boundary declined 21% in Tier 1⁷ areas and 23% in Tier 2 areas (Figure 7). For streamside areas, the amount of impervious area increased between 2005 and 2009 in nearly all subbasins studied. Forest cover in streamside areas declined in some subbasins and stayed constant in others (Table 4). The majority of forest cover loss in the streamside areas analyzed appeared to be the result of “vested” development – that is, construction legally permitted under older sensitive areas rules.⁸



Between 2005 (top) and 2009 (bottom), houses and roads replaced forest along a tributary to Bear Creek.

Change between 2005 and 2009	
Forest Cover	
Inside UGA	-3.8%
Outside UGA	-1.5%
Impervious Cover	
Inside UGA	10.6%
Outside UGA	5.5%

Table 4. Change in forest cover and impervious cover along selected WRIA 8 streams, 2005-2009.
Data source: King County Department of Natural Resources and Parks.

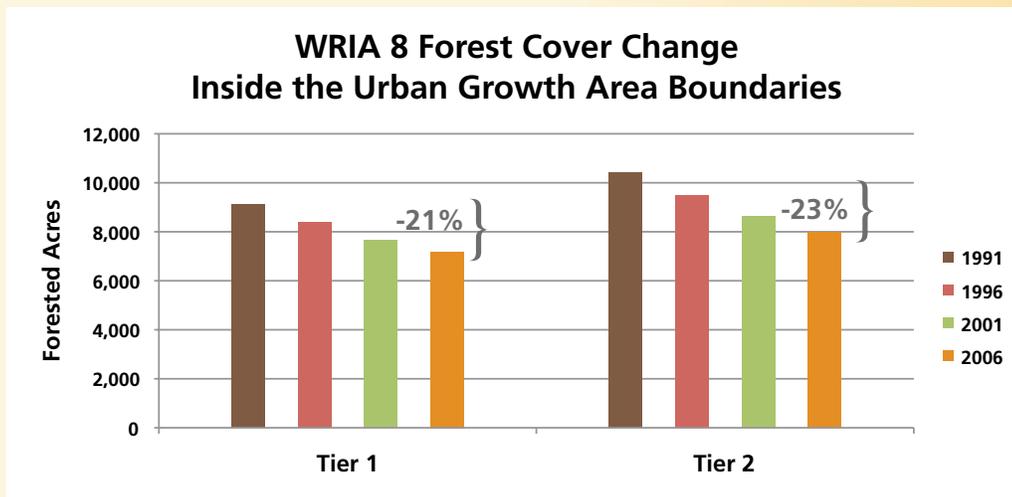
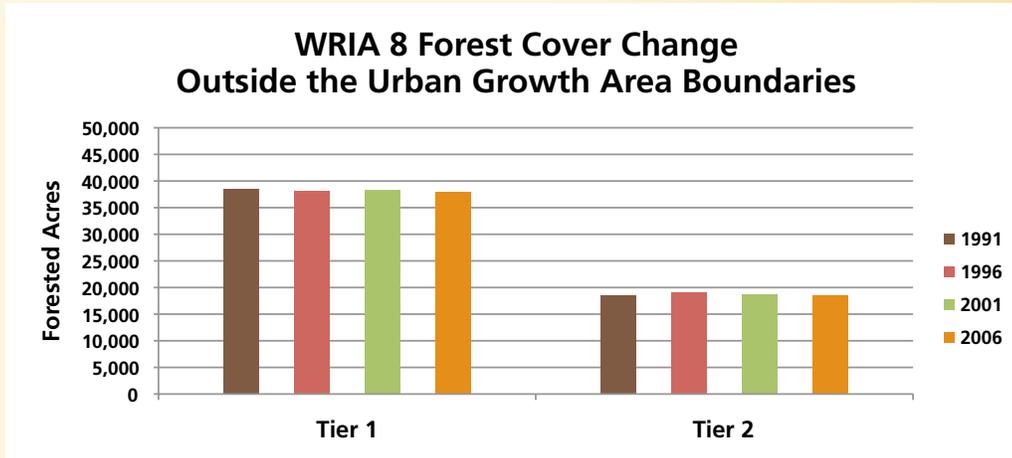
⁶ <http://www.ecy.wa.gov/programs/leap/stsmfi/index.html>

⁷ “Tiers” denote priority areas for Chinook salmon in WRIA 8. Generally, Tier 1 and 2 areas are highest priority and have the greatest potential for salmon habitat conservation and restoration. Tier 3 areas are important for water quality improvement and protection.

⁸ <http://www.gowlink.org/watersheds/8/reports/W8LandcoverChangeReport7-19-2011.pdf>. See report for details.

Figure 7. Forest cover change in Tier 1 and Tier 2 areas in WRIA 8, 1991-2006.

Data source: King County Department of Natural Resources and Parks.



Water Quality

The WRIA 8 Plan relies on the efforts of state and local jurisdictions to protect and improve water quality to help salmon. Likewise, WRIA 8 relies on monitoring efforts by King County and others to provide information on the status and trends in water quality in the watershed. One metric commonly used to report water quality is the Water Quality Index.⁹

The Water Quality Index (WQI) incorporates eight water quality parameters that include temperature, pH, fecal coliform bacteria concentration, dissolved oxygen concentration, sediment load, and nutrient levels. A higher number indicates better water quality, with 100



⁹ <http://www.ecy.wa.gov/biblio/0203052.html>

the highest possible score. In general, stations scoring 80 to 100 meet expectations for water quality and are of "lowest concern;" scores of 40 to 80 indicate "marginal concern." Water quality at stations with scores below 40 does not meet expectations, and these streams are of "highest concern." Water quality data is presented in **Figure 8**.

Benthic Index of Biotic Integrity

Another overall indicator of stream health, the Benthic Index of Biotic Integrity¹⁰ (BIBI) incorporates information on the composition and numbers of aquatic insects living in streams into a score between 10 and 50, with 10 being very poor and 50 being excellent. In WRIA 8, between 2002 and 2010, on average 53% of the sample sites scored "Poor" or "Very Poor," 33% scored "Fair," and 14% scored "Good" or "Excellent." The data display no apparent trend during this period (**Figure 9**).

Watershed Habitat Status and Trends

In 2009, WRIA 8 began a project to conduct physical and biological monitoring in 30 stream reaches in the watershed to characterize watershed conditions. In 2010, we added 20 stream reaches with the aid of an EPA grant written in partnership with King County. We are still analyzing data from the first few field seasons; these will inform our next progress report.

¹⁰<http://www.pugetsoundstreambenthos.org/>

Figure 8. Water Quality Index (WQI) for selected WRIA 8 streams, 2001-2009. Cuts to the King County water quality monitoring program in 2009 reduced the number of stations in WRIA 8 (hence the shorter bar for 2009). *Data source: King County Department of Natural Resources and Parks Water Quality Monitoring Program.*

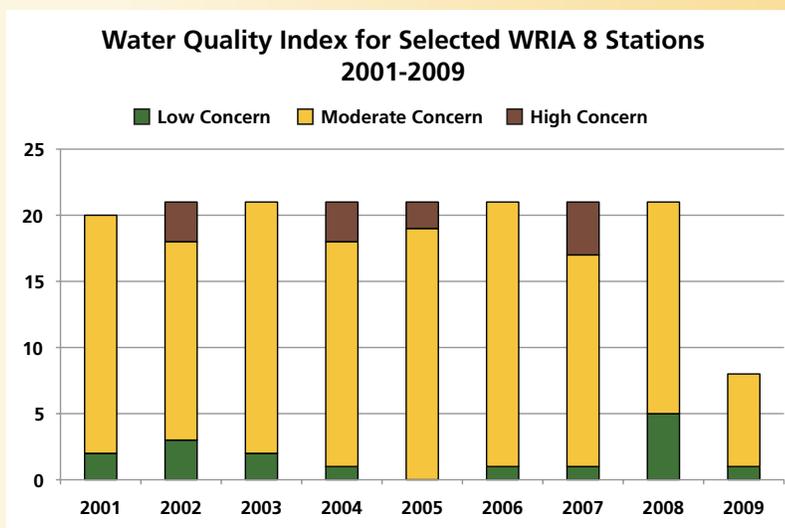


Figure 9. Benthic index of biotic integrity scores for WRIA 8 streams. Percentages represent aggregate scores of 79 to 89 survey reaches per year. *Data source: King County Department of Natural Resources and Parks Ambient Monitoring Program.*

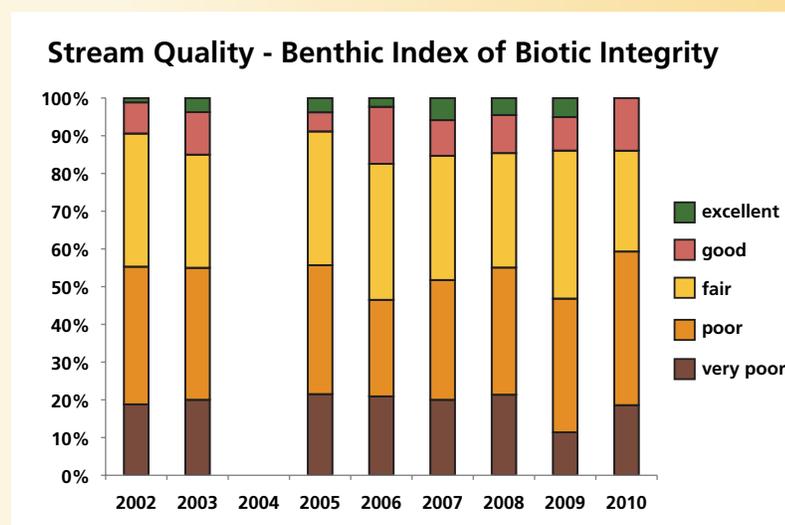
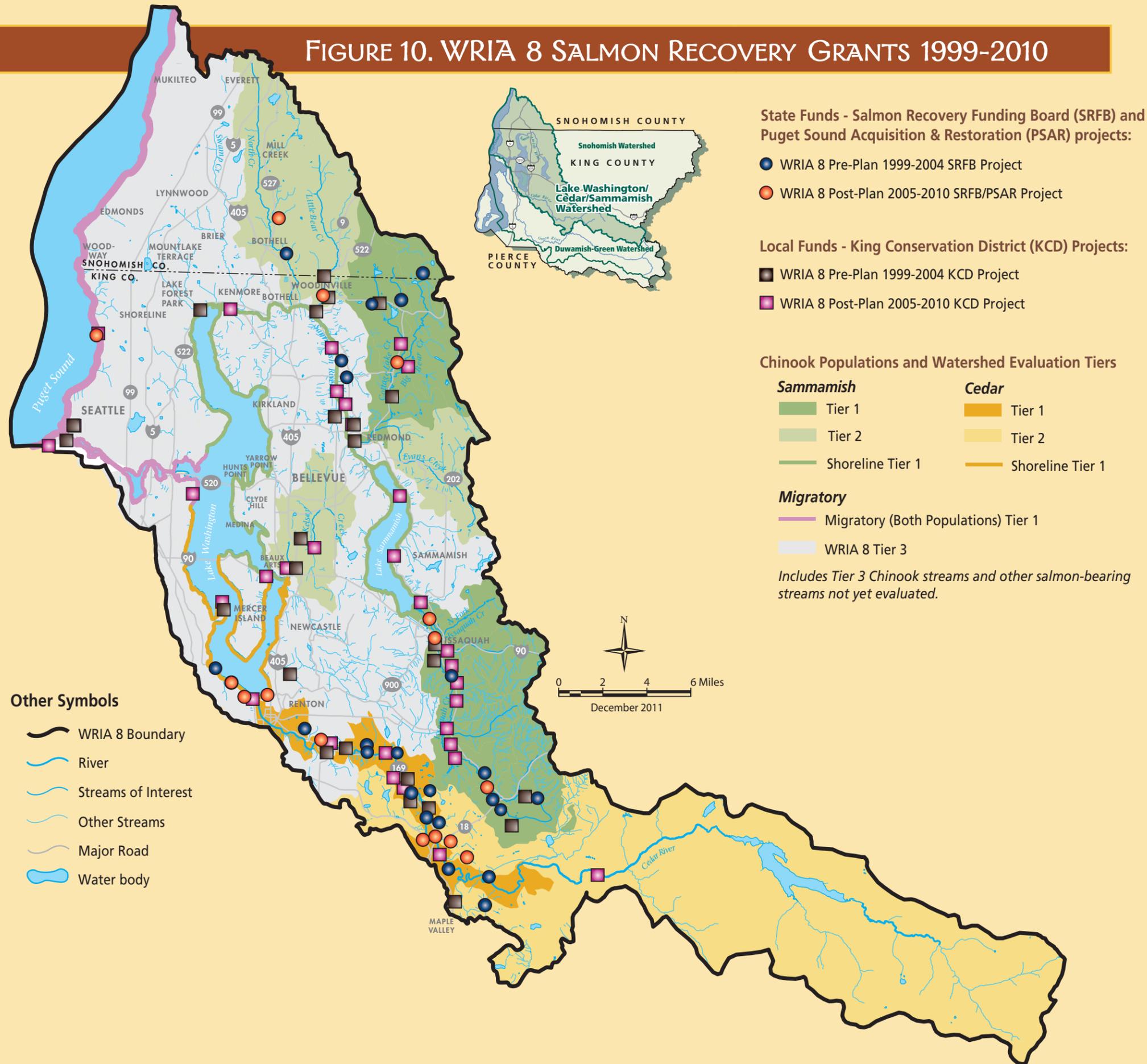


FIGURE 10. WRIA 8 SALMON RECOVERY GRANTS 1999-2010



Since 1999, salmon recovery partners in the Lake Washington/Cedar/Sammamish Watershed received over 90 grants for priority salmon habitat protection and restoration projects.

This map shows grants awarded between 1999 and 2010 to projects throughout the watershed from the Salmon Recovery Funding Board, Puget Sound Acquisition and Restoration program, and King Conservation District. The projects are divided between those that were funded between 1999 and 2005, before ratification of the WRIA 8 Plan in 2005, and those funded between 2005 and 2010 to implement the Plan.

The watershed is divided into "tiers," which denote priority habitat areas for Chinook salmon in WRIA 8. Tier 1 areas are highest priority and include primary spawning areas as well as migratory and rearing corridors. Tier 2 areas are second priority and include areas less frequently used by Chinook salmon for spawning. Tier 3 areas are infrequently used by Chinook salmon, but are still important areas for water quality and flow management.



IV. Habitat Protection and Restoration Progress

The Lake Washington/Cedar/Sammamish Watershed has a long history of habitat protection and restoration (**Figure 10** – map on previous page). For decades, local governments have led habitat efforts in the watershed. In addition, many WRIA 8 partners are doing habitat projects that are not specifically called for in the WRIA 8 Plan but still benefit salmon.

First Five Years of Project Implementation (2005 - 2010)

The Plan recommends nearly 700 site-specific protection and restoration projects approved by teams consisting of scientists, local experts, knowledgeable citizens, and technical staff from state and federal resource management agencies and local jurisdictions. From this list, a subset of the highest-priority projects was chosen for implementation during the first 10 years of the Plan (the “Start List”). The Start List is updated as implementation advances, to reflect changes in project status, and to add new projects as they become ready or opportunities arise.

Status of Implementation

Of the 166 projects currently on the Start List, 44% either have been completed (24 projects) or are funded and in progress (49 projects). An additional 40% (67 projects) have been proposed and await funding. Twenty-six projects (16%) are either conceptual project ideas that a sponsor has not developed into a proposed project, or are projects for which we lack data on their status and are assumed to be conceptual (**Figure 11**).

Priorities for recovery actions

Conservation actions that benefit the Cedar population are our highest priority, followed by actions to benefit the Sammamish population. To date, grant funding distribution generally follows these priorities, although funding for actions in the nearshore and common migratory areas has been lower than it should be (**Figure 12**).

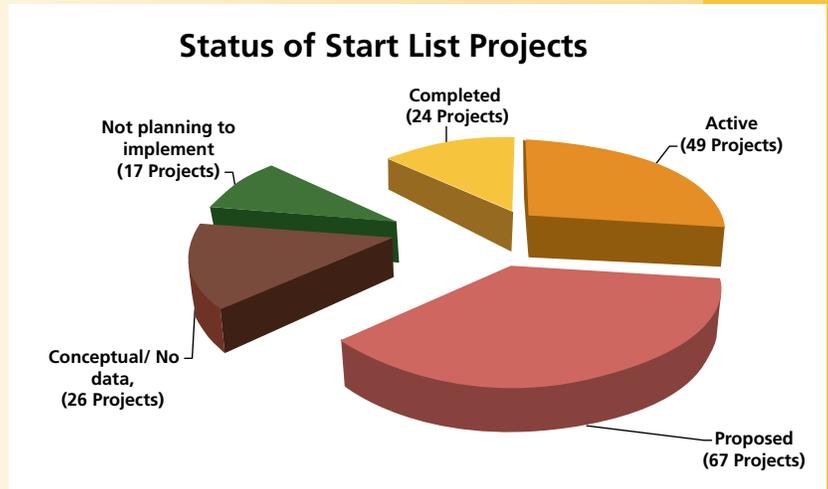
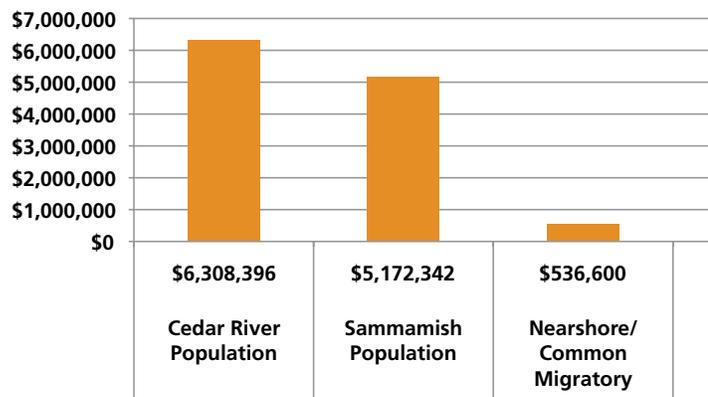


Figure 11. Status of all Start List projects since 2005 (183 projects). There are 166 projects currently on the Start List. Seventeen projects have been deemed infeasible and removed from the Start List.

Figure 12. WRIA 8 grant funding (Salmon Recovery Funding Board, Puget Sound Acquisition and Restoration, and King Conservation District grants) for habitat protection and restoration between 2005 and 2010, distributed to areas supporting the Cedar population, Sammamish population, and nearshore/migratory areas common to both populations.

Grant Funding by Chinook Population (2005-2010)



Habitat Successes

Although a lack of funding has slowed the pace of habitat restoration and protection, WRIA 8 partners continue to implement projects throughout the watershed (Table 5). Recovering salmon in our watershed requires protecting or restoring habitat processes. This typically requires large areas and often encompasses multiple properties. During the first five years of implementing the WRIA 8 Plan, nearly two-thirds of the available funding was dedicated to acquisition projects to protect existing high-quality habitat or to enable future habitat restoration (Figure 13). The remaining one-third went to restoration projects. As the “last best places” are protected, more of the land acquired for future restoration will be restored.

Table 5. Project sponsors completed 24 projects between 2005 and 2010. Projects are organized by areas supporting the Cedar population, Sammamish population, and migratory and nearshore areas common to both populations.

Completed Habitat Projects 2005 – 2010	
Cedar Population	Project Sponsor
Cedar River	
Cedar Rapids Floodplain Acquisition: Acquired 15 acres of floodplain for future levee removal and floodplain restoration	King County
Cedar Rapids Floodplain Restoration: Removed levee and restored 15 acres of floodplain	King County
Rainbow Bend Acquisition: Purchased 40 acres, including mobile home park and nine single-family homes; relocated residents from 55 mobile homes	King County
Lions Club Side Channel Restoration: Restored 800 foot historic side channel and floodplain	King County
Lower Taylor Creek Floodplain Restoration: Relocated 800 feet of stream away from Maxwell Road, and restored floodplain habitat	King County
Migratory Area – South Lake Washington Shoreline	
Chinook Beach (Rainer Beach Lake Park): Removed marina and bulkhead, and restored shoreline	City of Seattle
Martha Washington Park Shoreline Restoration: Removed armoring and restored shoreline	City of Seattle
Seward Park Riparian (Shoreline) Habitat Restoration: Restored 300 feet of lakeshore habitat	City of Seattle
Lake Washington Shoreline Restoration (Section 4): Daylighted Madrona Creek and restored shoreline	Friends of Madrona Creek
Sammamish Population	
North Lake Washington Tributaries	
Twin Creeks Project: Expanded existing restoration project to restore riparian and floodplain habitat	Snohomish County
Little Bear Creek Forest Protection: Protected 105 acres of forest on Little Bear Creek	Snohomish County
Fish Passage on Kelsey Creek: Improved fish passage by replacing culvert on NE 8th St.	City of Bellevue
Issaquah Creek	
Sammamish State Park Restoration: Restored wetlands, streams and lakeshore areas	Mountains to Sound Greenway Trust
Sammamish State Park Recreation Management: Updated park management plan to improve park management and enforcement to protect site from human disturbance	Washington State Parks
Anderson Property Acquisition: Acquired property at the confluence of Issaquah Creek and East Fork Issaquah Creek, to be restored and added to Issaquah Creek Park	City of Issaquah
Guano Acres Acquisition: Acquired 8 acres on lower Issaquah Creek	City of Issaquah
Juniper Acres Acquisition: Acquired 5 acres along Issaquah Creek	City of Issaquah
Squak Valley Park Restoration: Restored 8 acres of riparian and floodplain habitat and 1,000 lineal feet of stream	City of Issaquah
Issaquah Creek Protection: Acquired 118 acres on Issaquah Creek in the Log Cabin reach	King County
Fish Passage Improvements on Issaquah Creek: Replaced partial fish barrier culvert at 298th St. within Taylor Mountain Park	King County
Migratory Area – Lake Sammamish and Sammamish River	
Sammamish River Bank Restoration: Regraded banks, created habitat benches and restored riparian areas on nearly 2,000 lineal feet of river	City of Redmond
Wildcliff Shores Riparian Wetland Enhancement and Reconnection: Reconnected riparian wetlands to Sammamish River and restore vegetation at Wildcliff Shores, across from Swamp Creek	City of Kenmore
Zacusse Creek Restoration: Daylighted Zacusse Creek and restored creek mouth along Lake Sammamish	City of Sammamish
Both Populations – Common Migratory Areas and Marine Nearshore	
Salmon Bay Natural Area: Restored 700 feet of shoreline	City of Seattle

Cedar Population

After five years of acquiring and protecting habitat, several project sites now have enough land to begin large-scale restoration activities. This is most notable in the Cedar River, where the WRIA 8 Plan identifies reconnecting the river to the floodplain to increase habitat for juvenile Chinook as the most important action. The Cedar Rapids project was the first large-scale floodplain restoration project on the river (see below). Other floodplain habitat restoration projects are moving forward in the next three years. While these projects will greatly improve habitat conditions for both adult and juvenile Chinook salmon, more large-scale floodplain restoration is needed.

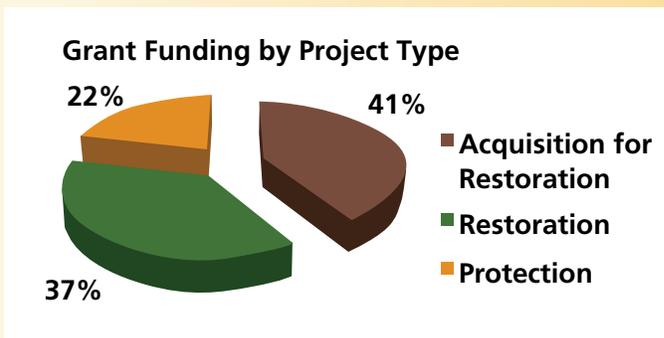


Figure 13. Distribution by project type of \$12.1 million in grant funding received from Salmon Recovery Funding Board, Puget Sound Acquisition and Restoration program, and King Conservation District between 2005 and 2010. This distribution reflects grant funds only, and does not include funds used to match grant funds. Between 2005 and 2010, over 60% of grant funding has gone to protecting habitat and acquiring land for future restoration. As the remaining high quality habitat is protected, more funding will support restoring land acquired for restoration.

CEDAR RAPIDS FLOODPLAIN RESTORATION PROJECT



Cedar Rapids pre-project (2007)...



...and post-project after flooding in both 2009 and 2011.

This project, one of the first major floodplain reconnection projects on the Cedar River, aims to both reduce flood hazards and restore salmon habitat.

In 2008, the levees and bank armoring were removed from a 30-acre site, allowing the river to reconnect with its floodplain. Setback levees were built on the site's outer edges to protect adjacent homes and Jones Road. The project was designed to allow the river to migrate freely within the new setback levees.

The Cedar River experienced major flooding in 2009 and 2011 that reshaped the site dramatically. The river shifted its mainstem channel, a new large gravel bar formed, and historic side channels filled with water. However, logs and logjams moved downstream during the flooding and had to be removed.

King County will be applying lessons learned from this project to future restoration projects, including the Rainbow Bend site, where a levee will be removed and 40 acres of floodplain will be restored. Construction will begin in 2013.

Unique to WRIA 8 in the Puget Sound region, lakes are an important part of Chinook migratory habitat. Therefore, restoring stream mouths and beach habitats along the shoreline is particularly important. WRIA 8 partners have implemented several important shoreline restoration projects from Seward Park south to the mouth of the Cedar River. These projects provide important habitat for juvenile Chinook as they migrate from the Cedar River through Lake Washington.

Sammamish Population

Actions to support the Sammamish population have focused on protecting existing habitat and restoring areas of Issaquah Creek and Bear Creek, the two primary spawning areas for the Sammamish population. The Sammamish River is a critical migratory corridor for the Sammamish population, emphasizing the need to restore riparian areas and off-channel habitat. We have also protected and restored habitat on Little Bear and North Creeks, which provide additional diversity of spawning habitat for the Sammamish population.

Nearshore/Common Migratory areas

Twice during their lives, as an outmigrating juvenile and a returning adult, Chinook salmon from both WRIA 8 populations migrate through the Ballard Locks, Ship Canal, and along the marine nearshore. Salmon face several challenges in this migratory bottleneck, and work is needed to improve fish passage.

- Passing through the Ballard Locks is hazardous for both juvenile and adult salmon. Some improvements have been made, but much more needs to be done.
- High water temperatures in the Ship Canal may be harmful or even lethal.
- The railway along the marine shoreline limits the opportunity to restore natural processes.

ISSAQUAH RESTORES SQUAK VALLEY PARK NORTH

In 2010, the City of Issaquah restored eight acres of fish and wildlife habitat at Squak Valley Park North. This is one of the largest restoration projects in the City's history.

The City removed portions of a levee along Issaquah Creek to reconnect it to the floodplain. The area had been a straight, uniform channel more than 1,000 feet long, providing poor fish habitat. Public benefits include a new nature park, with trails and stream overlooks, and reduced flooding in the Sycamore neighborhood.



V. Funding Salmon Recovery

To protect and restore the habitat necessary for salmon recovery, the WRIA 8 Plan set an ambitious funding goal of over \$17 million annually from federal, state, and local sources. Funding during the first five years of implementing the Plan has fallen short of funding goals in most categories (**Table 6** and **Figure 14**).

Salmon recovery in WRIA 8 relies on grant funding from several local, state, and federal sources. Between 2005 and 2010, WRIA 8 partners received over \$12 million in grants for habitat protection and restoration projects (**Figure 13**).

Federal and State Funding

The Salmon Recovery Funding Board (SRFB) has been a crucial, consistent source of federal and state funds for salmon habitat protection and restoration. From 2005 to 2010, annual SRFB funding was one-third of what the WRIA 8 Plan anticipated from this source.

In 2007, recovering Puget Sound became a greater state and federal priority. This additional focus on Puget Sound brought new regional funding to accelerate the pace of salmon recovery efforts. In the 2007 biennial budget, the state legislature appropriated \$42 million through the newly created Puget Sound Acquisition and Restoration (PSAR) program to Puget Sound watersheds. This increased funding to implement the highest priority salmon habitat protection and restoration projects.

WRIA 8 received \$2,015,099 in 2007 PSAR funds and \$1,623,911 in 2009 PSAR funds. Although PSAR only provided about half of the anticipated new funding from regional grants, it was a substantial, much-needed investment. The PSAR program is not a guaranteed funding source, and the legislature appropriates it every two years. It is important for WRIA 8 partners to actively support PSAR funding and demonstrate the on-the-ground habitat improvement that results from this investment.

Federal funding has been much lower than anticipated. In particular, U.S. Army Corps of Engineers funding has been far lower than expected in the Plan goals, largely a result of reduced congressional allocations to the Corps of Engineers and some potential project partners deciding to seek funding elsewhere rather than go through the Corps project funding process.

Funding Sources	WRIA 8 Plan Annual Funding Goal
Salmon Recovery Funding Board	\$1,400,000
New Regional Funding	\$4,000,000
Other State (agency grants, etc.)	\$800,000
Federal (Army Corps of Engineers, Environmental Protection Agency, other federal grants, etc.)	\$3,500,000
King Conservation District	\$660,000
King County Conservation Futures	\$2,500,000
Other Local Match (utility fees, stormwater management fees, etc.)	\$4,500,000
TOTAL	\$17,360,000

Table 6. WRIA 8 Plan anticipated funding sources and annual goal. WRIA 8 is unable to track all funding sources; shaded rows indicate funding sources tracked by WRIA 8.

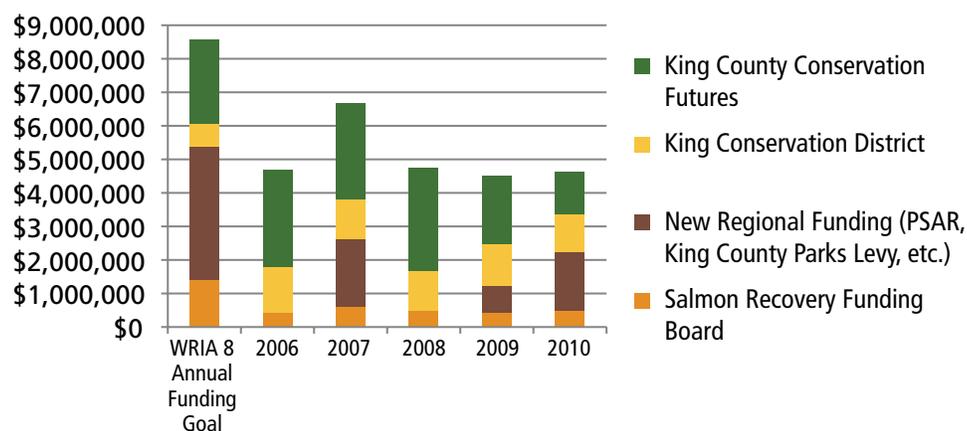


Figure 14. WRIA 8 Plan annual funding goals for four primary funding sources compared to actual annual funding levels during the first five years of implementing the Plan.

However in 2009, with the increased focus on recovering Puget Sound, several important WRIA 8 priorities received over \$4 million in federal grant funding from the EPA. EPA grants are advancing the following priorities:

- Monitoring watershed conditions in up to 50 stream reaches (King County)
- Establishing a stormwater flow control plan for the Piper's Creek watershed (City of Seattle)
- Developing an incentives and credits program to improve ecosystem functions and processes along shorelines of single-family waterfront homes (City of Seattle)
- Supporting a partnership to restore riparian ecosystems and eradicate invasive species (City of Seattle)

Local Funding

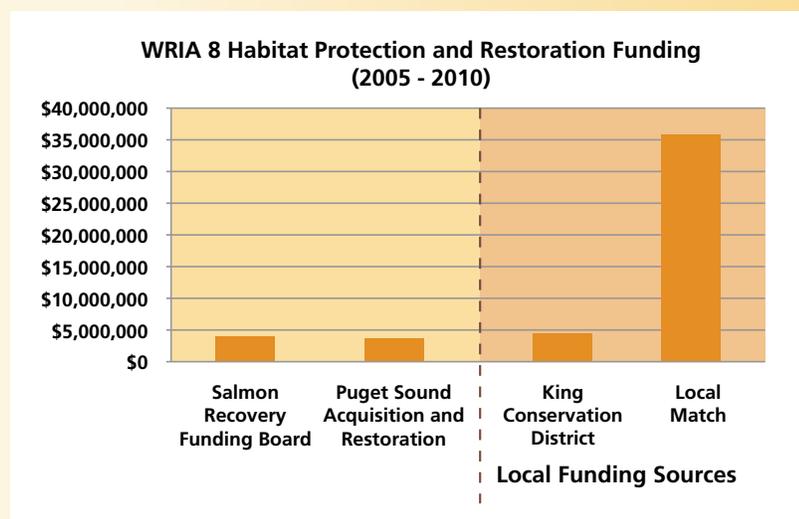
During the past five years, local funding for salmon recovery has contributed over \$40 million towards implementing priority habitat projects, much of which serves to match state and federal grants (Figure 15). Local funds come from a number of sources, most notably King Conservation District (KCD), King County Conservation Futures, King County Parks Levy, and local government surface water management fees, utility fees, and other sources. With the doubling of KCD funds in 2006, KCD has contributed nearly twice the funding for habitat restoration and protection anticipated in the WRIA 8 Plan. Additionally, King County Conservation Futures provides annual funding from property taxes levied throughout King County and its cities for the purchase and permanent protection of habitat and open space. Beginning in 2008, the King County Parks Levy also provides annual funding to acquire open space and restore county parkland that supports salmon habitat. These local funding sources serve as indispensable match to leverage grant funds for habitat protection and restoration projects.

Recovering Salmon in Challenging Economic Times

The last few years have been difficult for salmon recovery funding. Beginning in 2009, as a result of the recession, funding suffered as local, state, and federal budgets were greatly reduced. The PSAR program was reduced from \$42 million in the 2007-2009 biennial budget to \$33 million in the 2009-2011 biennial budget. In coming years, with the prospect of continued budget shortfalls at all levels, we could see further reductions in salmon recovery funding. This will continue to hinder implementation of the WRIA 8 Chinook Recovery Plan.

Although the reality of funding for habitat protection and restoration has fallen well short of the goals set by the Plan (Table 6), we have used the available funding to accomplish substantial priority project work. We will not be able to increase the pace and effectiveness of habitat restoration and protection without additional funding sources.

Figure 15. Amount of WRIA 8 grant funding by grant source compared to the amount of local funding. State and federal grant funds are leveraged heavily by local matching funds. Although King Conservation District grants are separated from local match in the figure, they should be included in the total local funds that serve as match to state and federal grants.





Program is controlling Cedar River knotweed

Invasive knotweed is an aggressive invader of riparian habitats, forming dense stands along stream banks. A collaborative program has been working to control knotweed along the Cedar River and its tributaries. This is often an essential first step in restoring native habitat.

The King County Noxious Weed Control Program began working on knotweed with landowners on the Cedar in 2007. In 2010, King County, Seattle Public Utilities, Forterra (formerly Cascade Land Conservancy), and the Friends of the Cedar River Watershed joined together to form the Cedar Stewardship in Action Program.

Partners reach out to all property owners, public and private, seeking permission to control knotweed on their property and promoting better land stewardship. Hundreds of volunteers participate in over 50 events each year to remove invasives and replant. The process is time-intensive; it takes about a year to treat (and re-treat) two river miles.

VI. Programmatic Actions

Implementation of Actions Related to Land Use and Education & Outreach

Programmatic actions in the Plan related to land use and public outreach may seem less directly tied to salmon in a WRIA 8 stream than on-the-ground habitat projects. But they are actually more critical to the long-term success of our salmon recovery efforts. WRIA 8 is the most populated watershed in the state, and it is still growing. How well we manage growth and development, and motivate people who live in our watershed to take positive actions to benefit salmon, will determine our success in recovering Chinook salmon.

In 2008, the WRIA 8 team administered a survey to jurisdictions in the watershed to assess progress made in implementing programmatic recommendations in the Plan.

The survey found a high rate of implementation for the following actions, ranked as being of “high importance” by a WRIA 8 staff group:

- Forest cover/riparian buffer education
- Water quality education
- Promoting stormwater best management practices
- Critical Areas Ordinances
- Shoreline Master Plan updates
- Tree protection regulations
- Stormwater regulations
- Regulatory flexibility to promote habitat protection/restoration

For these highly-ranked actions, WRIA 8 partners should be vigilant to keep the implementation level high. They should also look for ways to measure their effectiveness.

The following programmatic actions were found to have lower levels of implementation and were ranked as being of high or medium importance to salmon recovery. These Plan recommendations should be revisited by the WRIA 8 Salmon Recovery Council and supporting committees to identify ways to increase implementation:

- Outreach regarding the benefits of large wood in streams
- Education programs for landscape designers/contractors on sustainable design
- Programs to address illegal water withdrawals
- Incentives to protect/restore ecological function
- Outreach to property owners to protect forest cover/habitat
- Promotion of low-impact development
- Natural Yard Care education

WRIA 8 partners are working collaboratively to address many outreach and education actions in the Plan. For example, many WRIA 8 jurisdictions, as part of implementing their stormwater permit requirements, are participating in the Stormwater Outreach for Regional Municipalities (STORM) Consortium. STORM coordinated extensive outreach campaigns related to reducing the water quality impacts of car washing and yard care, which are both high-priority outreach recommendations in the WRIA 8 Plan. Also, lakeshore jurisdictions in the

watershed have partnered with state and federal agencies on the Green Shorelines campaign to work with lakeshore property owners to improve shoreline habitat for salmon (see below). Pooling resources and collaborating has not only been more efficient in these cases, but has also led to much more effective outreach programs.

Non-governmental organizations and community groups and other WRIA 8 partners who were not part of the implementation survey are important partners in implementing many plan recommendations. For example, many nonprofit organizations such as the Mountains to Sound Greenway Trust, Friends of the Cedar River Watershed and Adopt-a-Stream Foundation, offer volunteer stewardship events. Local water districts offer educational programs and incentives to promote water conservation. The Washington Department of Ecology, Parks and Recreation Commission, and Puget Soundkeeper Alliance all have programs and materials to help boaters reduce pollution from recreational boating and boat maintenance.

Connecting People and Salmon

People are more likely to take actions to protect salmon, streams, and beaches if they have a personal experience that connects them with the resource. For several years, WRIA 8 has supported efforts to create personal connections through the annual Salmon SEEson campaign. Salmon SEEson promotes events sponsored by several cities and organizations where people can see salmon traveling upriver to spawn. Trained interpreters from Friends of the Issaquah Salmon Hatchery, Friends of the Cedar River Watershed, Salmon Stewards, City of Redmond, and elsewhere are on site at specific locations to provide information and answer questions.

WRIA 8 also supports the Cedar River Salmon Journey (CRSJ), Beach Naturalists, and Salmon Watchers through King Conservation District grants. These programs train volunteers about the watershed's natural resources and how to educate diverse audiences. Motivated people who know the science and can engage others are valuable resources for salmon recovery.

BRINGING BACK THE BEACH FOR BETTER HABITAT

Bulkheads and rip rap that line the shores of Lakes Washington and Sammamish have greatly reduced essential habitat for juvenile Chinook salmon. WRIA 8 has been working to encourage homeowners to restore their shoreline by adding beaches and native vegetation.

The City of Seattle developed an attractive and informative Green Shorelines guidebook for lakeshore property owners. Thousands of guidebooks have been distributed by jurisdictions, shoreline consultants and contractors, and through other means.

In 2009, WRIA 8 held a series of four green shorelines workshops about the definition of green shorelines, the permit process, incentives, and green shoreline design.

In 2010, lakeshore property owners received mailers with color photos and information about green shorelines. WRIA 8 also developed a Green Shorelines website. WRIA 8 plans to continue Green Shorelines work through outreach to professionals, project case studies, and new media.



VII. Our Future: Challenges and Opportunities



Watershed Report uses video to inspire high school students

How do you engage a new generation in protecting our watershed? Try making them leaders in producing a video.

Friends of the Cedar River Watershed (FCRW) has been working with high school students to research, narrate, and produce The Watershed Report. The innovative project is a series of short video reports on positive sustainability trends in the 13 school districts and 27 cities of the greater Lake Washington Watershed.

Updated every year, the report is like a collaborative report card. The report is featured each year on 19 public access channels.

The first report premiered in June 2010 with over 150 community leaders in attendance. The video won an award for watershed films sponsored by the Whole Watershed Restoration Initiative.

FCRW recruits students for the report through sustainability presentations in all 13 school districts in the watershed.

We have much to celebrate after the first five years of implementing the Chinook Conservation Plan. We have reason to believe that salmon will continue to be a vibrant, thriving part of our watershed into the future. We appear to be holding the line on Chinook salmon population trends and maintaining forest cover in the rural parts of the watershed. Collectively, we are taking the right actions in the right places for salmon recovery. Our commitment to improving the health of our watershed, and recovering salmon, remains strong.

Too Little Progress in Implementing Plan Recommendations

Although the commitment to salmon recovery is strong in WRIA 8, at the five-year point of implementing the Plan we are not as far along as we anticipated when we ratified the Plan in 2005. We've only implemented 14% of the projects on our "Start List" of high priority habitat projects, and we should be closer to 50%. As discussed in Section VI, we've identified land use and outreach recommendations in the Plan needing more focused implementation efforts. A primary reason we have not made more progress is that, like most watersheds in Puget Sound, we are behind on our ambitious goals for funding salmon recovery.

In 2011, the National Marine Fisheries Service issued its five-year status review of implementation of the Puget Sound Chinook Recovery Plan (of which the WRIA 8 Chinook Plan is a chapter). It found that habitat is still declining Puget Sound-wide and that not enough is being done to protect and restore habitat.

New Focus Areas for the Next Five Years

Based on our watershed analysis and Chinook salmon population trends, we need to:

- Restore more Cedar River floodplain habitat.
- Continue working with lakeshore property owners through our Green Shorelines outreach program.
- Protect and restore riparian areas in both the urban and rural parts of the watershed.
- Find solutions to address the barrier to restoring natural shoreline processes caused by railroads along the WRIA 8 marine nearshore.
- Improve fish passage through the Ballard Locks and Ship Canal.

Opportunities and New Partnerships

With so many partners and our strong record of local match for state and federal funding, WRIA 8 is an influential voice for change. We need to ask for continued state and federal funding for salmon recovery and work with other Puget Sound watersheds and partners to develop new funding sources. We need to look at creative partnerships for implementing recovery actions, and focus on actions that provide multiple benefits. We can be more effective and efficient at implementing some actions in the WRIA 8 Plan when we collaborate and share the load. We should also work more with nonprofit and community groups to advance the most important projects and programs. We need to tell our salmon stories, highlight our challenges, celebrate our successes, and invite watershed residents to join us in our work to ensure a future for salmon in the Lake Washington/Cedar/Sammamish Watershed.

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Photos courtesy of:

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Additional copies of this report are available from:



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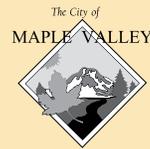
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Financial support to coordinate implementation of the 2005 Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Chinook Salmon Conservation Plan is provided by the following local governments and the Washington Department of Fish and Wildlife:



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WRIA 8 website: www.govlink.org/watersheds/8/

RESOLUTION R-5151

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN AN INTERLOCAL AGREEMENT WITH PARTICIPATING LOCAL GOVERNMENTS WITHIN WATER RESOURCE INVENTORY AREA 8 (WRIA 8) FOR SALMON RECOVERY PLANNING AND IMPLEMENTATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND.

1 WHEREAS, Chapter 39.34 RCW authorizes the City of Kirkland to
2 enter into interlocal agreements with other governmental entities; and
3

4 WHEREAS, Puget Sound Chinook salmon, including the Water
5 Resource Area 8 (WRIA 8) Cedar and Sammamish populations, were
6 listed as threatened under the Endangered Species Act (ESA) in 1999;
7 and
8

9 WHEREAS, Kirkland is located within the watershed designated
10 as the Lake Washington/Cedar/Sammamish Watershed by the State,
11 and participation in the WRIA 8 salmon recovery process is in the best
12 interests of the City and its residents and is consistent with the City's
13 Comprehensive Plan; and
14

15 WHEREAS, Kirkland City Council on June 21, 2005, adopted the
16 WRIA 8 Chinook Salmon Conservation Plan, which has the purpose of
17 preserving, protecting, and restoring habitat with the intent to recover
18 listed species, including sustainable, genetically diverse, harvestable
19 populations of naturally spawning Chinook salmon, and recognizes that
20 implementation of this plan is an integral part of the WRIA 8 salmon
21 recovery process which supports implementation of the Puget Sound
22 Partnership Action Agenda for recovery of Puget Sound; and
23

24 WHEREAS, Kirkland City Council on November 8, 2006, adopted
25 Resolution R-4612 approving a similar interlocal agreement for salmon
26 recovery that expires on December 31, 2015.
27

28 NOW, THEREFORE, be it resolved by the City Council of the City
29 of Kirkland as follows:
30

31 Section 1. The City Manager is authorized to execute on behalf
32 of the City of Kirkland an Interlocal Agreement substantially similar to
33 that attached as Attachment "A", which is entitled "Interlocal Agreement
34 for the Watershed Basins within Water Resource Inventory Area 8."
35

36 Passed by majority vote of the Kirkland City Council in open
37 meeting this ____ day of _____, 2015.

38 Signed in authentication thereof this ____ day of _____,
39 2015.

MAYOR

Attest:

City Clerk

INTERLOCAL AGREEMENT**For the Watershed Basins within Water Resource Inventory Area 8****PREAMBLE**

THIS AGREEMENT ("Agreement") is entered into pursuant to Chapter 39.34 RCW by and among the eligible county and city governments signing this agreement that are located in King and Snohomish Counties, lying wholly or partially within the management area of Watershed Resource Inventory Area ("WRIA") 8, which includes all or portions of the Lake Washington, Cedar River, and Sammamish River basins, all political subdivisions of the State of Washington (individually for those signing this Agreement, "party", and collectively "parties"). The parties share interests in and responsibility for addressing long-term watershed planning and conservation.

WHEREAS, the parties share interests in and responsibility for addressing long-term watershed planning and conservation of the aquatic ecosystems and floodplains for purposes of implementing the Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Chinook Salmon Conservation Plan ("WRIA 8 Plan") and improving watershed health for the watershed basins in WRIA 8 and wish to provide for funding and implementation of various activities and projects therein; and

WHEREAS, Puget Sound Chinook salmon, including the WRIA 8 Cedar and Sammamish populations, were listed as threatened under the Endangered Species Act (ESA) in 1999; and

WHEREAS, the parties recognize their participation in this Agreement demonstrates their commitment to proactively working to address the ESA listing of Chinook salmon; and

WHEREAS, the parties recognize achieving WRIA 8 salmon recovery and watershed health goals requires a recommitment to, and acceleration of, the collaborative implementation and funding of salmon recovery actions, and

WHEREAS, the parties have participated in an Interlocal Agreement for the years 2001-2005 to develop the WRIA 8 Plan, contributed to the federally-approved Puget Sound Salmon Recovery Plan, and desire to continue providing efficient participation in the implementation of such plans; and

WHEREAS, the parties took formal action in 2005 and 2006 to ratify the WRIA 8 Plan, and

WHEREAS, the parties have participated in an extension of the 2001-2005 Interlocal Agreement and an Interlocal Agreement for the years 2007-2015 to implement the WRIA 8 Plan; and

WHEREAS, the parties seek information on watershed conditions and salmon conservation and recovery needs to inform local decision-making bodies regarding actions in response to listings under the ESA; and

WHEREAS, the parties have prioritized and contributed resources and funds for implementing projects and programs to protect and restore salmon habitat; and

WHEREAS, the parties wish to monitor and evaluate implementation of the WRIA 8 Plan through adaptive management; and

WHEREAS, the parties wish to continue to use adaptive management for identifying, coordinating and implementing basin plans and water quality, flood hazard reduction, water quantity, and habitat projects in the watersheds; and

WHEREAS, the parties recognize climate change is likely to affect watershed ecosystem function and processes, and salmon habitat restoration actions are a proactive approach to making the watershed ecosystem more resilient to changing conditions, which supports watershed health for human communities and salmon populations; and

WHEREAS, the parties have an interest in participating on the Puget Sound Salmon Recovery Council and other groups associated with Puget Sound recovery because of the contributions of the Lake Washington/Cedar/Sammamish Watershed to the overall health of Puget Sound and to collectively seek funding to implement the WRIA 8 Plan; and

WHEREAS, the parties have an interest in participating on the Washington Salmon Coalition and other groups associated with the Salmon Recovery Funding Board to collectively seek funding to implement the WRIA 8 Plan; and

WHEREAS, the parties have an interest in supporting implementation of the Puget Sound Partnership Action Agenda to restore the health of Puget Sound as it relates to salmon recovery and WRIA 8 priorities; and

WHEREAS, the parties recognize the importance of efforts to protect and restore habitat for multiple species in the Lake Washington/Cedar/Sammamish Watershed, including Lake Sammamish kokanee, and will seek opportunities to partner and coordinate Chinook recovery efforts with these other efforts where there are overlapping priorities and benefits; and

WHEREAS, the parties have an interest in achieving multiple benefits by integrating salmon recovery planning and actions with floodplain management, water quality and agriculture; and

WHEREAS, the parties recognize that identification of watershed issues, and implementation of salmon conservation and recovery actions may be carried out more efficiently if done cooperatively than if carried out separately and independently;

NOW, THEREFORE, in consideration of the mutual promises, benefits and covenants contained herein, the parties hereto do mutually covenant and agree as follows:

MUTUAL COVENANTS AND AGREEMENTS

1. **DEFINITIONS.** For purposes of this Agreement, the following terms shall have the meaning provided for below:
 - 1.1. **ELIGIBLE JURISDICTIONS:** The governments eligible for participation in this Agreement as parties are the Counties of King and Snohomish; the cities of Bellevue, Bothell, Brier, Clyde Hill, Edmonds, Everett, Issaquah, Kenmore, Kent, Kirkland, Lake Forest Park, Lynnwood, Maple Valley, Medina, Mercer Island, Mill Creek, Mountlake Terrace, Mukilteo, Newcastle, Redmond, Renton, Sammamish, Seattle, Shoreline, Woodinville; the towns of Beaux Arts, Hunts Point, Woodway and Yarrow Point; and other interested public agencies and tribes.
 - 1.2. **WRIA 8 SALMON RECOVERY COUNCIL:** The **WRIA 8 Salmon Recovery Council** created herein is the governing body responsible for implementing this Agreement and is comprised of members who are designated representatives of eligible jurisdictions who have authorized the execution of and become parties to this Agreement. In addition, the **WRIA 8 Salmon Recovery Council** includes members who are not representatives of the parties and are comprised of a balance of stakeholder representatives and any other persons who are deemed by the parties to this Agreement to be appropriate for the implementation and adaptive management of the **WRIA 8 Plan**. The appointed representatives of parties will appoint the members who are not representing parties, using the voting provisions of Section 5 of this Agreement.
 - 1.3. **LAKE WASHINGTON/CEDAR/SAMMAMISH WATERSHED (WRIA 8) CHINOOK SALMON CONSERVATION PLAN, JULY 2005:** **WRIA 8 Plan** as referred to herein is the three volume document, and any subsequent updates adopted in accordance with the procedures provided for in Section 6 below, developed in partnership with stakeholder representatives and ratified by the parties to this Agreement for the purposes of preserving, protecting, and restoring habitat with the intent to recover listed species, including sustainable, genetically diverse, harvestable populations of naturally spawning Chinook salmon.
 - 1.4. **MANAGEMENT COMMITTEE:** **Management Committee** as referred to herein consists of five (5) elected officials or their designees which elected officials are chosen by the party members of the **WRIA 8 Salmon Recovery Council**, according to the voting procedures in Section 5, and charged with staff oversight and administrative duties on the **WRIA 8 Salmon Recovery Council's** behalf.
 - 1.5. **SERVICE PROVIDER(S):** **Service Provider(s)**, as used herein, means that agency, government, consultant or other entity which supplies staffing or other resources to and for the **WRIA 8 Salmon Recovery Council**, in exchange for payment. The **Service Provider(s)** may be a party to this Agreement.

- 1.6 **FISCAL AGENT:** The *Fiscal Agent* refers to that agency or government which performs all accounting services for the **WRIA 8 Salmon Recovery Council**, as it may require, in accordance with the requirements of Chapter 39.34 RCW.
- 1.7 **STAKEHOLDERS:** Stakeholders refers to those public and private entities within the WRIA who reflect the diverse interests integral for planning, implementation, and adaptive management for the recovery of the listed species under the Endangered Species Act, and may include but are not limited to environmental and business interests.
2. **PURPOSES.** The purposes of this Agreement include the following:
 - 2.1 To provide a mechanism and governance structure for the implementation and adaptive management of the implementation of the **WRIA 8 Plan**
 - 2.2 To share the cost of the WRIA 8 Service Provider team to coordinate and provide the services necessary for the successful implementation and management of the **WRIA 8 Plan**. The maximum financial or resource obligation of any participating eligible jurisdiction under this Agreement shall be limited to its share of the cost of the Service Provider staff and associated operating costs.
 - 2.3 To provide a mechanism for securing technical assistance and funding from state agencies or other sources.
 - 2.4 To provide a mechanism for the implementation of other multiple benefit habitat, water quality and floodplain management projects with local, regional, state, federal and non-profit funds as may be contributed to or secured by the **WRIA 8 Salmon Recovery Council**.
 - 2.5 To annually recommend WRIA 8 salmon recovery programs and projects for funding by the King County Flood Control District through the District's Cooperative Watershed Management grant program.
 - 2.6 To serve as the salmon recovery "Lead Entity" as designated by state law (Chapter 77.85 RCW) for WRIA 8, The Lead Entity is responsible for developing a salmon recovery strategy, working with project sponsors to develop projects, convening local technical and citizen committees to annually recommend WRIA 8 salmon habitat restoration and protection projects for funding by the State of Washington Salmon Recovery Funding Board, and representing WRIA 8 in Puget Sound region and state wide salmon recovery forums.
 - 2.7 To provide a framework for cooperation and coordination among the parties on issues relating to the implementation and management of the implementation of the **WRIA 8 Plan** and to meet the requirement or a commitment by any party to participate in WRIA-based or watershed basin planning in response to any state or federal law which may require such participation as a condition of any funding, permitting or other program of state or federal agencies, at the discretion of such party to this Agreement.

- 2.8 To .develop and articulate WRIA-based positions on salmon habitat, conservation and funding to state and federal legislators.
- 2.9 To provide for the ongoing participation of citizens and other stakeholders in such efforts and to ensure continued public outreach efforts to educate and garner support for current and future ESA efforts.
- 2.10 To provide information for parties to use to inform land use planning, regulations, and outreach and education programs.
- 2.11 To provide a mechanism for on-going monitoring and adaptive management of the **WRIA 8 Plan** as defined in the Plan.

It is not the purpose or intent of this Agreement to create, supplant, preempt or supersede the authority or role of any individual jurisdiction or water quality policy bodies such as the Regional Water Quality Committee.

3. **EFFECTIVE DATE AND TERM.** This Agreement shall become effective on January 1, 2016 provided it has been signed by that date by at least nine (9) of the eligible jurisdictions within WRIA 8 representing at least seventy percent (70%) of the affected population, as authorized by each jurisdiction's legislative body, and further provided that after such signatures this Agreement has been filed by King County and Snohomish County in accordance with the terms of RCW 39.34.040 and .200. If such requirements are not met by January 1, 2016, then the effective date of this Agreement shall be the date on which such requirements are met. This Agreement provides the mechanism and governance structure for implementation of the **WRIA 8 Plan** from January 1, 2016 through December 31, 2025. Once effective, this Agreement shall remain in effect through December 31, 2025; provided, however, that this Agreement may be extended for such additional terms as the parties may agree to in writing, with such extension being effective upon its execution by at least nine (9) of the eligible jurisdictions within WRIA 8 representing at least seventy per cent (70%) of the affected population,.
4. **ORGANIZATION AND NATURE OF WRIA 8 SALMON RECOVERY COUNCIL.** The parties hereby establish a governing body for WRIA 8 and the Lake Washington-Cedar and Sammamish watershed basins and associated Puget Sound drainages (hereinafter the "**WRIA 8 Salmon Recovery Council**") the precise boundaries of which are established in Chapter 173-500 WAC, or as determined by the **WRIA 8 Salmon Recovery Council**, to serve as the formal governance structure for carrying out the purposes of this Agreement in partnership with non-party members. Each party to this agreement shall appoint one (1) elected official to serve as its representative on the **WRIA 8 Salmon Recovery Council**. The **WRIA 8 Salmon Recovery Council** is a voluntary association of the county and city governments, and other interested public agencies and tribes, located wholly or partially within the management area of WRIA 8 and the Lake Washington/Cedar/Sammamish watershed basins and associated Puget Sound drainages who

choose to be parties to this Agreement. Representatives from stakeholder entities who are selected under the voting provisions of Section 5.2 of this agreement are also part of this association.

4.1 Upon the effective execution of this agreement and the appointment of representatives to the **WRIA 8 Salmon Recovery Council**, the party members of the **WRIA 8 Salmon Recovery Council** shall meet and choose from among its members, according to the voting provisions of Section 5, five (5) elected officials or their designees, to serve as a **Management Committee** to oversee and direct the funds and personnel contributed under this Agreement, in accordance with the adopted annual budget and such other directions as may be provided by the party members of the **WRIA 8 Salmon Recovery Council**. Representatives of the **Fiscal Agent** and **Service Provider** may serve as non-voting ex officio members of the Management Committee. The **Management Committee** shall act as an executive subcommittee of the **WRIA 8 Salmon Recovery Council**, responsible for oversight and evaluation of any **Service Providers** or consultants, for administration of the budget, and for providing recommendations on administrative matters to the **WRIA 8 Salmon Recovery Council** for action, consistent with the other subsections of this section.

4.1.1 Services to the **WRIA 8 Salmon Recovery Council** for the term of this agreement shall be provided by King County Department of Natural Resources which shall be the primary **Service Provider** unless the party members pursuant to the voting provisions of Section 5 choose another primary **Service Provider**. The **Management Committee** shall prepare a Memorandum of Understanding to be signed by an authorized representative of King County and an authorized representative of WRIA 8, which shall set out the expectations for services to be provided. Services should include, without limitation, identification of and job descriptions for dedicated staff in increments no smaller than .5 FTE, description of any supervisory role retained by the **Service Provider** over any staff performing services under this Agreement, and a method of regular consultation between the **Service Provider** and the **Management Committee** concerning the performance of services hereunder.

4.1.2 The **Management Committee** shall make recommendations to the party members of the **WRIA 8 Salmon Recovery Council** for action, including decisions related to work program, staffing and service agreements, and budget and financial operations, annually for each year of this Agreement. All duties of the **Management Committee** shall be established by the party members of the **WRIA 8 Salmon Recovery Council**.

- 4.2 The party members of the **WRIA 8 Salmon Recovery Council** shall have the authority and mandate to establish and adopt the following:
- 4.2.1 By September 1 of each year, establish and approve an annual budget, establishing the level of funding and total resource obligations of the parties which are to be allocated on a proportional basis according to the average of the population, assessed valuation and area attributable to each party to the Agreement, in accordance with the formula set forth in Exhibit A, which formula shall be updated every third year by the **WRIA 8 Salmon Recovery Council**, as more current data become available, and in accordance with Section 2.2. Individual party cost shares may change more frequently than every three years for parties involved in an annexation that changes the area, population, and assessed value calculation of such party to the extent that the cost shares established by the formula set forth in Exhibit A would be changed by such annexation. For parties that are not county or city governments, the level of funding and resource obligation will be determined in communications with the **Management Committee**, which will develop a recommendation for review and approval by, the **WRIA 8 Salmon Recovery Council**.
- 4.2.2 Review and evaluate annually the duties to be assigned to the **Management Committee** hereunder and the performance of the **Fiscal Agent** and **Service Provider(s)** to this Agreement, and provide for whatever actions it deems appropriate to ensure that quality services are efficiently, effectively and responsibly delivered in the performance of the purposes of this Agreement. In evaluating the performance of any **Service Provider(s)**, at least every three (3) years, the **WRIA 8 Salmon Recovery Council** may retain an outside consultant to perform a professional assessment of the work and services so provided. Evaluations of the **Service Provider(s)** shall occur in years 3, 6, and 9 of the Agreement
- 4.2.3 Oversee and administer the expenditure of budgeted funds and allocate the utilization of resources contributed by each party or obtained from other sources in accordance with an annual prioritized list of implementation and adaptive management activities within the WRIA during each year of this Agreement.
- 4.3 The **WRIA 8 Salmon Recovery Council** through the primary **Service Provider** may contract with similar watershed forum governing bodies or any other entities for any lawful purpose related hereto, including specific functions and tasks which are initiated and led by another party to this Agreement beyond the services provided by the primary **Service Provider**. The parties may choose to create a separate legal or administrative entity under applicable state law, including without limitation a nonprofit corporation or

general partnership, to accept private gifts, grants or financial contributions, or for any other lawful purposes.

- 4.4 The party members of the **WRIA 8 Salmon Recovery Council** shall adopt other rules and procedures that are consistent with its purposes as stated herein and are necessary for its operation.
5. **VOTING.** The party members on the **WRIA 8 Salmon Recovery Council** shall make decisions; approve scope of work, budget, priorities and any other actions necessary to carry out the purposes of this Agreement as follows:
 - 5.1 No action or binding decision will be taken by the **WRIA 8 Salmon Recovery Council** without the presence of a quorum of active party members. A quorum exists if a majority of the party members are present at the **WRIA 8 Salmon Recovery Council** meeting, provided that positions left vacant on the **WRIA 8 Salmon Recovery Council** by parties shall not be included in calculating the quorum. In addition, positions will be considered vacant on the third consecutive absence and shall not be included in calculating a quorum until that time in which the party member is present. The voting procedures provided for in 5.1.1 through 5.1.2 are conditioned upon there being a quorum of the active party members present for any action or decision to be effective and binding.
 - 5.1.1 Decisions shall be made using a consensus model as much as possible. Each party agrees to use its best efforts and exercise good faith in consensus decision-making. Consensus may be reached by unanimous agreement of the party members at the meeting, or by a majority recommendation agreed upon by the active party members, with a minority report. Any party who does not accept a majority decision may request weighted voting as set forth below.
 - 5.1.2 In the event consensus cannot be achieved, as determined by rules and procedures adopted by the **WRIA 8 Salmon Recovery Council**, the **WRIA 8 Salmon Recovery Council** shall take action on a dual-majority basis, as follows:
 - 5.1.2.1 Each party, through its appointed representative, may cast its weighted vote in connection with a proposed **WRIA 8 Salmon Recovery Council** action.
 - 5.1.2.2 The weighted vote of each party in relation to the weighted votes of each of the other parties shall be determined by the percentage of the annual contribution by each party set in accordance with Subsection 4.2.1 in the year in which the vote is taken.
 - 5.1.2.3 For any action subject to weighted voting to be deemed approved, an affirmative vote must be cast by both a majority of the active party members to this Agreement and by a majority of the weighted votes of the active party members to this Agreement. No action shall be valid

and binding on the parties to this Agreement until it shall receive majority of votes of both the total number of active party members to the Agreement and of the active members representing a majority of the annual budget contribution for the year in which the vote is taken. A vote of abstention shall be recorded as a “no” vote.

- 5.2 The party members on the **WRIA 8 Salmon Recovery Council** may deem it appropriate to appoint to the **WRIA 8 Salmon Recovery Council** non-party stakeholder representatives and other persons who are appropriate for the implementation and adaptive management of the **WRIA 8 Plan**.
- 5.2.1 Nomination of such non-party members may be made by any member of the **WRIA 8 Salmon Recovery Council**. Appointment to the **WRIA 8 Salmon Recovery Council** of such non-party members requires either consensus or dual majority of party members as provided in Section 5.1.
- 5.2.2 The party members on the **WRIA 8 Salmon Recovery Council** may deem it appropriate to allow non-party members to vote on particular **WRIA 8 Salmon Recovery Council** decisions. The party members may determine which issues are appropriate for non-party voting by either consensus or majority as provided in Sections 5.1, except in the case where legislation requires non-party member votes.
- 5.2.3 Decisions of the entire **WRIA 8 Salmon Recovery Council**, both party and non-party members, shall be made using a consensus model as much as possible. Voting of the entire **WRIA 8 Salmon Recovery Council** will be determined by consensus or majority as provided in Sections 5.1 and a majority of the non-party members.

6. **ADAPTIVE MANAGEMENT OF THE WRIA 8 CHINOOK SALMON CONSERVATION PLAN.**

The **WRIA 8 Plan** shall be implemented with an adaptive management approach. Such an approach anticipates updates and amendments to the **WRIA 8 Plan**. Such amendments to be effective and binding must comply with the following provisions:

- 6.1 The **WRIA 8 Salmon Recovery Council** shall act to approve or remand any **WRIA 8 Plan** amendments prepared and recommended by the committees of the **WRIA 8 Salmon Recovery Council** within ninety (90) calendar days of receipt of the plan amendments, according to the voting procedures described in Section 5.
- 6.2 In the event that any amendments are not so approved, they shall be returned to the committees **of the WRIA 8 Salmon Recovery Council** for further consideration and amendment and thereafter returned to the **WRIA 8 Salmon Recovery Council** for decision.

- 6.3 After approval of the **WRIA 8 Plan** amendments by the **WRIA 8 Salmon Recovery Council**, the plan amendments shall be referred to the parties to this Agreement for ratification prior to the submission to any federal or state agency for further action. Ratification means an affirmative action, evidenced by a resolution, motion, or ordinance of the jurisdiction's legislative body, by at least nine (9) jurisdictions within WRIA 8 representing at least seventy per cent (70%) of the total population of WRIA 8. Upon ratification, the **WRIA 8 Salmon Recovery Council** shall transmit the **updated WRIA 8 Plan** to any state or federal agency as may be required for further action.
- 6.4 In the event that any state or federal agency to which the **WRIA 8 Plan** or amendments thereto are submitted shall remand the **WRIA 8 Plan** or amendments thereto for further consideration, the **WRIA 8 Salmon Recovery Council** shall conduct such further consideration and may refer the plan or amendments to the committees of the **WRIA 8 Salmon Recovery Council** for recommendation on amendments thereto.
- 6.5 The parties agree that any amendments to the **WRIA 8 Plan** shall not be forwarded separately by any of them to any state or federal agency unless it has been approved and ratified as provided herein.

7. **OBLIGATIONS OF PARTIES; BUDGET; FISCAL AGENT; RULES.**

- 7.1 Each party shall be responsible for meeting its financial obligations hereunder as described in Section 2.2, and established in the annual budget adopted by the **WRIA 8 Salmon Recovery Council** under this Agreement and described in Section 4.2.1. The maximum funding responsibilities imposed upon the parties during the first year of this Agreement shall not exceed the amounts set forth in Exhibit A, which shall be updated every third year as described in Section 4.2.1, or as annexations result in changes to the area, population, and assessed value calculation for those parties involved in the annexation to the extent that the cost shares established by the formula set forth in Exhibit A would be changed for such parties by the annexation.
- 7.2 No later than September 1 of each year of this Agreement, the **WRIA 8 Salmon Recovery Council** shall adopt a budget, including its overhead and administrative costs, for the following calendar year. The budget shall propose the level of funding and other responsibilities (e.g. staffing) of the individual parties for the following calendar year and shall propose the levels of funding and resources to be allocated to specific prioritized implementation and adaptive management activities within the WRIA. The parties shall thereafter take whatever separate legislative or other actions that may be necessary to timely address such individual responsibilities under the proposed budget, and shall have done so no later than December 1st of each such year.

- 7.3 Funds collected from the parties or other sources on behalf of the **WRIA 8 Salmon Recovery Council** shall be maintained in a special fund by King County as **Fiscal Agent** and as *ex officio* treasurer on behalf of the **WRIA 8 Salmon Recovery Council** pursuant to rules and procedures established and agreed to by the **WRIA 8 Salmon Recovery Council**. Such rules and procedures shall set out billing practices and collection procedures and any other procedures as may be necessary to provide for its efficient administration and operation. Any party to this Agreement may inspect and review all records maintained in connection with such fund at any reasonable time.
8. **LATECOMERS**. A county or city government, or other interested public agency or tribe in King or Snohomish County lying wholly or partially within the management area of WRIA 8 and the Lake Washington-Cedar and Sammamish watershed basins and adjacent Puget Sound drainages which has not become a party to this Agreement within twelve (12) months of the effective date of this Agreement may become a party only with the written consent of all the parties. The provisions of Section 5 otherwise governing decisions of the **WRIA 8 Salmon Recovery Council** shall not apply to Section 8. The parties and the county, city, or other public agency or tribe seeking to become a party shall jointly determine the terms and conditions under which the county, city, or other public agency or tribe may become a party. These terms and conditions shall include payment by such county, city, or other public agency or tribe to the **Fiscal Agent** of the amount determined jointly by the parties and the county, city, or other public agency or tribe to represent such county, city, or other public agency or tribe's fair and proportionate share of all costs associated with activities undertaken by the **WRIA 8 Salmon Recovery Council** and the parties on its behalf as of the date the county, city, or other public agency or tribe becomes a party. Any county, city, or other public agency or tribe that becomes a party pursuant to this section shall thereby assume the general rights and responsibilities of all other parties to this Agreement. After the inclusion of such entity as a party to this Agreement, the formula for party contribution shall be adjusted for the following year to reflect the addition of this new party.9.

TERMINATION. This Agreement may be terminated by any party, as to that party only, upon sixty (60) calendar days' written notice to all other parties. The terminating party shall remain fully responsible for meeting all of its funding and other obligations through the end of the calendar year in which such notice is given, together with any other costs that may have been incurred on behalf of such terminating party up to the effective date of such termination. This Agreement may be terminated at any time by the written agreement of all parties. It is possible that the makeup of the parties to this Agreement may change from time to time. Regardless of any such changes, the parties choosing not to exercise the right of termination shall each remain obligated to meet their respective share of the obligations of the **WRIA 8 Salmon Recovery Council** as reflected in the annual budget.

10. **HOLD HARMLESS AND INDEMNIFICATION.** To the extent permitted by state law, and for the limited purposes set forth in this agreement, each party shall protect, defend, hold harmless and indemnify the other parties, their officers, elected officials, agents and employees, while acting within the scope of their employment as such, from and against any and all claims (including demands, suits, penalties, liabilities, damages, costs, expenses, or losses of any kind or nature whatsoever) arising out of or in any way resulting from such party's own negligent acts or omissions related to such party's participation and obligations under this Agreement. Each party agrees that its obligations under this subsection extend to any claim, demand and/or cause of action brought by or on behalf of any of its employees or agents. For this purpose, each party, by mutual negotiation, hereby waives, with respect to the other parties only, any immunity that would otherwise be available against such claims under the industrial insurance act provisions of Title 51 RCW. The provisions of this subsection shall survive and continue to be applicable to parties exercising the right of termination pursuant to Section 9.
11. **NO ASSUMPTION OF LIABILITY.** In no event do the parties to this Agreement intend to assume any responsibility, risk or liability of any other party to this Agreement or otherwise with regard to any party's duties, responsibilities or liabilities under the Endangered Species Act, or any other act, statute or regulation of any local municipality or government, the State of Washington or the United States.
12. **VOLUNTARY AGREEMENT.** This is a voluntary agreement and it is acknowledged and agreed that, in entering into this Agreement, no party is committing to adopt or implement any actions or recommendations that may be contained in the *WRIA 8 Plan* pursuant to this Agreement.
13. **NO PRECLUSION OF ACTIVITIES OR PROJECTS.** Nothing herein shall preclude any one or more of the parties to this Agreement from choosing or agreeing to fund or implement any work, activities or projects associated with any of the purposes hereunder by separate agreement or action, provided that any such decision or agreement shall not impose any funding, participation or other obligation of any kind on any party to this Agreement which is not a party to such decision or agreement.
14. **NO THIRD PARTY RIGHTS.** Nothing contained in this Agreement is intended to, nor shall it be construed to, create any rights in any third party, including without limitation the non-party members, NMFS, USFWS, any agency or department of the United States, or the State of Washington, or to form the basis for any liability on the part of the *WRIA 8 Salmon Recovery Council* or any of the parties, or their officers, elected officials, agents and employees, to any third party.
15. **AMENDMENTS.** This Agreement may be amended, altered or clarified only by the unanimous consent of the parties to this Agreement, represented by affirmative action by their legislative bodies.
16. **COUNTERPARTS.** This Agreement may be executed in counterparts.

- 17. **APPROVAL BY PARTIES' GOVERNING BODIES.** The governing body of each party must approve this Agreement before any representative of such party may sign this Agreement.
- 18. **FILING OF AGREEMENT.** This Agreement shall be filed by King County and Snohomish County in accordance with the provisions of RCW 39.34.040 and .200 and with the terms of Section 3 herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates indicated below:

Approved as to form:

TOWN OF BEAUX ARTS VILLAGE:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

CITY OF BELLEVUE:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

CITY OF BOTHELL:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

CITY OF CLYDE HILL:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

CITY OF EDMONDS:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

TOWN OF HUNTS POINT:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

CITY OF ISSAQUAH:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

CITY OF KENMORE:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

CITY OF KENT:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

KING COUNTY:

By: _____

By: _____

Title: _____

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Date: _____

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Approved as to form:

CITY OF KIRKLAND:

By: _____

By: _____

Title: _____

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Date: _____

Date: _____

Approved as to form:

CITY OF LAKE FOREST PARK:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

CITY OF MAPLE VALLEY:

By: _____

By: _____

Title: _____

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Date: _____

Date: _____

Approved as to form:

CITY OF MEDINA:

By: _____

By: _____

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CITY OF MERCER ISLAND:

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CITY OF MILL CREEK:

By: _____

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CITY OF MOUNTLAKE TERRACE:

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CITY OF MUKILTEO:

By: _____

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CITY OF NEWCASTLE:

By: _____

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CITY OF REDMOND:

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CITY OF RENTON:

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CITY OF SAMMAMISH:

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CITY OF SEATTLE:

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Approved as to form:

CITY OF SHORELINE:

By: _____

By: _____

Title: _____

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Approved as to form:

SNOHOMISH COUNTY:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

CITY OF WOODINVILLE:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

TOWN OF WOODWAY:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form:

TOWN OF YARROW POINT:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Regional Watershed Funding
WRIA Based Cost-share: WRIA 8

For 2016

Total : \$553,713

Note: Total reflects WRIA 8 Salmon Recovery Council decision (March 19, 2015) to provide for an annual increase in the ILA cost share not to exceed the Consumer Price Index for Wages, which is estimated to be 2.18% in 2016. Jurisdictional area, population, and assessed value is to be recalculated every three years per the WRIA 8 interlocal agreement for 2016-2025.

WRIA 8 Salmon Recovery Council approved 3-19-15

WRIA 8 Jurisdiction	Population (Pop)		Assessed Value (AV)		Area (Sq. Mi.)		Cost-Share Amount (Average of Pop, AV, Area)		WRIA 8 Jurisdiction
Beaux Arts	290	0.0%	\$104,734,000	0.0%	0.08	0.0%	0.0%	\$143	Beaux Arts
Bellevue	132,100	9.3%	\$33,167,992,493	12.5%	33.53	7.2%	9.7%	\$53,631	Bellevue
Bothell	40,540	2.9%	\$5,955,222,655	2.2%	13.66	2.9%	2.7%	\$14,849	Bothell
Clyde Hill	2,980	0.2%	\$1,714,510,000	0.6%	1.06	0.2%	0.4%	\$2,004	Clyde Hill
Edmonds	39,950	2.8%	\$7,512,735,402	2.8%	8.99	1.9%	2.5%	\$14,007	Edmonds
Hunts Point	395	0.0%	\$784,473,000	0.3%	0.28	0.1%	0.1%	\$709	Hunts Point
Issaquah	32,130	2.3%	\$6,132,631,583	2.3%	11.4	2.4%	2.3%	\$12,981	Issaquah
Kenmore	21,170	1.5%	\$2,835,378,679	1.1%	6.14	1.3%	1.3%	\$7,169	Kenmore
Kent	0	0.0%	\$1,714,000	0.0%	0.45	0.1%	0.0%	\$180	Kent
King County (Uninc.)	129,665	9.2%	\$16,265,512,387	6.1%	166.03	35.7%	17.0%	\$94,041	King County (Uninc.)
Kirkland	81,730	5.8%	\$14,356,215,877	5.4%	17.81	3.8%	5.0%	\$27,719	Kirkland
Lake Forest Park	12,680	0.9%	\$1,844,674,400	0.7%	3.51	0.8%	0.8%	\$4,330	Lake Forest Park
Maple Valley	2,454	0.2%	\$357,899,600	0.1%	1.3	0.3%	0.2%	\$1,085	Maple Valley
Medina	3,000	0.2%	\$2,822,326,500	1.1%	1.41	0.3%	0.5%	\$2,918	Medina
Mercer Island	22,720	1.6%	\$9,132,580,404	3.5%	6.21	1.3%	2.1%	\$11,790	Mercer Island
Mill Creek	18,600	1.3%	\$3,048,481,121	1.2%	4.68	1.0%	1.2%	\$6,404	Mill Creek
Mountlake Terrace	20,160	1.4%	\$2,269,630,481	0.9%	4.17	0.9%	1.1%	\$5,862	Mountlake Terrace
Mukilteo	20,440	1.4%	\$3,843,580,393	1.5%	6.00	1.3%	1.4%	\$7,722	Mukilteo
Newcastle	10,640	0.8%	\$1,888,944,600	0.7%	4.46	1.0%	0.8%	\$4,471	Newcastle
Redmond	55,840	3.9%	\$11,941,569,998	4.5%	16.45	3.5%	4.0%	\$22,123	Redmond
Renton	59,193	4.2%	\$6,961,057,377	2.6%	13.81	3.0%	3.3%	\$18,040	Renton
Sammamish	48,060	3.4%	\$8,110,684,304	3.1%	17.05	3.7%	3.4%	\$18,675	Sammamish
Seattle	435,487	30.7%	\$92,061,834,922	34.8%	53.01	11.4%	25.6%	\$141,950	Seattle
Shoreline	53,670	3.8%	\$7,322,409,100	2.8%	11.59	2.5%	3.0%	\$16,693	Shoreline
Sno. Co. (Uninc.)	159,369	11.3%	\$20,454,964,615	7.7%	55.51	11.9%	10.3%	\$57,030	Snoh. Co. (Uninc.)
Woodinville	10,990	0.8%	\$2,507,893,071	0.9%	5.66	1.2%	1.0%	\$5,424	Woodinville
Woodway	1,300	0.1%	\$441,766,909	0.2%	1.08	0.2%	0.2%	\$905	Woodway
Yarrow Point	1,015	0.1%	\$838,037,500	0.3%	0.36	0.1%	0.2%	\$859	Yarrow Point
Totals	1,416,568	100.0%	\$264,679,455,371	100.0%	465.69	100.0%	100.0%	\$553,713	Totals
								\$553,713	

NOTE: King County land area excludes the Upper Cedar basin

DATA SOURCES:

- Parcels with 2013 Assessment data
- 2010 Census Tracts
- 2013 Population
- King County Cities
- Snohomish County Cities



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

To: Kurt Triplett, City Manager
From: Michael Olson, Director of Finance and Administration
Date: September 25, 2015
Subject: BANKING SERVICES AGREEMENT

Recommendation

Approve the attached resolution designating US Bank as the City's Official Depository and authorizing the City Manager to execute a contract for banking services. Authority will be granted through the approval of the consent calendar.

Fiscal Impact

Banking service fees are paid from earnings credits on funds deposited with the bank.

Background

The City currently contracts with Bank of America for banking services under a contract that began July 2011 and ends on December 31, 2015. The current contract allows for a two year extension, however to extend the contract Bank of America stated that the earnings credit rate, which covers the banking fees, would be reduced by 50 percent. This would require Kirkland to double the deposits at the bank to cover the fees.

Additionally, the City's fiscal policies require that a competitive process for banking services be conducted periodically. A Request for Proposal (RFP) was published on June 29, 2015 and sent to all the commercial banks in Kirkland. The following banks submitted proposals for banking services on August 12, 2015: Banner Bank, Opus Bank, US Bank and Wells Fargo.

Bank of America chose not to respond to the banking services portion of the RFP. They stated that they have changed their profitability model and would have needed to triple Kirkland's fees for the contract to be profitable for the bank. We have learned that Bank of America is having similar conversations with many other cities.

Heartland submitted an RFP for only the merchant services portion of the RFP and Bank of America submitted an RFP for only the merchant services and purchasing card program for Kirkland.

An evaluation committee consisting of Michael Olson, Director of Finance and Administration, Teresa Levine, Accounting Manager, Kim Auman, Nancy Otterholt and Carol Wade, Accounting staff and Karen Mast, IT Applications Division Manager conducted a review of the proposals that were submitted.

The criteria used in evaluating the proposals were laid out in the RFP as follows:

1. Responsiveness of Proposal to Requirements
2. Ability to Perform Required Services
3. Fees
4. References
5. Community Presence
6. Interviews

The most important factors in selecting a bank for the City's financial services, in addition to the fees charged, are the treasury and merchant services. Treasury services include online banking, direct deposit for payroll, ACH debits for utility payments, payment concentration services for bank online utility payments, fraud prevention systems and daily balance reporting and reconciliation. Merchant services include all the activity related to accounts established for receiving credit card payments from customers.

Three firms who were most responsive to the RFP criteria, Banner Bank, US Bank and Wells Fargo, were interviewed by the evaluation committee. The interviews were conducted with representatives from each bank to answer questions, review new technologies available, to affirm their commitment of excellent customer service and to allow City staff the opportunity to meet their service team.

US Bank's proposal presents the lowest cost to the City both in banking services and merchant services. In addition, the evaluation committee believes that US Bank presents a service team that meets the City's needs in treasury services, merchant services and general banking.

RESOLUTION R-5152

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND DESIGNATING U.S. BANK AS THE OFFICIAL BANKING INSTITUTION FOR THE CITY OF KIRKLAND FOR A FOUR-YEAR PERIOD COMMENCING JANUARY 1, 2016, AND APPROVING AN AGREEMENT WITH U.S. BANK FOR THE FURNISHING OF COMMERCIAL BANKING SERVICES.

1 WHEREAS, Section 35A.40.030 Revised Code of Washington
2 provides in part:

3
4 The legislative body of a code city, at the end of each fiscal
5 year, or a such other times the legislative body may direct,
6 shall designate one or more financial institutions which are
7 qualified public depositories as set forth by the public
8 deposit protection commission as depository or depositories
9 of moneys required to be kept by the code city treasurer or
10 other officer performing duties commonly performed by the
11 treasurer of a code city . . .; and

12
13 WHEREAS, the City of Kirkland called for bid proposals for the
14 furnishing of a demand deposit account and other commercial banking
15 services required by the City, all in accordance with the call for proposals
16 and the specifications published on June 29, 2015; and

17
18 WHEREAS, proposals were received and opened on August 12,
19 2015; and

20
21 WHEREAS, the proposal submitted by U.S. Bank was judged to
22 be the best qualified to meet the City's banking needs.

23
24 NOW, THEREFORE, be it resolved by the City Council of the City
25 of Kirkland as follows:

26
27 Section 1. The Kirkland City Council designates U.S. Bank, to be
28 the official banking institution for the City of Kirkland for a period of four
29 years commencing January 1, 2016, with two 2-year renewal options at
30 the discretion of the City.

31
32 Section 2. The City Manager is authorized to sign on behalf of
33 the City of Kirkland an agreement for commercial banking services
34 between the City of Kirkland and U.S. Bank.

35
36 Passed by majority vote of the Kirkland City Council in open
37 meeting this ____ day of _____, 2015.

38
39 Signed in authentication thereof this ____ day of _____,
40 2015.

MAYOR

Attest:

City Clerk



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Jennifer Schroder, Director
Michael Cogle, Deputy Director
Leslie R. Miller, Human Services Coordinator

Date: September 24, 2015

Subject: 2016 CDBG Funding Recommendations

RECOMMENDATION:

That the City Council approves the attached resolution distributing Kirkland's CDBG funds for 2016. This CBDG distribution is authorized with the approval of the consent calendar.

BACKGROUND DISCUSSION:

At their meeting on May 20, 2014 the City Council elected to participate within the King County CDBG (Community Development Block Grant) and HOME (Home Investment Partnership Program) Consortium as a Joint Agreement City beginning in 2015. As part of the Interlocal agreement with King County, Kirkland must develop a plan for allocating their portion of CDBG funds every year. Funds for public services and capital projects must be utilized to benefit those with low to moderate income and be consistent with the King County Consortium Consolidated Housing and Community Development Plan ("Consolidated Plan").

The Human Services Advisory Committee held a public hearing to receive comment about these recommendations on September 8, 2015. In addition, written feedback was welcomed. The one emailed response spoke favorably of the recommendations.

Based on estimates provided by the United States Department of Housing and Urban Development (HUD), the City may allocate 2016 funds totaling \$125,344 as follows:

\$85,610	Capital Projects
\$19,867	Public (Human) Services
\$19,867	Planning and Administration

Even though the City adopts a biennial budget, the CDBG funds are allocated from the federal government on a yearly basis. The estimated funds are less than the \$154,217 in actual CDBG funds that the City received in 2015. The final amount for distribution will not be known until part way through 2016.

2016 FUNDING DISTRIBUTION RECOMMENDATION:

Capital Funding Recommendation: Allocate the \$85,610 available to ARCH (A Regional Coalition for Housing) for affordable housing projects. The recommendations on specific project(s) to be funded will be provided by ARCH and acted on by the Kirkland City Council in the first quarter of 2016.

Public Service Funding Recommendation: Allocate the \$19,867 available for human services to Congregations for the Homeless to support their work with those experiencing homelessness through a winter shelter, outreach services and day center. This funding recommendation aligns with the work of the Human Services Advisory Committee and their funding recommendations.

Planning and Administration Funding Recommendation: Allocate the \$19,867 available to administer the City of Kirkland's CDBG program activities.

Contingency Plan: The funding level listed above is an estimate provided by HUD. The above projects will receive proportionate increases or decreases based upon the final distribution total.

Attachment

RESOLUTION R-5153

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ALLOCATING THE CITY'S PORTION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR 2016.

1 WHEREAS, on May 20, 2014, the City Council authorized the
2 City's participation in the King County Community Development Block
3 Grant and HOME Investment Partnerships Program (CDBG/HOME)
4 Consortium as a Joint Agreement City and the City entered into an
5 Interlocal Agreement with King County for that purpose; and
6

7 WHEREAS, as a Joint Agreement City, the City of Kirkland
8 receives funds in support of programs and projects that directly benefit
9 our community, including but not limited to home repair, affordable
10 housing, community facilities, public infrastructure, and human services;
11 and
12

13 WHEREAS, as part of the Interlocal Agreement with King County,
14 the City of Kirkland must develop a plan for allocating its portion of the
15 CDBG funds each year; and
16

17 WHEREAS, toward developing such a plan, the Human Services
18 Advisory Committee held a public hearing on September 8, 2014, at
19 which time the Committee provided an opportunity for the public to
20 comment on recommendations for the plan, which recommendations
21 are now being forwarded to the City Council.
22

23 NOW, THEREFORE, be it resolved by the City Council of the City
24 of Kirkland as follows:
25

26 Section 1. The recommendations of the Human Services
27 Advisory Committee are accepted and approved by the City Council.
28

29 Section 2. Based on estimates provided by the United States
30 Department of Housing and Urban Development (HUD), the City intends
31 to allocate 2016 funds as follows:
32

- 33 (a) \$85,610 of Capital Projects funds to A Regional Coalition for
- 34 Housing Trust Fund for affordable housing projects;
- 35 (b) \$19,867 of Public Services funds to Congregations for the
- 36 Homeless to support a winter shelter, outreach services and
- 37 day center for homeless individuals; and
- 38 (c) \$19,867 of Planning & Administration funds to support the
- 39 City's administration of the CDBG program.
40

41 Section 3. In the event the funding level actually provided by
42 HUD is more or less than estimated, the above projects, services and
43 administration should receive proportionate increases or decreases
44 based upon the final distribution amount.

45 Passed by majority vote of the Kirkland City Council in open
46 meeting this ____ day of _____, 2015.

47
48 Signed in authentication thereof this ____ day of _____,
49 2015.

MAYOR

Attest:

City Clerk



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Ellen Miller-Wolfe, Economic Development Manager
Chris Dodd, Facilities Services Manager

Date: September 28, 2015

Subject: Metal Artist Recommendation for City Hall Interior Renovation

RECOMMENDATION

For Council to adopt the recommendation of the City Hall Art Committee and Cultural Arts Commission to retain Bruce Anderson to design and fabricate art for the lobby and vestibule of City Hall consistent with the concept he has presented to the latter groups. The recommendation will be approved through adoption of the consent calendar.

BACKGROUND AND SELECTION PROCESS

When the budget for the 1% for Art related to the City Hall Renovation project was determined at \$70,000, staff retained Perri Howard at VMG to oversee the art curation for a total of \$6,500 and formed a City Hall Art Committee of six, comprised of Cultural Arts Commission (CAC) members and City Hall staff representing several departments that will be located in the City Hall space. The Committee met several times in July and August to determine the types of art and art piece locations at City Hall. There was consensus among Committee members and also the City Hall Steering Committee and Cultural Arts Commission that photographic and metal art should be incorporated in the renovated space.

Following a call for artists and Committee and CAC consideration of several photographers who submitted images, Maria Olga Meneses was retained for the photographic art, and is currently in residence at the Arete project for six weeks, shooting Kirkland images for that portion of the installations. City Council will approve the photographs following Committee and Commission deliberation.

A call for metal artists to design and install artwork for the newly renovated Kirkland City Hall resulted in eight proposals. Metal Arts were preferred over other media based upon the large collection of paintings and two-dimensional fine artworks already held by the City of Kirkland. Metal arts will provide a significant element to the City Hall entry experience, activate the newly-designed vestibule and be observable from the exterior of the building which otherwise

will not be changed. Four of the chosen artists were each compensated \$1,000 for their proposal and presentation to the Committee. Presenters were asked to respond to the following values:

- Transparency in government operations
- Citizen involvement
- Scenes and settings in Kirkland
- Wayfinding elements
- Reflect the types of work by City employees and City Council in the building and other locations throughout the city.

The four finalists included Brandon Zebold, Celeste Cooning, Carla Grahn, and Bruce Andersen. Artists were provided with building plans and schematics, an orientation session, and a tour of City Hall. For the proposal presentation, artists were asked to include a model, material samples, budget, and description of concept. The Committee met on September 21, 2015 to make their selection based upon a consensus-based process.

Bruce Andersen was the Committee's unanimous selection. Bruce & Shannon Andersen formed their partnership in 1995, Andersen Studios LLC., located in the Skagit Valley. The team employs a collaborative approach to site responsive installations. Shannon combines a specialized background in universal design and mixed media, while Bruce holds a strong technical background in fabrication and installation. The practice integrates innovative mediums, with natural light, shadow, landscape and the built environment to create compelling interactive installations. Their projects incorporate sustainable methods, with traditional fabrication techniques, responsive to the environmental texture and unique identity of their surroundings.

For the Kirkland City Hall project, Bruce proposes a "forest" of tree forms cut from perforated stainless steel sheeting (Attachment A). The artwork represents transparency in government, and Kirkland as a place of growth. This proposal was selected based on many factors including:

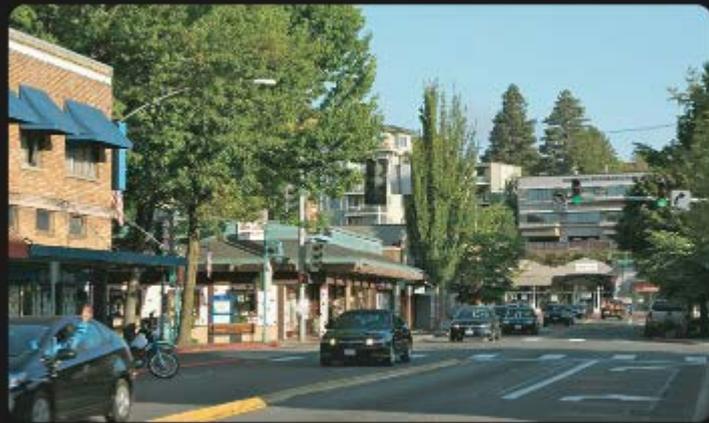
- The artist's personal connection to Kirkland (he grew up here and his mother is a current resident).
- A proposal that fully activates the lobby experience.
- An innovative way of working with metal screening to provide visual impact as well as an interesting play between light and shadows.
- A design that is scalable and replicable should additional project funds become available.

On September 28, 2015 the Cultural Arts Commission met and voted unanimously to support the Committee recommendation and make a final recommendation to City Council to approve the design and retain Bruce Anderson to further develop and fabricate the metal pieces (Attachment B).

The selection of Bruce Andersen was unanimous. Going forward with Council approval, the City of Kirkland will contract with Bruce Anderson for \$30,000, \$10,000 for design and the remainder for fabrication.

Kirkland City Hall Entry Artwork

Bruce Andersen
Andersen Studios LLC

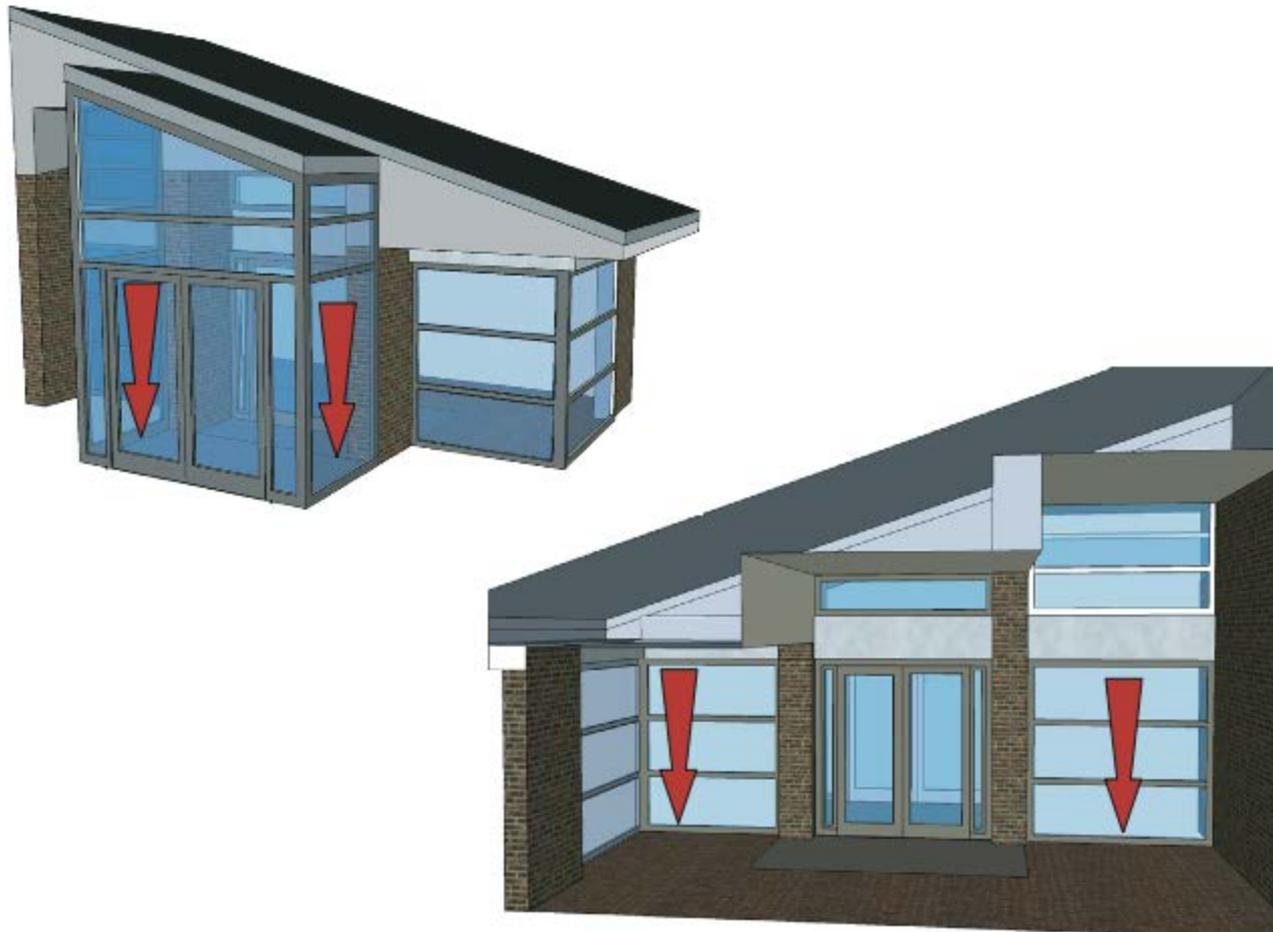






Rick Schlamp

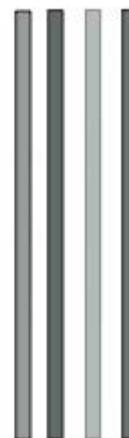
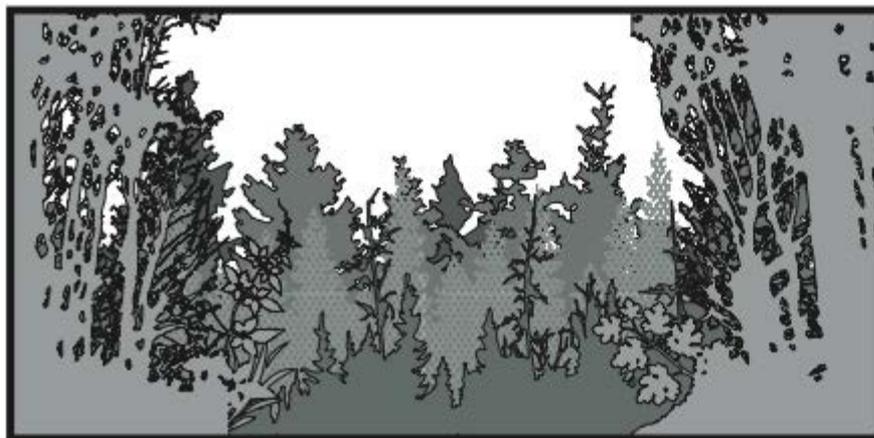
Possible Artwork Locations



Silhouette Atrium



Cut perforated, textured & solid stainless steel



Layered to create depth



**Cultural Arts Commission Special Meeting Minutes
September 28, 2015 4:00pm-5:00pm
Kirkland City Hall – Rose Hill Room**

Present: Dawn Laurant (chair), Ryan James (vice-chair), Michelle Lustgarten, Gaerda Zeiler, Carol Belval, Emily Gjersson, Linda Paros Ellen Miller-Wolfe (staff), Philly Hoshko (staff).

Absent: Christine Exline, Erin Zangari, Marianna Hanefeld, Dana Nunnelly, Alexandra Dorsett

Guests: Perri Howard, VMG and Chris Dodd, Facilities Services Manager

Call to Order/Welcome:

Meeting came to order at 4:18pm

Approval of City Hall 1% for Art Metal Artist:

Perri introduced the call for artist and the Metal Artist Selection Process.

Over the past two months, artist/finalists were reviewed and selected by the project steering committee. Four finalists were chosen from a list of eight applicants. The four finalists included Brandon Zebold, Celeste Cooning, Carla Grahn, and Bruce Andersen. Artists were provided with building plans and schematics, an orientation session, and a tour of city hall. For the proposal presentation, artists were asked to include a model, material samples, budget, and description of concept. The Steering committee met on September 21, 2015 to make their selection via a consensus-based process.

Bruce Andersen proposed a “forest” of tree forms cut from perforated stainless steel sheeting. The artwork represents transparency in government, and Kirkland as a place of growth. This proposal was selected based on many factors including:

The artist’s personal connection to Kirkland (he grew up here and his mother is a current resident). And the growth that Kirkland has undertaking. Kirkland as a growing, living place.

A proposal that fully activates the lobby experience.

An innovative way of working with metal screening to provide visual impact as well an interesting play between light and shadows.

A design that is scalable and replicable should additional project funds become available.

The selection of Bruce Andersen was unanimous. Going forward, the committee would like the project team to:

Consider changing the new (and existing?) glazing to a lighter tint to make the artwork more visible.

Consider changing the mullion pattern to a lighter shade.

Work with the artist to finalize placement of furnishings and other elements.

Consider the patterns in the artwork relative to other patterns to be selected for the furniture, rugs, and other elements in the lobby.

Commission asked about lighting that could feature the art in the lobby.

The Commission approved the recommendation of the committee to recommend Bruce Anderson to further develop and fabricate the metal pieces for City Hall. (Dawn moved, Gaerda seconded, unanimous).

Perri gave an update on the photographer for City Hall. She is moving in this week to Arete. Perri reviewed some of images she has already shot and gave some recommendation on more images exploring the relationship between people and place.

Meeting adjourned at 4:44 pm.

Minutes prepared by Philly Marsh



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: Brenda Cooper, Chief Information Officer
Oskar Rey, Assistant City Attorney
Kyle Butler, Budget Analyst

Date: September 30, 2015

Subject: Second Reading of Renewal Franchise for XO Communications Services, LLC

RECOMMENDATION:

That the City Council adopt the attached ordinance, which renews the Franchise of XO Communications Services, LLC ("XOCS"). This is the second reading of the ordinance—the first reading occurred at the September 15, 2015 Council Meeting. This ordinance will be adopted by approval of the consent calendar.

BACKGROUND DISCUSSION:

On March 26, 2000, the City granted Nextlink, now operating as XOCS, a telecommunications franchise that authorized XOCS to place its facilities in City right of way. The 2000 Franchise had an initial term of ten years with one five year renewal option, which was exercised by the parties. The 2000 Franchise has expired, so a renewal franchise is required.

Franchises are typically granted to telephone, internet, and other communications providers. There are a number of other similar franchises in the City. A telecommunications franchise grants the franchisee the authority to use the City's right of way to provide telecommunications services. Franchisees may be subject to a variety of fees associated with the act of building facilities in the rights of way, and having these facilities inspected. However, because the services offered are classified as "information services" by the Federal Communications Commission, they are not subject to the type of franchise fee that cable television providers pay. For example, Comcast and Frontier both pay a 5% franchise fee for the cable television portion of their revenue.

The language in the Ordinance reflects updates staff made in 2012 to match current law and to reflect modern terminology. In other ways it is substantially similar to other telecommunications franchises issued by the City to other providers. The franchise has a ten year term, which will expire in October 2025, if approved at the October 6, 2015, council meeting. It also has a provision for an additional five-year extension. This is the normal term offered to telecommunications franchisees. There are multiple similar franchises in the City, including

telecommunications franchises for AboveNet, Astound Broadband, Level 3, MCI (MFS), and MetroNet Fiber Washington.

Under RCW 35A.47.040, the City Council may not adopt a franchise until five days after its introduction. The first reading of the attached Ordinance was approved on the consent calendar on the September 15, 2015 meeting. Since there were no proposed changes, the second reading of the Ordinance is for the purpose of final adoption.

ORDINANCE O-4492

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

1 WHEREAS, XO COMMUNICATIONS SERVICES, LLC ("Grantee")
2 has requested that the City grant it the right to install, operate and
3 maintain a fiber optic-based telecommunications system within the
4 public rights of way of the City; and

5
6 WHEREAS, the City Council finds it desirable for the welfare of
7 the City and its residents that such a non-exclusive franchise be granted
8 to Grantee; and

9
10 WHEREAS, the City Council has the authority under state law to
11 grant franchises for the use of its street rights of way; and

12
13 WHEREAS, the City is willing to grant the rights requested by
14 Grantee subject to certain terms and conditions.

15
16 NOW, THEREFORE, The City Council of the City of Kirkland does
17 ordain as follows:

18 Section 1. Definitions. Where used in this franchise (the
19 "Franchise") these terms have the following meanings:

20
21 A. "Affiliate" means XO Communications Services, LLC
22 ("Grantee") on behalf of itself and its XO operating affiliates to the
23 extent such operating affiliate(s) directly provides Telecommunications
24 Service(s) hereunder.

25
26 B. "City" means the City of Kirkland, a municipal corporation of
27 the State of Washington.

28
29 C. "Facilities" means Grantee's fiber optic cable system
30 constructed and operated within the City's street rights of way, and shall
31 include all cables, wires, conduits, ducts, pedestals and any associated
32 converter, equipment or other facilities within the City's street rights of
33 way, designed and constructed for the purpose of providing
34 telecommunications service.

35
36 D. "Franchise" shall mean the initial authorization or renewal
37 thereof, granted by the City, through this Ordinance, or a subsequently
38 adopted Ordinance, which authorizes construction and operation of the

39 Grantee's facilities for the purpose of offering telecommunications
40 service.

41

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

45

46 F. "Person" means an individual, partnership, association, joint
47 stock company, trust, corporation, limited liability company or
48 governmental entity.

49

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

55

56 H. "Telecommunications Service" means any
57 telecommunications service, telecommunications capacity, or dark fiber,
58 provided by the Grantee using its Facilities, either directly or as a carrier
59 for its Affiliates, or any other person engaged in Telecommunications
60 Services, including, but not limited to, the transmission of voice, data or
61 other electronic information, facsimile reproduction, burglar alarm
62 monitoring, meter reading and home shopping, or other subsequently
63 developed technology that carries an electronic signal over fiber optic
64 cable. Telecommunications Service shall also include non-switched,
65 dedicated and private line, high capacity fiber optic transmission
66 services to firms, businesses or institutions within the City. However,
67 Telecommunications Service shall not include the provision of cable
68 television, open video, or similar services, as defined in the
69 Communications Act of 1934, as amended, and the Telecommunications
70 Act of 1996, as amended, for which a separate franchise would be
71 required.

72

73 Section 2. Franchise Area and Authority Granted.

74

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

81

82 B. Permission Required to Enter Onto Other City Property.
83 Nothing contained in this Ordinance is to be construed as granting
84 permission to Grantee to go upon any other public place other than
85 rights of way within the Franchise Area in this Ordinance. Permission to

86 go upon any other property owned or controlled by the City must be
87 sought on a case by case basis from the City.

88
89 C. Compliance with WUTC Regulations. At all times during the
90 term of this Franchise, Grantee shall fully comply with all applicable
91 regulations of the Washington Utilities and Transportation Commission.

92
93 Section 3. Construction and Maintenance.

94
95 A. Grantee's Facilities shall be located, relocated and
96 maintained within the right of way in accordance with Kirkland Municipal
97 Code ("KMC") Chapter 26.36 and so as not to unreasonably interfere
98 with the free and safe passage of pedestrian and vehicular traffic and
99 ingress or egress to or from the abutting property and in accordance
100 with the laws of the State of Washington. Whenever it is necessary for
101 Grantee, in the exercise of its rights under this Franchise, to make any
102 excavation in the right of way, Grantee shall obtain prior approval from
103 the City of Kirkland Public Works Department, pay the applicable permit
104 fees, and obtain any necessary permits for the excavation work
105 pursuant to KMC Title 19 and KMC Chapter 26.24. Upon completion of
106 such excavation, Grantee shall restore the surface of the right of way to
107 the specifications established within the Kirkland Municipal Code and
108 City of Kirkland Public Works Policies and Standards. If Grantee should
109 fail to leave any portion of the excavation in a condition that meets the
110 City's specifications per the KMC and Public Works Policies and
111 Standards, the City may, on five calendar day notice to Grantee, which
112 notice shall not be required in case of an emergency, cause all work
113 necessary to restore the excavation to a safe condition. Grantee shall
114 pay to the City the reasonable cost of such work; which shall include,
115 among other things, the City's overhead in obtaining completion of said
116 work.

117
118 B. Any surface or subsurface failure occurring during the term
119 of this Agreement caused by any excavation by Grantee shall be
120 repaired to the City's specifications, within 30 days, or, upon 5 days
121 written notice to Grantee, the City shall order all work necessary to
122 restore the damaged area to a safe and acceptable condition and
123 Grantee shall pay the reasonable costs of such work to the City,
124 including City overhead.

125
126 C. In the event of an emergency, Grantee may commence such
127 repair and emergency response work as required under the
128 circumstances, provided that Grantee shall notify the City Public Works
129 Director in writing as promptly as possible before such repair or
130 emergency work commences, or as soon thereafter as possible, if
131 advanced notice is not possible. The City may act, at any time, without
132 prior written notice in the case of an emergency, but shall notify Grantee
133 in writing as promptly as possible under the circumstances.

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

141

142 Section 4. Location and Relocation of Facilities.

143

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

149

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

162

163 C. Except as otherwise required by law, Grantee agrees to
164 relocate, remove or reroute its facilities as ordered by the City, at no
165 expense or liability to the City, except as may be required by RCW
166 Chapter 35.99. The City's decision to require the relocation of Grantee's
167 facilities shall be made in a reasonable, uniform and non-discriminatory
168 manner. Pursuant to the provision of Section 5, Grantee agrees to
169 protect and save harmless the City from any customer or third-party
170 claims for service interruption or other losses in connection with any
171 such change or relocation.

172

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

175

176 1. Within a reasonable time, which shall be no less than 90
177 days prior to the commencement of the project, the City shall
178 provide the Grantee with written notice requiring relocation;
179 provided that in the event of an emergency beyond the control
180 of the City and which will result in severe financial consequences

181 to the City or its citizens or businesses, the City shall give the
182 Grantee written notice as soon as practicable;

183
184 2. The City shall provide the Grantee with copies of
185 information for such improvement project and a proposed
186 location for the Grantee's Facilities so that Grantee may relocate
187 its Facilities in other Rights of Way in order to accommodate the
188 project; and

189
190 3. The Grantee shall complete relocation of its Facilities at
191 no charge or expense to the City so as to accommodate the
192 project at least 10 days prior to commencement of the project.
193 In the event of an emergency as described in this Section, the
194 Grantee shall relocate its Facilities within the time period
195 specified by the City.

196
197 E. The Grantee may, after receipt of written notice requesting
198 a relocation of its Facilities, submit to the City written alternatives to
199 such relocation. The City shall evaluate such alternatives and advise
200 the Grantee in writing if one or more of the alternatives are suitable to
201 accommodate the work, which would otherwise necessitate relocation
202 of the Facilities. If so requested by the City, the Grantee shall submit
203 additional information to assist the City in making such evaluation. The
204 City shall give each alternative proposed by the Grantee full and fair
205 consideration, within a reasonable time, so as to allow for the relocation
206 work to be performed in a timely manner. In the event the City
207 ultimately determines that there is no other reasonable alternative, the
208 Grantee shall relocate its Facilities as otherwise provided in this Section.

209
210 F. The provisions of this Section shall in no manner preclude or
211 restrict the Grantee from making any arrangements it may deem
212 appropriate when responding to a request for relocation of its Facilities
213 by any person or entity other than the City, where the Facilities to be
214 constructed by said person or entity are not or will not become City-
215 owned, operated or maintained Facilities; provided, that such
216 arrangements shall not unduly delay a City construction project.

217
218 G. The Grantee shall indemnify, hold harmless and pay the
219 costs of defending the City against any and all claims, suits, actions,
220 damages, or liabilities for delays on City construction projects caused by
221 or arising out of the failure of the Grantee to relocate its Facilities in a
222 timely manner; provided, that the Grantee shall not be responsible for
223 damages due to delays caused by the City or circumstances beyond the
224 control of the Grantee.

225
226 H. In the event that the City orders the Grantee to relocate its
227 Facilities for a project which is primarily for private benefit, the private
228 party or parties causing the need for such project shall reimburse the

229 Grantee for the cost of relocation in the same proportion as their
230 contribution to the total cost of the project.

231

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

236

237 Section 5. Indemnification.

238

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

252

253 B. In the event any such claim or demand be presented to or
254 filed with the City, the City shall promptly notify Grantee thereof, and
255 Grantee shall have the right, at its election and at its sole cost and
256 expense, to settle and compromise such claim or demand, provided
257 further, that in the event any suit or action be begun against the City
258 based upon any such claim or demand, the City shall likewise promptly
259 notify Grantee thereof, and Grantee shall have the right, at its election
260 and its sole cost and expense, to settle and compromise such suit or
261 action, or defend the same at its sole cost and expense, by attorneys of
262 its own election.

263

264 Section 6. Default.

265

266 A. If Grantee shall fail to comply with any of the provisions of
267 this Franchise, unless otherwise provided in this Franchise, the City may
268 serve upon Grantee a written order to comply within thirty (30) days
269 from the date such order is received by Grantee. If Grantee is not in
270 compliance with this Franchise after expiration of the thirty (30) day
271 period, the City may act to remedy the violation and may charge the
272 reasonable costs and expenses of such action to Grantee. The City may
273 act without the thirty (30) day notice in case of an emergency. If any
274 failure to comply with this Franchise by Grantee cannot be corrected
275 with due diligence within said thirty (30) day period, then the time within
276 which Grantee may so comply shall be extended for such time as may

277 be reasonably necessary and so long as Grantee works promptly and
278 diligently to effect such compliance. If Grantee is not in compliance with
279 this Franchise, and is not proceeding with due diligence in accordance
280 with this section to correct such failure to comply, then the City may in
281 addition, by ordinance and following written notice to Grantee, declare
282 an immediate forfeiture of this Franchise.

283

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

290

291 Section 7. Nonexclusive Franchise. This franchise is not and
292 shall not be deemed to be an exclusive Franchise. This Franchise shall
293 not in any manner prohibit the City from granting other and further
294 franchises over, upon, and along the Franchise Area. This Franchise
295 shall not prohibit or prevent the City from using the Franchise Area or
296 affect the jurisdiction of the City over the same or any part thereof.

297

298 Section 8. Franchise Term.

299

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

309

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

315

316 Section 9. Compliance with Codes and Regulations.

317

318 A. The rights, privileges and authority herein granted are
319 subject to and governed by this ordinance and all other applicable
320 ordinances and codes of the City of Kirkland, as they now exist or may
321 hereafter be amended, including but not limited to the provisions of
322 Kirkland Municipal Code Title 26 and Kirkland Municipal Code Chapter
323 5.08. Nothing in this ordinance limits the City's lawful power to exercise
324 its police power to protect the safety and welfare of the general public.

325 Any location, relocation, erection or excavation by Grantee shall be
326 performed by Grantee in accordance with applicable federal, state and
327 city rules and regulations, including the City's Public Works Policies and
328 Standard Plans, and any required permits, licenses or fees, and
329 applicable safety standards then in effect.

330

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

335

336 Section 10. Undergrounding. New Facilities shall be installed
337 underground pursuant to Section 4 of this Franchise. Grantee
338 acknowledges the City's policy of undergrounding of Facilities within the
339 Franchise Area. Grantee will cooperate with the City in the
340 undergrounding of Grantee's existing Facilities within the Franchise Area.
341 If during the term of this Franchise, the City shall direct Grantee to
342 underground Facilities within any Franchise Area, such undergrounding
343 shall be at no cost to the City except as may be provided in RCW Chapter
344 35.99. Grantee shall comply with all federal, state, and City regulations
345 on undergrounding. If the City undertakes any street improvement
346 which would otherwise require relocation of Grantee's above-ground
347 facilities, the City may, by written notice to Grantee, direct that Grantee
348 convert any such Facilities to underground Facilities.

349

350 Section 11. Record of Installations and Service.

351

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

356

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

363

364 C. As-built drawings and maps of the precise location of any
365 Facilities placed by Grantee in any Right of Way shall be made available
366 by Grantee to the City within 10 (ten) working days of the City's request.
367 These plans and maps shall be provided at no cost to the City and shall
368 include hard copies and/or digital copies in a format specified by the
369 City.

370 Section 12. Shared Use of Excavations.
371

372 A. Grantee and the City shall exercise best efforts to coordinate
373 construction work either may undertake within the Franchise Area so as
374 to promote the orderly and expeditious performance and completion of
375 such work as a whole. Such efforts shall include, at a minimum,
376 reasonable and diligent efforts to keep the other party and other utilities
377 within the Franchise Area informed of its intent to undertake such
378 construction work. Grantee and the City shall further exercise best
379 efforts to minimize any delay or hindrance to any construction work
380 undertaken by themselves or other utilities within the Franchise Area.
381

382 B. If at any time, or from time to time, either Grantee, the City,
383 or another franchisee, shall cause excavations to be made within the
384 Franchise Area, the party causing such excavation to be made shall
385 afford the others, upon receipt of a written request to do so, an
386 opportunity to use such excavation, provided that:
387

388 (1) Such joint use shall not unreasonably delay the work of
389 the party causing the excavation to be made;
390

391 (2) Such joint use shall be arranged and accomplished on
392 terms and conditions satisfactory to both parties. The parties
393 shall each cooperate with other utilities in the Franchise Area to
394 minimize hindrance or delay in construction.
395

396 C. In addition, pursuant to RCW 35.99.070, the City may
397 request that Grantee install additional conduit, ducts and related access
398 structures for the City pursuant to contract, under which Grantee shall
399 recover its incremental costs of providing such facilities to the City.
400

401 D. The City reserves the right to not allow open trenching for
402 five years following a street overlay or improvement project. Grantee
403 shall be given written notice at least 90 days prior to the commencement
404 of the project. Required trenching due to an emergency will not be
405 subject to five year street trenching moratoriums.
406

407 E. The City reserves the right to require Grantee to joint trench
408 with other franchisees if both entities are anticipating trenching within
409 the same franchise area and provided that the terms of this Section are
410 met.
411

412 Section 13. Insurance.
413

414 A. Grantee shall procure and maintain for the duration of this
415 Franchise, insurance against claims for injuries to persons or damage to
416 property which may arise from or in connection with the performance
417 of work under this Franchise by Grantee, its agents, representatives or

418 employees in the amounts and types set forth below pursuant to KMC
419 26.40.020:

420
421 1. Commercial General Liability insurance with limits no
422 less than \$5,000,000 combined single limit for bodily injury
423 (including death) and property damage, including premises
424 operation, products and completed operations and explosion,
425 collapse and underground coverage extensions;

426
427 2. Automobile liability for owned, non-owned and hired
428 vehicles with a combined single limit of three million dollars for
429 each accident for bodily injury and property damage; and

430
431 3. Worker's compensation within statutory limits and
432 employer's liability insurance with limits of not less than one
433 million dollars for each accident/disease/policy limit.

434
435 B. Grantee's insurance coverage shall be primary insurance as
436 respects the City. Any insurance, self-insurance or insurance pool
437 coverage maintained by the City shall be in excess of Grantee's
438 insurance and shall not contribute with it.

439
440 C. Grantee shall furnish the City with certificates of the
441 foregoing insurance coverage or a copy of amendatory endorsements,
442 including but not necessarily limited to the additional insured
443 endorsement.

444
445 D. Grantee shall have the right to self-insure any or all of the
446 above-required insurance. Any such self-insurance is subject to
447 approval by the City.

448
449 E. Grantee's maintenance of insurance as required by this
450 Franchise shall not be construed to limit the liability of Grantee to the
451 coverage provided by such insurance, or otherwise limit City's recourse
452 to any remedy to which the City is otherwise entitled at law or in equity.

453
454 Section 14. Assignment.

455
456 A. All of the provisions, conditions, and requirements herein
457 contained shall be binding upon Grantee, and no right, privilege, license
458 or authorization granted to Grantee hereunder may be assigned or
459 otherwise transferred without the prior written authorization and
460 approval of the City, which the City may not unreasonably withhold.
461 Notwithstanding the foregoing, Grantee, without the consent of, but
462 upon notice to the City, may assign this agreement in whole or in part
463 to: (a) an Affiliate (as defined in this Franchise); (b) a lender for security
464 purposes only; or (c) the surviving entity in the event of a merger or
465 acquisition of substantially all of Grantee's assets.

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

472
473 Section 15. Abandonment and Removal of Facilities. Upon the
474 expiration, termination, or revocation of the rights granted under this
475 Franchise, the Franchisee shall remove all of its Facilities from the Rights
476 of Way of the City within ninety (90) days of receiving notice from the
477 City's Public Works Director; *provided however,* that the City may permit
478 the Grantee's improvements to be abandoned in place in such a manner
479 as the City may prescribe. Upon permanent abandonment, and
480 Franchisee's agreement to transfer ownership of the Facilities to the
481 City, the Franchisee shall submit to the City a proposal and instruments
482 for transferring ownership to the City. Any such Facilities which are not
483 permitted to be abandoned in place which are not removed within ninety
484 (90) days of receipt of said notice shall automatically become the
485 property of the City; *provided however,* that nothing contained within
486 this Section shall prevent the City from compelling the Grantee to
487 remove any such Facilities through judicial action when the City has not
488 permitted the Franchisee to abandon said Facilities in place.

489
490 Section 16. Miscellaneous.

491
492 A. If any term, provision, condition or portion of this Franchise
493 shall be held to be invalid, such invalidity shall not affect the validity of
494 the remaining portions of this Franchise which shall continue in full force
495 and effect. The headings of sections and paragraphs of this Franchise
496 are for convenience of reference only and are not intended to restrict,
497 affect, or be of any weight in the interpretation or construction of the
498 provisions of such sections or paragraphs.

499
500 B. Grantee shall pay for the City's reasonable administrative
501 costs in drafting and processing this Ordinance and all work related
502 thereto, which payment shall not exceed \$2,000. Grantee shall further
503 be subject to all permit fees associated with activities and the provisions
504 of any such permit, approval, license, agreement of other document,
505 the provisions of this Franchise shall control.

506
507 C. Failure of either party to declare any breach or default under
508 this Franchise or any delay in taking action shall not waive such breach
509 or default, but that party shall have the right to declare any such breach
510 or default at any time. Failure of either party to declare one breach or
511 default does not act as a waiver of that party's right to declare another
512 breach or default.

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

516		
517	<u>City:</u>	<u>Grantee:</u>
518	City of Kirkland	XO Communications Services, LLC.
519	Public Works Director	Attn: Regulatory Contract Administrator
520	123 Fifth Avenue	1000 Denny Way, Suite 200
521	Kirkland, WA 98033	Seattle, WA 98109

522	
523	With a copy to:
524	XO Communications Services, LLC.
525	Attn: Director, Regulatory Contracts
526	13865 Sunrise Valley Drive
527	Herndon, VA 20171

528
529
530 Notice shall be deemed given upon receipt in the case of personal
531 delivery, three days after deposit in the United States Mail in the case
532 of regular mail, or the next day in the case of overnight delivery.

533
534 Section 18. Effective date. This Ordinance, being in compliance
535 with RCW 35A.47.040, shall be in force and effect five days from and
536 after its passage by the Kirkland City Council and publication pursuant
537 to Section 1.08.017 Kirkland Municipal Code in the summary form
538 attached to the original of this ordinance and by this reference approved
539 by the City Council.

540
541 Passed by majority vote of the Kirkland City Council in open
542 meeting this _____ day of _____, 2015.

543
544 Signed in authentication thereof this _____ day of
545 _____, 2015.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4492

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

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

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

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2015.

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

City Clerk



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Katy Coleman, Development Engineering Analyst
Kathy Brown, Public Works Director

Date: September 17, 2015

Subject: RESOLUTION TO RELINQUISH THE CITY'S INTEREST IN A PORTION OF UNOPENED RIGHT-OF-WAY VAC14-01931

RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution relinquishing interest, except for a utility easement, in a portion of unopened right-of-way abutting the parcel located at 634 9th Avenue. Specifically, the subject right-of-way is identified as the south 8 feet of the unopened alley abutting the north boundary of the following described property: Lots 46 and 47, Block 169, Town of Kirkland, according to the plat thereof recorded in Volume 6 of Plats, page 53, records of King County, Washington.

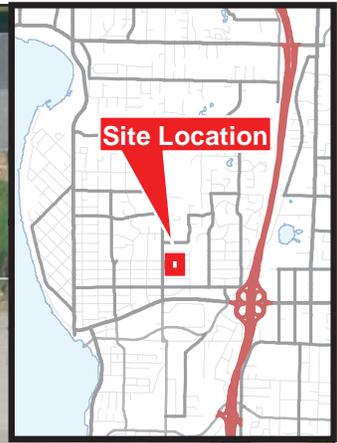
Approval of this memo by adopting the Consent Calendar will authorize relinquishing interest, except for a utility easement, in said right-of-way.

BACKGROUND DISCUSSION:

The unopened portion of the alley abutting the property of 634 9th Avenue (Attachment 1) was originally platted and dedicated in 1890 as Town of Kirkland (aka Kirkland Addition or Map of Kirkland). The Five Year Non-User Statute provides that any street or right-of-way platted, dedicated, or deeded prior to March 12, 1904, which was outside City jurisdiction when dedicated, and which remains unopened or unimproved for five continuous years, is then vacated. The subject right-of-way has not been opened or improved, but it has never formally been vacated and still appears on the City records as unopened right-of-way.

Jennifer C. Brewer and Coridon M. Brewer, owners of the property abutting this right-of-way, submitted information to the City claiming the right-of-way was subject to the Five Year Non-User Statute (Vacation by Operation of Law), Laws of 1889, Chapter 19, Section 32. After reviewing this information, the City Attorney concurs with the owners, and recommends approval of the enclosed Resolution to bring closure to the matter.

Attachment 1: Vicinity Map
Resolution



**Brewer Property
Non-User Vacation Exhibit
634 9th Avenue**

Attachment A

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



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RESOLUTION R-5154

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 JENNIFER AND CORIDON BREWER.

1 WHEREAS, the City has received a request to recognize that any
2 rights to the land originally dedicated in 1890 as right-of-way abutting
3 a portion of Town of Kirkland has been vacated by operation of law; and
4

5 WHEREAS, the Laws of 1889, Chapter 19, Section 32, provide
6 that any county road which remains unopened for five years after
7 authority is granted for opening the same is vacated by operation of law
8 at that time; and
9

10 WHEREAS, the area which is the subject of this request was
11 annexed to the City of Kirkland, with the relevant right-of-way having
12 been unopened; and
13

14 WHEREAS, in this context it is in the public interest to resolve
15 this matter by agreement.
16

17 NOW, THEREFORE, be it resolved by the City Council of the City
18 of Kirkland as follows:
19

20 Section 1. As requested by the property owners Jennifer C.
21 Brewer and Coridon M. Brewer, the City Council of the City of Kirkland
22 recognizes that the following described right-of-way has been vacated
23 by operation of law and relinquishes all interest it may have, if any,
24 except for a utility easement, in the portion of right-of-way described as
25 follows:
26

27 A portion of unopened alley being identified as the south 8 feet
28 of the unopened alley abutting the north boundary of the
29 following described property: Lots 46 and 47, Block 169, Town
30 of Kirkland, according to the plat thereof recorded in Volume 6
31 of Plats, page 53, records of King County, Washington.
32

33 Section 2. This resolution does not affect any third party rights
34 in the property, if any.
35

36 Passed by majority vote of the Kirkland City Council in open
37 meeting this ____ day of _____, 2015

38
39

Signed in authentication thereof this _____ day of _____, 2015.

MAYOR

Attest:

City Clerk



CITY OF KIRKLAND
Human Resources Department
123 5th Avenue, Kirkland, WA 98033 425.587.3210
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: James C. Lopez, Director of Human Resources & Performance Management
Stephen Padua, Transportation Planner

Date: September 28, 2015

Subject: Advanced Transportation Technologies Conference Sponsorship

RECOMMENDATION:

City Council authorizes \$2,500 from the Council Special Project's reserve to sponsor attendance in to the Advanced Transportation Technologies Conference on October 9th at the Mercer Island Community Event Center. Approval of this memo with the consent calendar will authorize the expenditure.

BACKGROUND DISCUSSION:

At the September 15th Council meeting the Council asked staff to bring back a fiscal note to authorize a \$2,500 sponsorship of this conference. The purpose of the Advanced Transportation Technologies Conference is to educate local jurisdictions and the public about emerging transportation technologies; changes in system efficiency; and present Washington State strategies for optimizing infrastructure planning processes and outcomes.

Several key transportation officials are attending this event, for example, the Washington State Secretary of Transportation, Lynn Peterson is scheduled to speak at one of the workshops. A major benefit of sponsoring this event includes building positive exposure of Kirkland's vision for efficient transportation in our region. Mayor Amy Walen will speak at the event to discuss the City's vision and how it relates to furthering the development of efficient transportation systems. In addition, the City will be given several event passes to provide important education to council members and staff in order to progress the City's professional growth. Amy Bolen will coordinate registration for any Councilmember or Board/Commission member who wishes to attend.

FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
James Lopez, Director of Human Resources & Performance Management							
Description of Request							
Use of \$2,500 from the Council Special Projects Reserve to sponsor the Advanced Transportation Technologies Conference.							
Legality/City Policy Basis							
Fiscal Impact							
One-time use of \$2,500 of the Council Special Projects Reserve. The reserve is able to fully fund this request.							
Recommended Funding Source(s)							
<i>Reserve</i>	Description	2016 Est End Balance	Prior Auth. 2015-16 Uses	Prior Auth. 2015-16 Additions	Amount This Request	Revised 2016 End Balance	2016 Target
	Council Special Projects Rsv.	250,000	81,500	0	2,500	166,000	250,000
	Contingent use of \$80,000 for Northshore Public Health Center funding; \$1,500 for ArtsFund Economic Impact Study. No prior authorized additions.						
<i>Revenue/Exp Savings</i>							
<i>Other Source</i>							
Other Information							
Prepared By	Neil Kruse, Senior Financial Analyst				Date	September 18, 2015	



CITY OF KIRKLAND
Finance & Administration Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3190
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Kathi Anderson, City Clerk
Michael Olson, Director, Finance and Administration

Date: September 17, 2015

Subject: Accept Tourism Development Committee Resignation

RECOMMENDATION

That Council acknowledges the 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 states he is no longer able to serve on the committee as he is relocating to a different city. The City Clerk's office has begun a recruitment for this vacancy.

From: Khokhlov, Maxim (F) [<mailto:Maxim.Khokhlov@marriott.com>]
Sent: Thursday, September 03, 2015 5:10 PM
To: Toby Nixon <TNixon@kirklandwa.gov>
Cc: Ellen Miller-Wolfe <EMiller-Wolfe@kirklandwa.gov>; Philly Hoshko <PHoshko@kirklandwa.gov>
Subject: Resignation Letter - Tourism Development Committee

Hi Toby,

As I have already shared with everyone this morning, I am resigning from the Tourism Development Committee due to my relocation to a different city. I apologize for the short notice, but this was an unplanned career move, which was a surprise to me as well. I want to 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. I definitely will miss Kirkland!

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

DRAFT

October 6, 2015

Maxim Khokhlov

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 Amy Walen
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: September 24, 2015

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF OCTOBER 6, 2015.

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 September 3, 2015, are as follows:

	Project	Process	Estimate/Price	Status
1.	RRFB installation at NE 132 nd Ave and 93 rd Street	Job Order Contract	\$61,275.97	Work Order issued to Burton Construction, Inc. of Spokane, WA.
2.	Street Preservation Near Cross Kirkland Corridor at 120 th & 124 th	Job Order Contract	\$135,779.65	Work Order issued to Burton Construction, Inc. of Spokane, WA
3.	Reclaimed Water Feasibility Study	A&E Roster Process	\$107,600	Contract awarded to HDR Engineering, Inc. of Olympia, WA based on qualifications per RCW 39.80.
4.	Engineering Consulting Services for Intelligent Transportation System Phase II	A&E Roster Process	\$506,679.55	Contract awarded to TRANSPO Group, Inc. of Kirkland based, on qualifications per RCW 39.80

5.	Engineering Consulting Services for Bus Rapid Transit associated with the CKC (Amount includes money from previous Council appropriation for transit consulting)	A&E Roster Process	\$269,500	Contract awarded to TRANSPO Group, Inc. of Kirkland, based on qualifications per RCW 39.80
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Please contact me if you have any questions regarding this report.



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: September 28, 2015

Subject: RESOLUTION SUPPORTING KING COUNTY PROPOSITION NO. 1 ON THE GENERAL ELECTION BALLOT IN NOVEMBER 2015.

RECOMMENDATION:

City Council holds a public hearing and considers the attached Resolution expressing support for King County Proposition No. 1, which will be on the general election ballot in November 2015.

BACKGROUND:

King County Ordinance No. 18088, concerning funding to improve well-being of children, youth, families and communities, was passed by the King County Council with an 8 to 1 vote (Attachment A). The proposed six year, \$392 million property tax levy for children, youth, families and communities needs a simple majority to pass. If passed, it would cost the average homeowner in King County about \$5 a month, or \$60 per year, according to the Seattle Times.

The certified ballot title for King County Proposition No. 1 reads as follows:

The King County Council passed Ordinance No. 18088 concerning funding to improve well-being of children, youth, families and communities. If approved, this proposition would provide funding for prevention and early intervention to achieve positive outcomes related to: healthy pregnancy; parental and newborn support; healthy child and youth development; the health and well-being of communities; and crisis prevention and early intervention for children and youth, including for domestic violence and homelessness. The measure would authorize an additional regular property tax of \$0.14 per \$1,000 of assessed valuation for collection beginning in 2016 and authorize maximum annual increases of 3% in the succeeding 5 years. Should this proposition be:

Approved

Rejected

Explanatory Statement on the King County Elections Department web site

If approved by the voters, the proposition would authorize King County to levy an additional regular property tax at the rate of fourteen cents (\$0.14) or less per one thousand dollars (\$1,000) of assessed valuation on all taxable property within King County to fund prevention and early intervention strategies to improve the health and well-being of children, youth,

families and communities. The levy would be authorized for a six-year period with collection beginning in 2016 and with annual increase up to 3% authorized for years two through six.

Levy proceeds would be used to improve the health and well-being of children, youth, families and communities, with 50% focused on children under 5 years of age, 35% on children aged 5 through 24, 10% on communities of opportunity, and the remaining 5% as detailed in Ordinance 18088. Funding would go towards services for pregnant women and newborns, access to safe and healthy food, and improved access to mental health services and developmental screening. Funding would also be used for prevention and early intervention on negative outcomes including chronic disease, mental illness, substance abuse, domestic violence and incarceration. Funding would further be used to reduce inequities in outcomes for children and youth in the county and to strengthen, integrate and encourage innovation in health and human services agencies. Of the first year levy proceeds, \$19 million would fund a youth and family homelessness prevention initiative and cover levy election costs.

OUTREACH TO CAMPAIGNS "FOR" AND "AGAINST":

The general election voter pamphlet includes statements "For" and "Against" King County Proposition 1. These two statements are included (Attachment B).

Staff reached out to representatives of the Best Starts for Kids Campaign (supporting Prop 1) and the Smart Choices King County Campaign (opposing Prop 1) in an effort to: A) gather information on both perspectives; and B) Invite representatives to the Oct. 6 public hearing.

www.beststartsforkids.com is the web site for Best Starts for Kids: Yes on KC Prop 1. This web site provides information about the levy proposal (Attachment C). The Auburn City Council is listed among the endorsing organizations.

www.smartchoiceskingcounty.com is the web site for Smart Choices King County: No on KC Prop 1. As of the writing of this memo, this web site is not live.

- Attachments:
- A. Full text of King County Ordinance 18088, concerning funding to improve well-being of children, youth, families and communities.
 - B. Voter Pamphlet Statements (For and Against)
 - C. About Best Starts for Kids (Campaign Information)
 - D. Resolution in support of King County Proposition 1



KING COUNTY

Attachment A
1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 22, 2015

Ordinance 18088

Proposed No. 2015-0177.3

Sponsors McDermott and Dembowski

1 AN ORDINANCE providing for the submission to the
 2 qualified electors of King County at a special election to be
 3 held in King County on November 3, 2015, a proposition
 4 authorizing a property tax levy in excess of the levy
 5 limitations contained in chapter 84.55 RCW for a
 6 consecutive six-year period at a first year rate of not more
 7 than 14 cents per one thousand dollars of assessed
 8 valuation, and limiting annual levy increases to three
 9 percent in the five succeeding years, all for the purpose of
 10 funding prevention and early intervention strategies to
 11 improve the health and well-being of children, youth and
 12 their communities.

13 **STATEMENT OF FACTS:**

14 1. Approximately twenty-five thousand children are born in King County
 15 every year. County residents under age eighteen comprise twenty-one
 16 percent of the county's population. Nearly half of people under age
 17 eighteen in King County are people of color.

18 2. Eighty-five percent of the human brain is developed by age three.

19 According to early childhood development experts, basic skills necessary

20 to be ready to learn in school and be successful as an adult, such as self-
21 esteem, motivation, coordination, prioritization, management of incoming
22 information, attention and distraction control, are developed by age five
23 before children go to school.

24 3. A second significant time of brain development is adolescence.

25 According to the National Institute of Mental Health, the parts of the brain
26 responsible for controlling impulses and planning ahead, which are the
27 hallmarks of successful adult behavior, mature during adolescence.

28 Adolescence is also the critical period when young people learn to form
29 safe and healthy relationships, and when many patterns of health-
30 promoting or potentially health-damaging behaviors are established.

31 4. Although King County as a whole is a thriving, prosperous region,
32 there is evidence that some of our children and youth are in danger of
33 being left behind. The percentage of children five and under living in
34 poverty is as low as four and seven-tenths percent in some regions of the
35 county and as high as twenty-six percent in other regions. Infant mortality
36 is four times higher in some areas of King County than others.

37 Approximately one-third of pregnant women do not receive the
38 recommended levels of prenatal care. One in five adolescents is
39 overweight or obese and only twenty-four percent of adolescents receive
40 the recommended levels of physical activity. Twenty-six percent of
41 adolescents report having depressive feelings and twenty-nine percent
42 report using alcohol or other illicit drugs. Over six thousand King County

43 students are homeless; in some school districts as many as one in ten are
44 homeless.

45 5. Studies have shown that adverse childhood experiences, such as
46 domestic violence and sexual assault, increase the odds of experiencing
47 homelessness as an adult, as well as mental health and physical health
48 problems. The significance of the impact of those experiences on the
49 development of children and youth emphasizes the necessity of the
50 provision of robust social services and shelter programs for at-risk
51 children and youth in domestic violence and sexual assault situations to
52 prevent homelessness and physical and mental health problems later in
53 life.

54 6. All too often the children and youth who are being left behind and are
55 not receiving services before a crisis occurs are children and youth of
56 color. Young people of color make up at least fifty to sixty percent of
57 youth and young adults experiencing homelessness despite only twenty-
58 nine percent of King County's general population being people of color.

59 7. One of the areas where the disparities in those who do not receive
60 appropriate services before a crisis occurs is the juvenile justice system.
61 African-American youth make up approximately fifty percent of those in
62 detention in King County, or five times their rate of representation in the
63 general population. According to a report from the National Conference
64 of State Legislatures as many as seventy percent of children and youth in
65 the juvenile justice system nationally are affected with a mental disorder,

66 and one in five suffer from a mental illness so severe as to impair their
67 ability to function as a young person and grow into a responsible adult.

68 King County is committed to preventing crises before they occur and
69 ending disproportionality in the juvenile justice system.

70 8. The county actively engages in equity and social justice efforts to eliminate
71 racial disparities in the juvenile justice system and the council will consider this
72 goal when deliberating on future policies and plans related to the voter-approved
73 best starts for kids levy.

74 9. Investment in prevention and early intervention can prevent long-term
75 harm of children as they grow up. According to the National Scientific
76 Council on the Developing Child, extensive research on the biology of
77 stress now shows that healthy development can be derailed by excessive
78 or prolonged activation of stress response systems in the body and the
79 brain, with damaging effects on learning, behavior and health across the
80 lifespan.

81 10. Prevention and early intervention are also the most effective and least
82 expensive ways to address serious future problems such as chronic
83 disease, mental illness, substance abuse and incarceration. Science tells us
84 that lifelong problems can be prevented: by investing heavily in children
85 before age five; by making strategic investments at critical points in a
86 young person's development before age twenty-four; and by taking actions
87 to ensure that all children and youth have opportunities to live in safe,
88 thriving, health-promoting home, school and community environments.

89 11. Studies have shown that the return on investment in early childhood
90 development, ensuring that children have a strong start in life, is from
91 three to seventeen dollars for every dollar invested. Similarly, the Institute
92 of Medicine and National Research Council's Preventing Mental,
93 Emotional, and Behavioral Disorders Among Young People report
94 released in 2009 notes that cost-benefit ratios for early treatment and
95 prevention programs for addictions and mental illness programs range
96 from 1:2 to 1:10. This means a one-dollar investment yields two to ten
97 dollars savings in health costs, criminal and juvenile justice costs,
98 educational costs and lost productivity.

99 12. Studies show that prevention has positive economic impacts for
100 business. For example, a healthier workforce can reduce the extent to
101 which health insurance costs and employee absenteeism affects a
102 company's competitive edge. In the United States, full-time employees
103 with chronic disease miss an estimated four hundred fifty million
104 additional work days per year, compared to healthy employees,
105 contributing to a cost of one hundred fifty-three billion dollars in lost
106 productivity every year.

107 13. Many of the county's current funding sources, as well as other public
108 budgets, are dedicated to responding to crises and negative outcomes,
109 particularly negative outcomes for adults, such as severe mental illness,
110 homelessness and chronic illness, and for children and youth who have
111 already dropped out of school or who have been involved in the juvenile

112 justice system. While these are required or necessary expenditures, little
113 funding is available to invest in prevention. For example, seventy-five
114 percent of the county's general fund supports the law and justice system.
115 The veterans and human services levy, because it is focused on services
116 for people who are in crisis, provides for services primarily for adults.
117 Only sixteen percent of its total funding is available to support people
118 under age twenty-four and only eleven percent of the total levy provides
119 for prevention-oriented services.

120 14. In 2014, the shortfall of funding for public health - Seattle & King
121 County reached a critical point, threatening the loss of proven prevention
122 and early intervention programs for mothers and families, such as the
123 Nurse Family Partnership home visiting program and maternity support
124 services.

125 15. While the voter-approved best starts for kids levy would allow public
126 health - Seattle & King County to continue providing parent-child health
127 services, such as the nurse family partnership home visiting program and
128 maternity support services, the levy would not stabilize King County's
129 broader public health services. The public health fund remains at risk, as
130 long-term public health funding sources have not been identified.

131 16. The majority of levy proceeds from the voter-approved best starts for
132 kids levy is intended to go to community partners to provide services in
133 the community. As the levy is being implemented, the county's goal is to
134 ensure that diverse communities and small organizations, including those

135 that are using emerging and innovative approaches to provide services, are
136 able to access moneys in order to provide culturally appropriate services in
137 King County. The county intends to collaborate with these organizations
138 and help evaluate innovative new programs or services so that promising
139 practices become proven practices.

140 17. Services for children and youth will improve as agencies and
141 organizations working with children and youth have opportunities for
142 training, building organizational and system capacity and sufficient
143 resources to administer programs and services.

144 18. In 2010, the county enacted Ordinance 16857, establishing the King
145 County Strategic Plan. The Strategic Plan includes as one of its goals
146 Health and Human Potential: Provide opportunities for all communities
147 and individuals to realize their full potential.

148 19. In 2010, the county enacted Ordinance 16948, transforming its work
149 on equity and social justice from an initiative to an integrated effort that
150 applies the King County Strategic Plan's principle of "fair and just"
151 intentionally in all the county does in order to achieve equitable
152 opportunities for all people and communities.

153 20. In 2012, the council adopted Motion 13768, establishing the Health &
154 Human Services Transformation Plan. The Transformation Plan
155 establishes as its vision that, by 2020, the people of King County will
156 experience significant gains in health and well-being because our
157 community worked collectively to make the shift from a costly, crisis-

158 oriented response to health and social problems, to one that focuses on
159 prevention, embraces recovery and eliminates disparities.

160 21. In 2014, the county enacted Ordinance 17738, establishing the youth
161 action plan task force and providing policy direction regarding the
162 development of a youth action plan. The youth action plan task force
163 members helped shape the best starts for kids levy.

164 22. In 2014, as part of the implementation of the King County Strategic
165 Plan, the equity and social justice ordinance, the health and human
166 services transformation plan and as part of the development of the youth
167 action plan, King County staff began examining how the county could
168 balance its investment portfolio towards more preventive approaches that
169 lead to improved outcomes that allow individuals and communities to
170 achieve their full potential. This resulting best starts for kids levy
171 ordinance is guided by and represents a further implementation of the
172 county's adopted policy direction.

173 23. In addition to building on adopted county policy, in developing this
174 best starts for kids levy ordinance, King County staff consulted with
175 experts at the University of Washington Institute for Learning & Brain
176 Sciences and with several groups and coalitions, including the Best Starts
177 for Kids Advisory Group, the Youth Action Plan Task Force, the
178 Transformation Plan Advising Partners Group, the King County Alliance
179 for Human Services, the Youth Development Executive Directors
180 Coalition and several early learning coalitions. County staff also reviewed

181 and consulted with jurisdictions and organizations from around the United
182 States and the world regarding best and promising practices.

183 24. It is the intent of the council and the executive that the strategies
184 supported by the voter-approved best starts for kids levy will achieve a
185 variety of individual and community outcomes. Individual outcomes will
186 include the following: increasing the percentage of pregnant women who
187 receive early and adequate prenatal care; increasing technical assistance to
188 child care providers; reducing psychiatric hospitalizations for children and
189 youth; decreasing the percentage of children and youth using alcohol or
190 drugs; increasing the percentage of children and youth who feel they have
191 an adult in their community they feel they can talk to; and decreasing the
192 percentage of school-aged children and youth in south King County who
193 are at an unhealthy weight. Community outcomes will include the
194 following: decreasing inequities in outcomes for children and youth in
195 King County; decreasing suspensions and expulsions, from child care
196 through high school; decreasing disparities in health and well-being
197 outcomes between different areas within King County; decreasing
198 domestic violence; decreasing moneys spent on crisis services, such as
199 incarceration and involuntary commitment; increasing the number of
200 families and children and youth who are prevented from entering
201 homelessness; and improved quality of life index in Communities of
202 Opportunity.

203 25. It is the intent of the council and the executive that funding for the
204 youth and family homelessness prevention initiative will allow the
205 initiative to be flexible, client-centered and outcomes-focused and will
206 provide financial support for community agencies to assist clients.

207 26. It is the intent of the council and the executive that levy proceeds
208 described in section 5.C. of this ordinance shall be distributed in a
209 geographically equitable manner, in furtherance of the King County
210 Strategic Plan, the equity and social justice ordinance and other adopted
211 county policies.

212 27. The council and the executive recognize the concerns of senior
213 citizens, low-income households, and other vulnerable populations
214 regarding housing costs and affordability. While the county would be
215 authorized to implement a maximum increase of three percent annually
216 from 2017 through 2021 if the best starts for kids levy is approved by
217 voters, it is the intent of the council and the executive to consider
218 economic conditions that affect those senior citizens, low-income
219 households and other vulnerable populations, such as the year-over-year
220 change in the national consumer price index for urban wage earners and
221 clerical workers (CPI-W), as calculated by the United States Bureau of
222 Labor Statistics, in determining the percentage by which to increase the
223 levy each year.

224 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

225 **SECTION 1. Definitions.** The definitions in this section apply throughout this
226 ordinance unless the context clearly require otherwise.

227 A. "Children and youth" means a person through twenty-four years old.

228 B. "Communities of opportunity" means the program launched by The Seattle
229 Foundation and King County in 2014 and memorialized in Contract #5692351, including
230 any successor contract, to support communities in improving the health, social and
231 economic outcomes of the residents of those communities, and to do so by partnering
232 with those communities to shape and own solutions. In the event the formal relationship
233 described in this subsection B. between The Seattle Foundation and King County ceases
234 to be in effect at any point during the life of the levy, "communities of opportunity"
235 means a strategy that is designed to improve the health, social and economic outcomes of
236 specific communities that is administered by the county and developed in partnership
237 with those communities.

238 C. "Communities of opportunity interim governance group" means the group and
239 any successor group charged with advising on strategic direction and operations for
240 communities of opportunity. The communities of opportunity interim governance group
241 shall include one appointee of the executive and one appointee of the council,
242 respectively, who shall be confirmed by ordinance. Interim governance group members
243 as of the date of enactment of this ordinance include community partners and
244 representatives from local government, from The Seattle Foundation and from King
245 County. If the proposed levy passes, the group will be reconstituted in accordance with
246 section 7.B. of this ordinance.

247 D. "Levy" means the levy of regular property taxes for the specific purposes and
248 term provided in this ordinance and authorized by the electorate in accordance with state
249 law.

250 E. "Levy proceeds" means the principal amount of moneys raised by the levy and
251 any interest earnings on the moneys.

252 F. "Limit factor," for purposes of calculating the levy limitations in RCW
253 84.55.010, means one hundred three percent.

254 G. "Strategy" means a program, service, activity, initiative or capital investment
255 intended to achieve the goals of this ordinance.

256 H. "Youth and family homelessness prevention initiative" means an initiative
257 intended to prevent and divert children and youth and their families from becoming
258 homeless.

259 **SECTION 3. Levy submittal.** To provide necessary moneys for the purposes
260 identified in section 5 of this ordinance, the county council shall submit to the qualified
261 electors of the county a proposition authorizing a regular property tax levy in excess of
262 the levy limitation contained in chapter 84.55 RCW for six consecutive years,
263 commencing in 2016, at a rate not to exceed fourteen cents per thousand dollars of
264 assessed value in the first year and authorizing a limit factor of one hundred three percent
265 for each of the five succeeding years, which are 2017 through 2021. In accordance with
266 RCW 84.55.050, this levy shall be a regular property tax levy, which is subject to the
267 statutory rate limit of RCW 84.52.043.

268 **SECTION 4. Deposit of levy proceeds.** The levy proceeds shall be deposited in
269 a special revenue fund, which fund shall be created by ordinance.

270 **SECTION 5. Eligible expenditures.**

271 A. Out of the first year's levy proceeds:

272 1. Nineteen million dollars shall be used to plan, provide and administer a
273 youth and family homelessness prevention initiative; and

274 2. Such sums as are necessary to provide for the costs and charges incurred by
275 the county that are attributable to the election.

276 B. The remaining levy proceeds shall be used to plan, provide and administer the
277 provision of a wide range of strategies to:

278 1. Improve health and well-being outcomes of children and youth, as well as the
279 families and the communities in which they live, including, but not limited to, by
280 ensuring adequate services and supports for pregnant women and newborns; access to
281 safe and healthy food; support for hospitals and other mental health providers in King
282 County to provide children and youth with access to mental health services; and
283 developmental screening for children and youth;

284 2. Prevent and intervene early on negative outcomes, including, but not limited
285 to, chronic disease, mental illness, substance abuse, homelessness, domestic violence and
286 incarceration;

287 3. Reduce inequities in outcomes for children and youth in the county; and

288 4. Strengthen, improve, better coordinate, integrate and encourage innovation in
289 health and human services systems and the agencies, organizations and groups addressing
290 the needs of children and youth, their families and their communities.

291 C. Of the eligible expenditures described in subsection B. of this section:

292 1. Fifty percent shall be used to plan, provide and administer strategies focused
293 on children and youth under five years old and their caregivers, pregnant women and for
294 individuals or families concerning pregnancy. Of these moneys, not less than \$42.8
295 million shall be used to provide health services, such as maternity support services and
296 nurse family partnership home visiting program services;

297 2. Thirty-five percent shall be used to plan, provide and administer strategies
298 focused on children and youth ages five through twenty-four years old;

299 3. Ten percent shall be used to plan, provide and administer communities of
300 opportunity; and

301 4. Five percent shall be used to plan, fund and administer the following:

302 a. evaluation and data collection activities;

303 b. activities designed to improve the delivery of services and programs for
304 children and youth and their communities;

305 c. services identified in subsection B. of this section provided by metropolitan
306 park districts in King County. Of these moneys identified in this subsection C.4.c., an
307 amount equal to the lost revenues to the metropolitan park districts resulting from
308 prorationing as mandated by RCW 84.52.010, up to one million dollars, shall be provided
309 to those metropolitan park districts if authorized by the county council by ordinance; and

310 d. services identified in subsection B. of this section provided by fire districts,
311 in an amount equal to the lost revenues to the fire districts in King County resulting from
312 prorationing, as mandated by RCW 84.52.010, for those services, to the extent the
313 prorationing was caused solely by this levy and if authorized by the county council by
314 ordinance.

315 **SECTION 6. Call for special election.** In accordance with RCW 29A.04.321,
316 the King County council hereby calls for a special election to be held in conjunction with
317 the general election on November 3, 2015, to consider a proposition authorizing a regular
318 property tax levy for the purposes described in this ordinance. The King County director
319 of elections shall cause notice to be given of this ordinance in accordance with the state
320 constitution and general law and to submit to the qualified electors of the county, at the
321 said special county election, the proposition hereinafter set forth. The clerk of the council
322 shall certify that proposition to the director of elections in substantially the following
323 form:

324 PROPOSITION___; The King County Council has passed Ordinance
325 _____ concerning funding to improve well-being of children, youth,
326 families and communities. If approved, this proposition would provide
327 funding for prevention and early intervention to achieve positive outcomes
328 related to: healthy pregnancy; parental and newborn support; healthy
329 child and youth development; the health and well-being of communities;
330 and crisis prevention and early intervention for children and youth,
331 including for domestic violence and homelessness. The measure would
332 authorize an additional regular property tax of \$0.14 per \$1,000 of
333 assessed valuation for collection beginning in 2016 and authorize
334 maximum annual increases of 3% in the succeeding 5 years.

335 **SECTION 7. Governance.**

336 A. If the levy is approved by the voters, an oversight and advisory board shall be
337 established by ordinance to serve as the oversight and advisory board for the portion of

338 the levy proceeds described in section 5.C.1., 2. and 4. of this ordinance. The executive
339 shall transmit to the council by December 1, 2015, a plan relating to the oversight and
340 advisory board and a proposed ordinance that identifies the duties and composition of the
341 oversight and advisory board. The duties of the oversight and advisory board shall
342 include making recommendations on and monitoring the distribution of levy proceeds.
343 The oversight and advisory plan shall be consistent with the recommendations contained
344 in the county's youth action plan, adopted by Motion 14378. The oversight and advisory
345 board shall be comprised of a wide array of King County residents and stakeholders with
346 geographically and culturally diverse perspectives.

347 B. The communities of opportunity interim governance group shall serve as the
348 advisory board for levy proceeds described in section 5.C.3. of this ordinance. The
349 executive shall transmit to the council by December 1, 2015, a plan relating to the
350 communities of opportunity interim governance group and a proposed ordinance that
351 identifies the composition and duties of the interim governance group with respect to the
352 levy proceeds described in section 5.C.3. of this ordinance.

353 **SECTION 8. Implementation plans.**

354 A. The executive shall transmit to the council an implementation plan that
355 identifies the strategies to be funded and outcomes to be achieved with the use of levy
356 proceeds described in section 5.A.1. of this ordinance. This implementation plan relating
357 to the youth and family homelessness prevention initiative shall, to the maximum extent
358 possible, be developed in collaboration with the oversight and advisory board and shall
359 be transmitted to the council by March 1, 2016, for council review and approval by
360 ordinance.

361 B. The executive shall transmit to the council an implementation plan that
362 identifies the strategies to be funded and outcomes to be achieved with the use of levy
363 proceeds described in section 5.C. of this ordinance. The implementation plan shall be
364 developed in collaboration with the oversight and advisory board and the communities of
365 opportunity interim governance group, as applicable. The implementation plan shall, to
366 the maximum extent possible, take into consideration the county's youth action plan,
367 adopted by Motion 14378, and any recommendations of the county's steering committee
368 to address juvenile justice disproportionality that was formed in 2015 that are adopted
369 into policy. Along with the implementation plan required by this subsection B., the
370 executive shall transmit to the council for approval by motion a policy that identifies the
371 economic indicators the council should consider each year in determining the percentage
372 by which to increase the levy for the subsequent year. The motion shall also include the
373 executive's recommendations for the percentage by which the levy should change based
374 on changes in the identified economic indicators. The implementation plan shall be
375 transmitted to the council by June 1, 2016, for council review and approval by ordinance.

376 C. Levy proceeds may not be expended for the purposes described in section 5.A.
377 and C. of this ordinance until the date on which the applicable implementation plan is
378 approved by ordinance, except for planning funds, which shall be approved by ordinance
379 and not exceed two million dollars, the funds required for elections costs described in
380 section 5.A.2. of this ordinance, and funds for public health services described in section
381 5.C.1. of this ordinance

382 D. The implementation plans described in subsections A. and B. of this section
383 shall each include a proposal for an annual reporting process to the council, including the
384 regional policy committee or a successor committee.

385 SECTION 9. Ratification. Certification of the proposition by the clerk of the
386 county council to the director of elections in accordance with law before the election on
387 November 3, 2015, and any other act consistent with the authority and before the
388 effective date of this ordinance are hereby ratified and confirmed.

389 SECTION 10. Severability. If any provision of this ordinance or its application

390 to any person or circumstance is held invalid, the remainder of the ordinance or the
391 application of the provision to other persons or circumstances is not affected.

392

Ordinance 18088 was introduced on 5/4/2015 and passed as amended by the Metropolitan King County Council on 7/20/2015, by the following vote:

Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Lambert, Mr. McDermott, Mr. Dembowski and Mr. Upthegrove
No: 1 - Mr. Dunn
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 23 day of JULY, 2015.



Dow Constantine, County Executive

Attachments: None

King County

[Proposition No. 1](#)

[Regular Property Tax Levy for Children, Youth, Families and Communities](#)

Statement For	Statement Against
<p>Every child in King County deserves the best start in life. All kids need support as they grow to reach their full potential. Proposition 1 is a bipartisan, evidence-based package that will fund proven programs, deliver real, measurable benefits, and create lasting change.</p> <p>Early Childhood: Groundbreaking UW research shows brain development is most critical from ages 0-3. Prop 1 provides prenatal support, parent education, caregiver training, developmental screenings, and targeted help for young families facing economic hardship or homelessness.</p> <p>Behavioral Intervention: Equipping teachers and parents to identify behavioral and mental health challenges—and get kids the help they need—is critical to school success, dropout prevention, and keeping kids away from crime.</p> <p>Domestic Violence Prevention: Kids should live in nurturing homes. Prop 1 supports programs to reduce the risk of domestic abuse—and to protect victims.</p> <p>Fiscally Responsible: Currently 75% of county resources go to criminal justice —managing bad outcomes rather than preventing them. Prop 1 moves upstream – into prevention - breaking cycles of poverty and punishment, saving money, and making sure every child can grow, learn, and thrive.</p> <p>Endorsements: Executive Dow Constantine; mayors and councilmembers; business and union leaders; Boys and Girls Clubs; YWCA; United Way of King County.</p> <p>Statements submitted by: Nancy Backus, Calvin Lyons, and Dow Constantine, www.beststartsforkids.com</p>	<p>Basic county services are underfunded. King County is closing bridges and returning roads to gravel due to annual maintenance budget shortfalls of over \$100 million. The Sheriff’s budget needs millions to return staffing to pre-recession levels. The County Executive recently proposed releasing some felons hours after arrest to cut costs.</p> <p>This levy sounds nice, but it is a “blank check” without details on how it will be spent. King County taxpayers simply cannot afford this additional \$400 million when King County is not funding basic services.</p> <p>Due to state-imposed property tax limits, up to 14 Fire and Hospital Districts could lose funding with this levy. There would also be little room left under our taxing authority to fully fund law enforcement, courts, jails, or road maintenance.</p> <p>Just a few short months ago, the State increased education funding by 19% or \$2.7 billion earlier this year. As former State Legislators we understand these programs are a state responsibility, and recent state budget increases will expand high-quality early learning opportunities for our kids.</p> <p>Now is not the time for a new \$400 million levy. Politicians need to fund vital county services first, before asking for extras in the County’s budget.</p> <p>www.smartchoiceskingcounty.com</p> <p>info@smartchoiceskingcounty.com</p> <p>Statements submitted by: Warren Peterson and George Scott, www.smartchoiceskingcounty.com</p>

Rebuttal of Statement Against	Rebuttal of Statement For
<p>Best Starts is a smart investment in preventing problems, reducing criminal justice costs, and creating long-term tax savings. The Seattle Times agrees, endorsing Prop 1: “... the cold-eyed assessment of social-sciences researchers ... finds that \$221 spent on behavioral interventions for kids in child care yields benefits (better grades, fewer disruptions, prevented crime) worth \$31,741...” An independent citizen oversight board ensures accountability. For less than \$5 per average homeowner, Best Starts helps all children succeed.</p>	<p>King County’s Charter, our county Constitution, requires us to fund basic county services first. Our Sheriff’s Office has nearly 125 fewer officers than pre-recession and our roads remain critically underfunded. Until we fully fund our county services, taxpayers shouldn’t be asked to shoulder Olympia’s responsibilities.</p> <p>This proposed levy lacks specifics. It’s a blank check to spend \$400,000,000 without details on how to spend it. Our children deserve organization and accountability, which this levy doesn’t provide.</p>

About

Best Starts for Kids will provide the resources needed to put every child on a path toward lifelong success. Science tells us prevention and early intervention are the most effective and least expensive ways to address our most serious problems such as obesity, mental illness, domestic violence, substance abuse, and homelessness. Yet, much of the County's funding is responding to these negative outcomes – severe mental illness, homelessness, chronic illness, and youth who have already dropped out of school or who have been involved in the juvenile justice system. Specifically, 75% of the County's general fund pays for the law and justice system.

Best Starts for Kids invests in a child's early years, carries forward throughout a child's journey to adulthood, and creates healthy communities that reinforce their progress.

Levy Amount

A six-year levy lid lift at a rate of 14 cents per \$1,000 of assessed property value, which would raise about \$65 million per year at a cost to the average King County homeowner of about \$1 per week.

Investing Early

Fifty percent of the revenue would be invested in strategies focused on children under age five and pregnant women, including a modest investment to sustain and expand parent and child health services that are delivered through the county's Public Health Centers. The science and evidence shows us that the earlier we invest, the greater the return for both the child's development and our society.

Sustaining the Gain

Thirty-five percent would be invested in strategies focused on children and youth aged five through twenty-four. The science and research tells us that the brain continues to develop during this time and that prevention efforts addressed at key developmental stages or transition points in a young person's life help to sustain gains made earlier in life.

Communities Matter

Ten percent would be invested in strategies to create safe and healthy communities. This strategy will sustain and expand the partnership between King County and The Seattle Foundation on Communities of Opportunity (COO). COO is based on the latest research and evidence regarding the impact of place on a child's success and the importance of supporting communities in building their own capacity to create positive change.

Outcomes-Focused and Data Driven

Five percent would support evaluation, data collection and improving the delivery of services and programs for children and youth. This will ensure Best Starts for Kids strategies are tailored for children from every background in King County and that we deliver on the results for every child in King County.

Youth and Family Homelessness Prevention

Initial levy collections would be used to create a family and youth homelessness prevention initiative modeled on a successful pilot implemented by organizations serving survivors of domestic violence.

Advisory Boards

An oversight and advisory board comprised of county residents and stakeholders with geographically and culturally diverse perspectives would be established. The advisory board will make recommendations and monitor distribution of levy proceeds. The existing governance group for COO will act as the advisory board for that portion of the levy funds.

Implementation

In order to reduce inequities in our County, Best Starts for Kids strategies are designed to be both universal and targeted, with the large majority of Best Starts for Kids levy funding competitively bid in outcomes-focused contracts to community-based organizations. This will help ensure that the strategies are implemented in a manner that is appropriate for all cultural and ethnic groups and that each child and her caregivers receive the tools and level of support they need. Should the voters approve it, the county will refine outcomes and indicators through development of a detailed implementation plan with input and consultation from the community.

Paid for by **Best Starts for Kids**

603 Stewart Street, Suite 819

Seattle, WA 98101

info@beststartsforkids.com (<mailto:info@beststartsforkids.com>)

425-516-7128

RESOLUTION R-5155

1 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND
2 SUPPORTING KING COUNTY PROPOSITION NO. 1, A REGULAR
3 PROPERTY TAX LEVY TO FUND PREVENTION AND EARLY
4 INTERVENTION STRATEGIES TO IMPROVE THE HEALTH AND WELL-
5 BEING OF CHILDREN, YOUTH, FAMILIES AND COMMUNITIES.
6

7 WHEREAS, on November 3, 2015, voters in King County will
8 decide whether to approve a levy to provide funding for prevention and
9 early intervention to achieve positive outcomes related to: healthy
10 pregnancy; parental and newborn support; healthy child and youth
11 development; the health and well-being of communities; and crisis
12 prevention and early intervention for children and youth, including for
13 domestic violence and homelessness; and
14

15 WHEREAS, this proposition would authorize King County to levy
16 an additional regular property tax of \$0.14 or less per \$1,000 of
17 assessed valuation on all taxable property within King County for a six-
18 year period with collection beginning in 2016 and authorize maximum
19 annual increases of three percent in years two through six; and
20

21 WHEREAS, levy proceeds would be used to improve the health
22 and well-being of children, youth, families and communities, with 50
23 percent focused on children under 5 years of age, 35 percent on children
24 aged 5 through 24; 10 percent on communities of opportunity, and the
25 remaining 5 percent as detailed in King County Council Ordinance
26 18088; and
27

28 WHEREAS, of the first year levy proceeds, \$19 million would fund
29 a youth and family homelessness prevention initiative and cover levy
30 elections costs; and

31 WHEREAS, an oversight and advisory board comprised of county
32 residents and stakeholders with geographically and culturally diverse
33 perspectives would also be established to make recommendations and
34 monitor distribution of levy proceeds; and

35 WHEREAS, it is in the public interest to improve the health and
36 well-being of children, youth families and communities; and

37 WHEREAS, pursuant to State law, RCW 42.17.130, the City
38 Council of Kirkland desires to show its support for Proposition No. 1.
39

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

42 Section 1. The City Council supports Proposition No. 1, a Regular
43 Property Tax Levy for Children, Youth Families and Communities.

44
45 Section 2. The City Council urges Kirkland voters to vote yes on
46 Proposition No. 1.

47
48 Passed by majority vote of the Kirkland City Council in open
49 meeting this ____ day of _____, 2015.

50
51 Signed in authentication thereof this ____ day of _____,
52 2015.

MAYOR

Attest:

City Clerk



CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033
425.587.3225 - www.kirklandwa.gov

MEMORANDUM

DATE: September 24, 2015
TO: Kurt Triplett, City Manager
FROM: Deb Powers, Urban Forester
SUBJECT: 2015 URBAN FORESTRY ANNUAL REPORT

RECOMMENDATION

The City Council receive the 2015 Urban Forestry Annual Report (Attachment 1) on progress towards Urban Forest Strategic Management Plan goals and provide staff direction on the action items for the upcoming year.

BACKGROUND

At the July 2, 2013 meeting, the City Council adopted the City of Kirkland [Urban Forestry Strategic Management Plan](#) (Plan). The purpose of the Plan is to establish a foundation for a well-coordinated, consistent, efficient, and sustainable urban forest program. Directors and staff from the Parks, Public Works and Planning Departments prioritized the Plan's long-range strategic goals and objectives into a [Six Year Work Plan](#). The following objectives were considered the highest priorities and the most feasible accomplishments that could be addressed by the year 2019:

- Inventory public trees
- Develop tree planting guidelines and incentives
- Analyze and quantify the environmental benefits of public trees
- Build on the City's urban forestry program with stable municipality-wide funding, cooperative efforts and adequate qualified staffing
- Proactively manage public trees
- Track progress through annual work plans and increase accountability by reporting to City Council
- Involve the community in urban forestry issues and program development (example: Heritage Tree program)
- Grow the Green Kirkland Partnership program

- Meet Tree City USA criteria annually and attain Growth Awards when feasible
- Conduct public outreach for property owners and developers regarding Kirkland's tree codes
- Standardize public tree maintenance for City, contractor and utility compliance to safety standards, BMPs and related codes
- Update tree codes and ordinances

The City's '**Tree Team**' is responsible for implementing the Strategic Plan by tracking and reviewing operations related to the Strategic Plan Objectives, developing annual work plans, and appending the plan document to ensure long-range goals remain effective and relevant over time. Consistently tracking day-to-day operations and linking them with long-range goals can be challenging with a variety of workload demands; however, meeting on a regular basis has improved cross-departmental communication, resource-sharing and goal-setting. Tree Team members include:

Parks and Community Services

Jason Filan, Park Operations Manager
Tim Werner, Park Maintenance Supervisor
Sharon Rodman, Green Kirkland Partnership Supervisor
Mark Padgett, Lead person
Ryan Fowler, Field Arborist

Public Works

Ray Steiger, Street Division Manager
Jenny Gaus, Surface Water Engineering Supervisor
Shannon Sedlacek, Public Grounds Lead
Jerry Merkel, Field Arborist

Planning and Building

Paul Stewart, Deputy Director
Deb Powers, Urban Forester/Tree Team Lead
Aoife Blake, Assistant Planner
Craig Salzman, Code Enforcement Officer

Annual Report Summary

The 2015 Urban Forestry Annual Report can be summarized as aspiring. Some of the more interesting projects that occurred this past year include -

- Repurposing urban wood from the Park Lane tree removals
- The "Director's Tree Replacement" replanting project

- The first Parks Tree Inventory
- Introducing middle school girls to urban forestry through Expand Your Horizons workshops, designed to inspire young women to take STEM classes

In the past year, Tree Team members have overcome funding gaps by aggressively seeking external funding to accomplish urban forestry initiatives. More Six Year Work Plan Objectives were achieved this year than in 2014; and multiple eligible Growth Award projects suggest that daily operations are influenced by long term goals developed through a strategic planning process. Through the coordinated efforts of the Tree Team the plan objectives are being implemented.

Funding Strategies

In the absence of a centralized urban forestry program, funding to achieve Kirkland's urban forest initiatives is currently supported under multiple internal sources -

- General Fund
- Individual position descriptions
- 2012 Park Levy
- Grants
- City Forestry Account
- Surface Water Utility budget

To address budget gaps, the Tree Team actively seeks funding opportunities that allow the City to accomplish its urban forestry goals. In 2015, the City was awarded funds to inventory park trees (Attachment 2). Prior to commencing this project, all trees in landscaped city parks were of an unknown value, size, condition, and risk potential; posing significant asset management challenges.

Funding assistance is currently under consideration to

- Develop a Heritage Tree program
- Replace previously-removed right-of-way trees
- Professionally restore forested parkland at O.O. Denny and Crestwoods parks

Council Direction

Staff is requesting Council to confirm the direction on the objectives, priorities and timing established in the citywide urban forest Six Year Work Plan outlined for the upcoming 2015-2016 year:

PROPOSED URBAN FORESTRY INITIATIVES FOR 2016

DEPT	INITIATIVE	2014-2019 UF WORK PLAN OBJECTIVE	ELIGIBLE FOR GROWTH AWARD?
Planning/ Urban Forester	1. Develop Annual Urban Forest Work Plan	2.3	-
	2. Complete park tree inventory, incorporate into GIS for city-wide use and fulfil MOU with grantor (WA DNR)	1.1.2	C4. 7 points
	3. Revise LID codes re: trees and vegetation (PW/SW)	4.3	-
	4. Develop Heritage Tree program (KCD grant funding)	3.1	B1. 4 points
	5. Acquire funding for ROW Tree Planting (DNR), late 2015	1.2.3	D1. 4 points
	6. Conduct ROW Tree Inventory (previously funded) - develop project team/scope, hire contractor, coordinate w/ GIS, PW	1.1.2	C4. 7 points
	7. Plan & participate in Arbor Day w/ Green Kirkland Partnership to meet Tree City USA criteria	3.4	-
	8. Conduct tree code awareness workshops for developers, arborists, public sector	4.1	A11. 4 points
	9. Deliver Annual Report to City Council	2.4	-
	10. Lead multi-departmental Tree Team	2.1	-
Public Works/SW	1. LID code revision re: trees & vegetation	See #3 Planning/UF	-
	2. Assist with ROW Tree Inventory (previously funded)	See #6 Planning/UF	-
Public Works/ Maint	1. Develop ROW stump grinding/tree replacement program with public input component	1.2.3	D4. 7 points
	2. Implement tree worker safety program/SOPs with Parks Maint	2.2, 4.2	A9. 5 points
	3. Assist with tree planting grant application in late 2015	See #5 Planning/UF	-
	4. Host regional arborist safety training	4.1	A8, A12. 6, 5 points
	5. Assist with ROW Tree Inventory (previously funded)	See #6 Planning/UF	-
	6. Continue to source funding for adequate public tree maintenance (equipment and staffing)	-	-
Parks/ Maint	1. Assist in completing Park Tree Inventory and fulfil MOU with grantor (WA DNR)	See #2 Planning/UF	-
	2. Assist with tree worker safety program with Public Works	See #2 PW Maint	-
Parks/	1. Initiate restoration on five new acres	3.2	C11.

DEPT	INITIATIVE	2014-2019 UF WORK PLAN OBJECTIVE	ELIGIBLE FOR GROWTH AWARD?
GKP	2. Establish \$30,000 funding through grants or partnering--for professional crews to work in sensitive areas	2.2, 3.2	C2?
	3. Arbor Day celebration in collaboration with Planning/UF	3.2, 3.4	-
	4. Initiate restoration efforts in O.O. Denny Park, Finn Hill Neighborhood	3.2	-
	5. Ongoing outreach to schools, businesses, and other community groups regarding the UF/GKP agenda	3.1, 3.2, 3.7	A6, A7.
	6. Restoration by professional crews at O.O. Denny and Crestwoods park forested areas (subject to grant approval)	2.2	-
	7. FSC certification for city-owned forests, including parkland and Public Works open space	1.2.3, 2.2, 3.2, 3.6	A3, C14. 3/10 points

CITY OF KIRKLAND

Urban Forestry 2015

AN ANNUAL REPORT ON MEETING URBAN FOREST STRATEGIC
MANAGEMENT PLAN GOALS



Planning & Building
Parks & Community Services
Public Works



Kirkland City Council

Amy Walen, Mayor

Penny Sweet, Deputy Mayor

Jay Arnold

Shelley Kloba

Toby Nixon

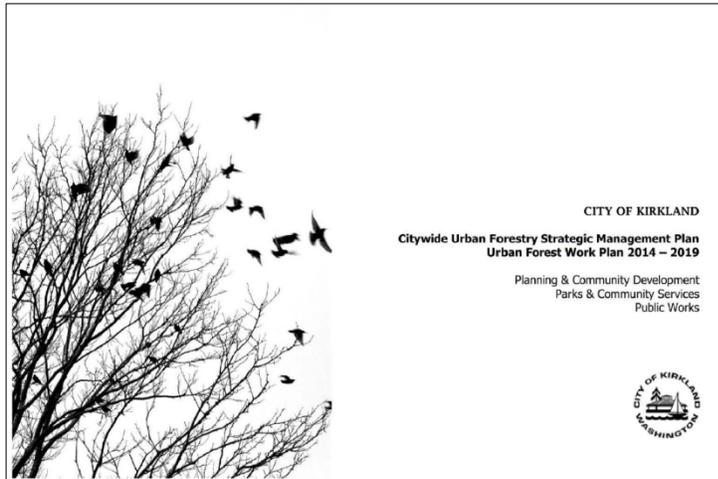
Dave Asher

Doreen Marchione

Kirkland's urban forest consists of the trees in woodlands, parks, yards, in public spaces and along streets. Trees affect the air and water where we live and the desirability of our neighborhoods and downtown. Unfortunately, many factors negatively impact urban trees. To provide optimal benefits to the community, urban forests require sound and deliberate management over a long range horizon.

In July, 2013, the Kirkland City Council responded by adopting an Urban Forestry Strategic Management Plan.

In mid-2013, the Kirkland City Council adopted an Urban Forest Strategic Management Plan, which outlines how to attain a healthy, sustainable urban forest through long-term strategic planning. To establish priorities and clarify responsibilities towards reaching the objectives in the Plan, staff from multiple departments responsible for managing Kirkland’s urban forest developed a citywide six year work plan.



The [Urban Forest Work Plan 2014-2019](#) establishes performance measures consistent with City Council goals and provides a framework for departments to track their incremental efforts towards long term goals.

Progress on urban forestry initiatives was to be communicated to the City Council in an annual report to

- Provide accountability to decision-makers and the community
- Guide budget development
- Increase internal efficiency
- Announce Growth Award achievements from the prior year, if applicable

The first Urban Forestry Annual Report was presented to the City Council in [August 2014](#). In addition to reporting on progress towards Plan initiatives, this year’s report includes the City’s efforts to meet Growth Award criteria established by the [National Arbor Day Foundation](#). Growth Awards demonstrate a higher standard of urban forest management by earning 10 points in a given year by developing programs or projects in four categories-

- Education and Public Relations
- Partnerships
- Planning and Management
- Tree Planting and Maintenance



In 2014, Kirkland earned *20 points* for eligible projects and was one of only 13 cities in Washington to earn a National Arbor Day Foundation Growth Award. The table below shows departments’ efforts towards earning a Growth Award this past year, alongside milestones towards the objectives outlined in the 2014-2019 Work Plan:

2015 CITY-WIDE URBAN FORESTRY ANNUAL REPORT

DEPT	INITIATIVE	2014-2019 UF WORK PLAN OBJECTIVE	ELIGIBLE FOR GROWTH AWARD?
Planning/ Urban Forester	1. Develop Annual Urban Forest Work Plan	2.3	-
	2. Obtain funding to inventory park trees (complete in 2016)	1.1.2	C4. 7 points
	3. Revise and codify Kirkland Prohibited Plant List	1.2.2, 3.1, 4.3	-
	4. Youth outreach efforts (Expand Your Horizons workshop, ECC Career Day, Kids Canopy Climb event)	3.7	-
	5. Develop partnerships to recycle Park Lane removed trees	-	B3. 5 points
	6. Plan & participate in Arbor Day w/ Green Kirkland Partnership to meet Tree City USA criteria	3.4	-
	7. Apply for Heritage Tree program funding	3.1	B1. 4 points
	8. Lead multi-departmental Tree Team	2.1	-
	9. Deliver Annual Report to City Council	2.4	-
Public Works/SW	1. Obtain ROW Tree Inventory funding (complete in 2016?)	1.1.1	C4. 7 points
	2. Scope LID code revision	1.1.4	D6. 5 points
PW/Maint	1. Train tree stewards for Cross Kirkland Corridor (collaborative effort with Green Kirkland Partnership)	3.1, 4.1	A11. 4 points
	2. Pilot program: ROW tree replacements	1.2.1	D1. 4 points
	3. Scope tree worker safety program/SOPs for 2016	-	-
	4. Host regional arborist safety training	4.1	A12. 5 points
Parks/ Maint	1. Support Park Tree Inventory, coordinate with Urban Forester, GIS (project to be completed in 2016)	1.1.2	see #2 under Planning/UF
Parks/ Green Kirkland P'ship	1. Adopt 20-Year Forest and Natural Areas Restoration Plan	2.2, 3.1, 3.2	C6. 7 points
	2. Conduct Open House to celebrate GKP successes, plan for next 20 year horizon	3.2	-
	3. Ongoing outreach to schools, businesses, and other community groups regarding the UF/GKP agenda	3.1, 3.2	A13. 3 points
	4. Draft Urban Forest and Natural Areas Stewardship Planning Guide	3.1, 4.2	A1. 2 points
	5. Arbor Day celebration in collaboration with Planning/Urban Forester	3.3, 3.4	-
	6. Restore Watershed and Juanita Beach Parks forested areas by professional DNR crew in Jan 2015 (planted 1,100 trees).	1.2, 2.2, 3.2	B5. 6 points

Other Accomplishments and Accolades



Logs from tree removals resulting from the Park Lane capital improvement project were repurposed in an innovative pilot program. Under the Urban Renewal Project, the Cedar Creek Correctional Center worked with Kirkland Public Works/CIP to haul, dry, mill and craft furniture and other woodworking projects from city-removed trees. Although not a Work Plan initiative, this is a model

example of regional collaboration, coordination and partnerships.

Public trees are regarded more and more as capital assets, particularly when considering the vast benefits that urban forests provide. When sufficient tree data is lacking, it is difficult to proactively and efficiently manage the asset, potentially increasing liability. Kirkland's street tree inventory, now eleven years old, does not include tree data in the annexed areas. To address this, the City Council approved funding through a Surface Water Service Package Request to update and expand the inventory. The City is now poised to achieve Urban Forest Work Plan Objective 1.1.1 to inventory right-of-way trees.

In addition, grant funding through the Washington Department of Natural Resources was obtained in 2015 to inventory trees in landscaped park areas. Throughout July 2015, a contractor collected tree data in Kirkland's parks and is expected to provide the GIS-ready data, along with a final report, in early 2016.

From what was initially a casual observance, resulted in targeted efforts in the "Director's Tree Replacement Project" – or, replacing right-of-way trees that had been removed and not replanted for, in some cases, many years. Public Works Grounds Maintenance replaced approximately 30 previously-removed trees in early spring 2015 in the Market, downtown, and Juanita Village areas.



Through a collaborative partnership with WesSpur and Ascension Group NW, Public Works Grounds Maintenance hosted and participated in a regional arborist safety workshop on aerial rescue training. Subsequently, Grounds Maintenance is developing an in-house safety program and Standard Operating Procedures (SOPs) for equipment use and tree care activities. The SOPs will be used by tree crews in Public Works and Parks departments. Establishing tree worker safety policies meets Work Plan Objective 2.2 and 4.2 to meet maintenance expectations and ensure City compliance to safety standards, Best Management Practices and related codes.



Kirkland continued to show its commitment to sustainable urban forest management by maintaining its status as a Tree City USA for the 13th consecutive year and by earning its 6th Growth Award from the National Arbor Day Foundation in 2014.

And finally, Parks Field Arborist Ryan Fowler received the 2015 City Manager's Award for Outstanding Sustained Performance. He has "continuously shown his leadership skills as a passionate Lead Arborist in the field, and a dedicated team member within the Horticulture crew. He always supports and encourages his fellow employees, teaching the crew about trees, safety, and maintenance. Often responding to dangerous tree service calls, Ryan sets the example for excellent customer service within the Parks Department."

Continued Efforts...

Tree Planting - in addition to shrubs and groundcovers, Green Kirkland Partnership volunteers planted 2,700 native trees in park open space areas between mid-2014 and mid-2015.

Tree Team collaboration – this group meets once a month to support, share resources, find solutions, and discuss progress on urban forestry goals; a fundamental step towards building an urban forestry program with stable municipality-wide funding, cooperative efforts and adequate qualified staffing. The Urban Forester assembles agenda items, leads meetings and writes minutes on an ongoing basis.

What are we working on for 2015-2016?

Heritage Tree Program

Heritage Tree programs offer citizens an opportunity to celebrate and recognize mature trees, which are an important part of a healthy and sustainable urban forest. Strategically located large-stature trees mitigate urban heat islands, reduce stormwater runoff; improve local air, soil and water quality; and reduce atmospheric carbon dioxide. To fund the development of a Heritage Tree Program, a proposal was submitted to the King Conservation District (grant status pending). Establishing a Heritage Tree Program will fulfil Work Plan Objectives 3.1 and 3.5 in 2016.

Computerized Tree Management System

A tree management system that links tree inventory data, GIS mapping, service requests and work orders is essential to prioritize management efforts and meet public tree maintenance expectations efficiently. Ideally, the system is synchronized with the City's permit system and provides data queries and reporting functions. Employing a computer-based tree management system will meet Work Plan Objectives 1.1 and 2.2 in 2016.

Continued Collaborative Efforts

To maintain the momentum gained towards achieving Plan Objectives, departments are working together to

- Complete LID code updates
- Complete public tree inventories (2)
- Seek out opportunities, apply for and earn external funding
- Celebrate Arbor Day on Saturday, October 17th, 2015 at Watershed Park
- Apply for a 2016 Growth Award by completing 10 points worth of proposed initiatives below -

PROPOSED URBAN FORESTRY INITIATIVES FOR 2016

DEPT	INITIATIVE	2014-2019 UF WORK PLAN OBJECTIVE	ELIGIBLE FOR GROWTH AWARD?
Planning/ Urban Forester	1. Develop Annual Urban Forest Work Plan	2.3	-
	2. Complete park tree inventory, incorporate into GIS for city-wide use and fulfil MOU with grantor (WA DNR)	1.1.2	C4. 7 points
	3. Revise LID codes re: trees and vegetation (PW/SW)	4.3	-
	4. Develop Heritage Tree program (KCD grant funding)	3.1	B1. 4 points

DEPT	INITIATIVE	2014-2019 UF WORK PLAN OBJECTIVE	ELIGIBLE FOR GROWTH AWARD?
	5. Acquire funding for ROW Tree Planting (DNR), late 2015	1.2.3	D1. 4 points
	6. Conduct ROW Tree Inventory (previously funded) - develop project team/scope, hire contractor, coordinate w/ GIS, PW	1.1.2	C4. 7 points
	7. Plan & participate in Arbor Day w/ Green Kirkland Partnership to meet Tree City USA criteria	3.4	-
	8. Conduct tree code awareness workshops for developers, arborists, public sector	4.1	A11. 4 points
	9. Deliver Annual Report to City Council	2.4	-
	10. Lead multi-departmental Tree Team	2.1	-
Public Works/SW	1. LID code revision re: trees & vegetation	See #3 Planning/UF	-
	2. Assist with ROW Tree Inventory (previously funded)	See #6 Planning/UF	-
Public Works/Maint	1. Develop ROW stump grinding/tree replacement program with public input component	1.2.3	D4. 7 points
	2. Implement tree worker safety program/SOPs with Parks Maint	2.2, 4.2	A9. 5 points
	3. Assist with tree planting grant application in late 2015	See #5 Planning/UF	-
	4. Host regional arborist safety training	4.1	A12. 5 points
	5. Assist with ROW Tree Inventory (previously funded)	See #6 Planning/UF	-
	6. Continue to source funding for adequate public tree maintenance (equipment and staffing)	-	-
Parks/Maint	1. Assist in completing Park Tree Inventory and fulfil MOU with grantor (WA DNR)	See #2 Planning/UF	-
	2. Assist with tree worker safety program with Public Works	See #2 PW Maint	-
Parks/GKP	1. Initiate restoration on five new acres	3.2	C11.
	2. Establish \$30,000 funding through grants or partnering--for professional crews to work in sensitive areas	2.2, 3.2	C2?
	3. Arbor Day celebration in collaboration with Planning/UF	3.2, 3.4	-
	4. Initiate restoration efforts in O.O. Denny Park, Finn Hill Neighborhood	3.2	-
	5. Ongoing outreach to schools, businesses, and other community groups regarding the UF/GKP agenda	3.1, 3.2, 3.7	A6, A7.
	6. Restoration by professional crews at O.O. Denny and Crestwoods park forested areas (subject to grant approval)	2.2	-
	7. FSC certification for city-owned forests, including parkland and Public Works open space	1.2.3, 2.2, 3.2, 3.6	A3, C14. 3/10 points

The City of Kirkland will continue to be accountable to the community and the City Council on its incremental progress towards a sustainable urban forest by reviewing, summarizing and reporting its work towards the goals outlined in the Plan on an annual basis.



December 16, 2014

Linden Lampman, Grant Coordinator/UCF Program Manager
1111 Washington St SE, MS 47037
Olympia, WA 98504-7037

**Subject: 2015 Community Forestry Tree Inventory Grant
Kirkland Parks Tree Inventory Project Proposal**

Dear Ms. Lampman,

This proposal by the City of Kirkland, Washington is a request for a Tree Inventory Grant from the Washington State Department of Natural Resources (DNR) Urban and Community Forestry Program. This funding will support the collection of tree data in 11 high-use/high-priority parks (Attachment A).

Kirkland's *commitment* to the sustainable management of its trees is shown by the recent investment in a canopy assessment and forestry management plan. This commitment is evident in the community's policies and ordinances, and has been recognized by the National Arbor Day Foundation with 5 Growth Awards.

The *purpose* of this project is to work towards a complete public tree inventory so the City can proactively manage its public trees, justify urban forestry funding and effectively manage the asset for safety. A safe, healthy and sustainable community forest provides a multitude of aesthetic, economic, environmental, and social benefits.

"In order to track progress [towards significant improvements in storm water management and air quality], it will be important to complete, then monitor and maintain the inventory of public trees..."

Kirkland Comprehensive Plan Element V, Goal NE-3, Policy NE-3.1

If awarded this grant, the City's *objectives* are to use the resulting inventory data to

- Track maintenance activity and develop more proactive operations strategies
- Better inform management and planning decisions in parks
- Develop tree planting guidelines

- Meet goals established in Kirkland's long-range planning documents and National Arbor Day/Growth Award requirements

The *need* for this project starts with the assertion that an asset inventory is vital to effective management. Currently, there is no inventory of trees in landscaped city parks; all trees in these areas are of an unknown value, size, condition, and risk potential. With one full time Field Arborist responsible for maintaining an estimated 31,000 park trees, a tree inventory is a much-needed tool for park operations.

Furthermore, the existing tree inventory consists of 10-year-old data on half of the total number of street trees. It is not linked to the City's work order and permit systems, resulting in limited functionality from a management and planning point of view. This project will provide the up-to-date data in a scalable model for either an upgrade to the existing systems or for new inventory software.

Planning for this project involves multiple departments working together, including IT-GIS staff (detailed under Project Support). To effectively manage the tree asset for safety, the Parks Department selected the most frequently visited/high-use landscaped parks (Attachment A). These parks, listed in order of priority, contain approximately 2,400 trees and planting spaces, staying within the scope of the grant project:

- | | |
|-------------------|------------------------------|
| 1. Marina | 7. Juanita Beach |
| 2. Heritage | 8. O. O. Denny |
| 3. Marsh | 9. N.K. Comm. Ctr |
| 4. Houghton Beach | 10. 132 nd Square |
| 5. Peter Kirk | 11. McAuliffe |
| 6. Waverly | |

The City proposes to use the inventory results as specified under Project Impacts & Deliverables. Although the City hopes to use any preliminary inventory data as soon as it is available for reliant projects, the project has been planned with the following milestones as outlined in DNR's Estimated Schedule of Activities:

Proposals Due	4pm PDT, December 19, 2014
Period of Contract Performance (Inventory)	April 1, 2015 – May 31, 2016
Period of MOU Performance (Obligations)	April 1, 2015 – May 31, 2017
Grantee Satisfies all MOU Obligations	On or before May 31, 2017

The City of Kirkland will comply in all respects with applicable ordinances, laws and regulations with the application and administration of this grant. If selected, the City will sign a Memo of Understanding outlining the terms and conditions for this project,

prior to commencing work. Kirkland agrees to promote the project, appropriately recognize DNR and the USDA Forest Service, supply a work plan resulting from the inventory results, and participate in an interview or survey to gauge project efficacy.

Support for the project is primarily through the City's Urban Forester as the Point of Contact; coordinating with two Parks Maintenance and Operation Managers to provide direction during the project and to use the inventory findings and recommendations to develop a workplan. Parks staff is available to support inventory efforts, if needed.

At least one (1) staff person from Kirkland's GIS resources, which includes an Administrator, two in-house GIS Analysts and a Contract GIS Analyst is available to provide the aerial imagery/maps required for the inventory, incorporate the Arc/GIS inventory data into the City's GIS system, and update and maintain the inventory. And finally, the Kirkland Park Board has demonstrated its support to inventory trees in high-priority city parks with the attached Letter of Support (Attachment B).

Project impacts & deliverables include promotion with at least one of: a press release, City Update newsletter article, and website posting. Professional video production of the inventory process is under consideration as a potential project deliverable; the video may be featured as a mini-documentary on YouTube and Kirkland TV.

The City is poised to collect tree data on all remaining high-use parks (detailed under Cost Sharing Requirements), ensuring that the project will expand beyond its grant-funded scope. When all 15 high-use parks have been inventoried, the City aims to inventory trees in all landscaped 'Other Parks' areas.

Once incorporated into the GIS database, the inventory will be a valuable tool when responding to citizen calls. As a layer in the City's internal GIS browser, it can be viewed by staff while taking calls, enabling a more efficient response. With subsequent updates, the maintenance history will become valuable information, too.

Kirkland's ambitious GIS program now provides public access to 18 standard maps through the City's website. If awarded this grant, this data can be used to build a public GIS mapping tool, functioning for public education and promoting stewardship for Kirkland's "public arboretum."

Recommendations will be used to develop a broader work plan and a more specific Parks Tree Maintenance Program to prioritize tree care and removals in high-use parks. The data will enable better planning for species and age distribution/diversity, which is important for anticipating disease and pest infestations such as Emerald Ash borer.

This project allows the City to meet goals established in its Comprehensive Plan, meet criteria for a Tree City USA 2017 Growth Award, and work towards inventorying trees in active parks by 2017, an objective in the Urban Forest Six Year Work Plan. Completion of this project allows reliant projects to launch, such as 'develop tree planting guidelines based on an inventory,' and 'analyze environmental benefits of trees.'

Matching funds are not required for this grant; however Kirkland is prepared to provide \$6,000 from the City Forestry Account to inventory trees located in 4 additional high-use parks outside the scope of this project (approximately 1,500 trees located in Crestwood, Mark Twain, Cemetery, and Everest Parks). If feasible, the City proposes to secure the services of the selected DNR consultant for this additional work.

Per the Request for Applications, a budget sheet is not included with this proposal. In-kind matches associated with this project may include office and meeting space. Field crews are available to support inventory efforts, if needed. Kirkland plans to report in-kind contributions with the final report/work plan.

If awarded this grant, Kirkland is committed to making this project a successful and highly useful product to manage the community's tree resource. Thank you for your consideration and support.

Sincerely,

Deb Powers, Urban Forester

Attachments

- (A) Kirkland Parks Tree Inventory Project Map
- (B) Kirkland Park Board Letter of Support



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
Michael Olson, Director of Finance and Administration

Date: September 29, 2015

Subject: Park Board Interview Process

RECOMMENDATION:

That the City Council appoints three members to an interview selection committee for the current Park Board seat vacancy.

BACKGROUND DISCUSSION:

Nine applications have been received for a current vacancy on the Park Board, which is for the remainder of an unexpired term ending on March 31, 2016. The alternate selected during Council's annual recruitment process in March of this year is unfortunately no longer available to serve.

The City Council's procedures provide for reducing the number of applicants for interview to three applicants for each vacancy. Council will need to appoint an ad hoc committee of the Council by lot to review the applicants and recommend three finalists to the entire Council to interview. The full Council may accept or revise the finalist recommendations of the ad hoc committee.