



CITY OF KIRKLAND CITY COUNCIL

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

Vision Statement

Kirkland is one of the most livable cities in America. We are a vibrant, attractive, green and welcoming place to live, work and play. Civic engagement, innovation and diversity are highly valued. We are respectful, fair, and inclusive. We honor our rich heritage while embracing the future. Kirkland strives to be a model, sustainable city that values preserving and enhancing our natural environment for our enjoyment and future generations.

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AGENDA KIRKLAND CITY COUNCIL MEETING City Council Chamber Tuesday, October 18, 2016 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.

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.

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

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

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
 - a. Police Strategic Plan – Part 2 (6:00 p.m.)
 - b. Discussion with Girl Scout Junior Troop 43784 (7:00 p.m.)
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
6. *COMMUNICATIONS*
 - a. *Announcements*
 - b. *Items from the Audience*
 - c. *Petitions*
7. *SPECIAL PRESENTATIONS*
8. *CONSENT CALENDAR*
 - a. *Approval of Minutes:* (1) October 4, 2016
(2) October 4, 2016

***QUASI-JUDICIAL MATTERS**

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

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

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

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

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

CITY COUNCIL COMMITTEE agendas and minutes are posted on the City of Kirkland website, www.kirklandwa.gov.

- 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*

- h. Other Items of Business*

- (1) Resolution R-5215, Approving a City of Kirkland Legislative Agenda to be Addressed to the 2017 Session of the State Legislature.

- (2) Report on Procurement Activities

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

- a. Local Animal Services Program*

- b. City Hall Renovation Project – Update and Discussion*

- c. Ordinance O-4537 and its Summary, Relating to Solid Waste Collection Rates and Amending Section 16.12.030 of the Kirkland Municipal Code.*

- d. Resolution R-5216, Renewing the Franchise Granted to Puget Sound Energy, Inc. Pursuant to Ordinance O-4060 and Authorizing the City Manager to Sign an Extension.*

- e. Ordinance O-4538 and its Summary, Relating to Storm and Surface Water Management of Development Activities.*

11. NEW BUSINESS

- a. Ordinance O-4539, Updating and Expanding the Accommodation of Transportation Uses Along Transportation Facilities to Create Complete Streets.*

12. REPORTS

- a. City Council Regional and Committee Reports*

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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Marilynne Beard, Deputy City Manager
Cherie Harris, Police Chief

Date: October 6, 2016

Subject: POLICE STRATEGIC PLAN STAFF RESPONSE

RECOMMENDATION:

City Council receives a report on the Police Department's response to the Police Strategic Plan prepared by BERK Consulting and provides direction regarding next steps.

BACKGROUND DISCUSSION:

In January, 2016 the City engaged the firm of BERK Consulting Inc. to perform an operational review and prepare a strategic plan for the Kirkland Police Department. In the ensuing nine months, the consultant worked closely with the department, the City Manager's Office and internal and external stakeholders to evaluate the department's current performance and identify opportunities for improvement. A draft of the Police Strategic Plan report was presented to the City Council on September 6, 2016. The report included a total of 39 recommendations with 91 sub-recommendations to guide the department over the next five year period.

The City Council discussed the report and asked for clarification and/or further detail in selected areas and asked staff and the consultant to:

- Look at process improvements first and then use of non-commissioned personnel and/or adding new staff
- Provide information concerning previous Police Chief's comment (prior to annexation) that staff requested for annexation would meet all needs and no more staff would be requested.
- Provide more details about how patrol officers spend their day now versus how they might spend their day under the proposed policing model.
- Discuss how and whether the department can reallocate existing staff time to achieve the same outcome.
- Include CPTED in Design Review Process (Community Policing through Environmental Design).
- Use technology to create easier direct access for officers to crime analysis data so that they can self-serve.

- Provide more specifics about how the department can use social media to communicate with the public.
- Find examples of best practices of similar-sized cities for use of technology in police to create efficiencies.
- Provide more specific recommendations about how to achieve greater diversity in the Police organization.
- Describe in greater detail how to measure whether the actions taken to implement community policing have been successful.
- Clarify the roles of City Attorney and the City Prosecutor in establishing sentencing guidelines.

Some of these follow-up items are incorporated in the updated Police Strategic Plan (attached) document to be considered for adoption during an upcoming regular City Council meeting including:

- An introduction to the staffing-related section (page 18) clarifying the number of new positions needed and factors affecting the number of new positions needed to implement a community policing model that focuses on proactive policing and directed patrol.
- Enhanced detail related to technology (page 41), social media (pages 35-36) and recruitment (pages 51-52).
- Clarification of City Prosecutor or the responsible party for coordinating with the Police Department on sentencing guidelines.

The remaining items are addressed in the department's response to the recommendations and follow-up items presented below.

Staff is requesting that Council provide direction regarding additional information needed, questions about the department's response and any further changes needed to the consultant's report prior to formal adoption.

Department Review and Response Process

The department was asked to review the recommendations and to evaluate each against the following criteria:

- Agree/Disagree with the recommendation and Agree with Modifications
- Department priority (high, medium or low) based on the perceived immediacy of the recommendation
- Status of recommendation including whether steps have already been taken to address the recommendation, actions needed represent and ongoing effort or the item is not yet started
- Target completion date (if known)
- Whether implementing the recommendation requires collective bargaining, additional resources and/or City Council action.

The attached matrix summarizes the department's response. The following discussion provides greater detail about the department's recommended direction.

It should be noted that a number of items will be included in the 2017-2018 Budget discussion in an effort to begin implementation of key recommendations, including:

- One-time funding for 2017 and 2018 for a Temporary Records Police Support Associate to assist in clearing the back log of case reports needing to be purged (\$161,839)
- One-time funding for Jail Administrative Support to support jail programs, enter warrants and assist the day-to-day activities related to Electronic Home Detention (\$196,148)
- Ongoing funding for Jail Medical Services (\$286,000)
- Authorization of 2.00 FTE Police Office Over-hire positions to allow the department to begin the recruitment and hiring process earlier for known retirements and other vacancies before the existing position is vacated. Given the time required between recruitment, hiring, participation in the academy, field training and transition to independent patrol, the over hire authority will assure that the department can be fully staffed sooner.
- Ongoing funding for one new officer and transfer of one additional officer (previously assigned to the Eastside Narcotics Task Force that was disbanded) to begin the restoration of the proactive policing unit ("Pro-Act unit").

The department's current staffing challenges due to multiple vacancies will necessarily slow the implementation process as many of the recommendations require the participation of commissioned staff that are currently dedicated to filling vacant patrol shifts. It is estimated that it may take up to a year before the department will be close to full staffing assuming significant new vacancies don't occur.

The following discussion is organized by the major report headings in the consultant's report with an emphasis on response to recommendations which the department has already begun or finished implementing and recommendations that the department agrees with but that believes that additional clarification or modification is needed as well as responses to City Council questions and suggestions.

The department understands that the Police Strategic Plan is a five year plan and that full implementation of the plan will occur over time as resources allow.

OVERARCHING DIRECTION

The department agrees that finalizing an updated vision statement, mission and values will provide the needed underpinning for guiding the implementation of recommendations and evaluating the performance of the department and individuals in the future. The Police Chief will take the lead on this effort in coordination with the department leadership team and representatives from the various work groups. Activating the adopted mission and values through guiding principles will be an ongoing effort involving the entire department.

CRIME PREVENTION AND RESPONSE

This section contains recommendations that are fundamental to the department's future configuration and service delivery model. While there is general agreement to the principles of community policing, using lean processes to improve efficiency and redirection of existing staff will not be adequate to fully realize the level of community engagement and directed patrol

needed to create new connections and to make a positive impact on high priority crimes that are of concern to the community. Additional patrol officers will be needed to create time for greater community interaction and proactive policing.

The strategic plan document focuses heavily on data in support of the capacity for new positions. While this data is of course powerful and necessary, there is also a need for stronger narrative as to the department's ability to simply continue to provide and maintain city wide coverage as it relates to community policing, maintaining connectivity between the officers and the neighborhoods they patrol, as well as timely response to calls for service.

The concept of "over-watch" is foundational to all policing, in which officers promote a trusting, cooperative relationship by being visibly present in the community to provide protection, crime deterrence and interact with the community in non-enforcement activities. The purposeful outcome of this policing philosophy, is a feeling of community well-being and general safety. The competence, ability or inability of an agency cannot only be measured by having enough officers available to take a police report after a crime has been committed. This all lends itself to quality of life perceptions. The current level of community trust and satisfaction is well earned but forever fragile. At a time of national police/community unrest, proactive relationships in support of community policing will be the key to maintaining true community connectivity and trust.

Consultant interviews with very good officers found they are constantly busy during their day, primarily in response to citizen-generated calls for service. Officers have reached a self-perceived saturation level. They have stopped doing proactive policing, to include self-initiated traffic activities, out of a sense of duty for fear of not being immediately available when a major incident such as a felony crime in progress occurs or when a peer officer needs help. Officers are going from call to call, simply reacting after the fact and not feeling as though they have the ability to make a true impact. In response to this feeling of saturation, Officers not only reduce their self-initiated activity, they often don't take meal breaks, nor do they accurately report their availability. In effect, they are unintentionally under-reporting how busy they are. Officers are being loyal to each other and are duty driven. Officers will say they are available for calls, when they are actually parked somewhere writing police reports, because they want the dispatcher to see them as available and call on them when needed. Officers are also inaccurately reporting their availability because they have a strong sense of ownership for the community and particularly for their geographical area of responsibility. These Officers were very eager to prevent crime, problem solve neighborhood issues and connect with their community.

Likewise, consultant interviews with community members found a "strong desire for stronger community-police relationships" to include better integration of officers in the community, participation in events, a more proactive role in social services and emergency preparedness. During introductions with community stakeholders, this was a theme the Chief heard multiple times as well as a feeling that officers are not as visible as they used to be. There are neighborhood associations that want to "adopt" an officer.

Adding additional resources and increasing unobligated time allows the department to create opportunities for collaboration between officers and the community through participation in neighborhood, business and civic events. Directed patrol through data analysis depicts where this collaboration needs to occur and identifies the issues that need to be problem-solved.

Community Policing requires citizens to be actively involved in problem solving and to come forward with relevant information. The department currently is unable to provide enough unobligated time for patrol officers to make these connections, instead this duty is delegated to a single Neighborhood Resource Officer (NRO).

In order to more clearly articulate how the shift to a community-oriented and data-driven policing can increase safety and reduce crime, the department will make a presentation to the City Council at the study session that demonstrates how "A Day in the Life" of a patrol officer looks now versus how it might look under a new model and philosophy of policing.

CRIME ANALYST

The development, analysis and timely application of data is critical to the department's success if the shift from conducting reactive policing to preventative policing is to occur. It is the crime analysis function which transforms disparate data collection into an efficient, purposeful and effective response tool. While also critical to the success of a formal Pro-Act unit, a robust crime analysis function also provides the mechanism for the department's community policing philosophy to become an actionable and impactful problem solving tool. Crime analysis in support of proactive policing includes; directed patrol, regional proactive policing efforts, investigational analytics and general organizational analysis in support of community based policing. An example of basic analytical work includes proactively assessing a series of car prowls cases for the mode of entry, geographical location, and similarity of items stolen and a search of possible suspects who might live or frequent the area. More advanced techniques occur through the use of predictive software combined with the analyst's knowledge, training and experience that is then used to plan directed patrol activities.

The Department currently has a well-trained crime analyst, however, analytical efforts in support of proactive policing or directed patrol have long been hampered by the analyst's current tasks and workload. Departmental leadership has examined the nature of this workload and has determined that while very important, the vast majority of the workload and associated tasks are administrative or clerical in nature. Increasing the crime analyst capacity will also allow the current analyst to effectively represent the department within the analytical community, providing for the timely sharing of crime information, patterns and trends within the region. The Department recommends additional administrative support for the Crime Analyst rather than a second Crime Analyst as recommended by the consultant.

RECORDS

Progress has already begun to implement the consultant's recommendations. The department has a meeting scheduled in October with a representative of the State Auditor's Office lean program and it is hoped that the lean process improvement exercise can take place in early 2017. As noted above, the department has also requested a temporary police support associate to help with the backlog of case reports. It is hoped that these two actions will alleviate the work load and chart a positive future for this function.

CORRECTIONS

Kirkland's Corrections services have undergone a major change in scope which brings with it a higher level of oversight, accountability and updated policies and procedures. The corrections consultant, Karen Daniels, provided detailed recommendations (compared to the level of detail contained in the balance of the report) and the department appreciates her specificity as it provides the basis for an implementation work plan. Despite the fact that staff placed a high priority on many of the recommendations, they will still need to be staged based on importance and urgency. The department is in the process of working on the highest priority items to include completion and external review of the inmate classification system, implementation of inmate programs and development of updated policies and procedures.

Aside from the Strategic Plan summary of recommendations, the Corrections Staff created detailed spreadsheets of programs, processes, duties and assignments to include a breakdown of tasks, estimated completion dates and possible needed resources. Many simple programs have already been completed such as providing inmate haircuts and an updated work release program. Supervisory staff meet on a monthly basis to review and update duties and assignments and will be incorporating the Strategic Plan summary into the current work plan.

The Correctional Facility Lexipol policy manual continues to be reviewed and implemented as procedures are put in place that meet industry best practices. Upon completion of the Lexipol policy manual the department plans to begin work on implementing accreditation standards through a newly created program by the Washington Association of Sheriffs and Police Chiefs (WASPC). Based on the department's previous experience with accreditation, it's a lengthy process that requires administrative support. The Strategic Plan's recommendation for an administrative position in the jail will go a long way to not only implementing accreditation but also to supporting the programs and processes that are currently being completed by operations staff.

COMMUNITY RELATIONS

This is another area where department vacancies will impact how quickly some of these recommendations can be implemented. For instance, the Neighborhood Resource Officer (NRO) has been transferred to patrol to help cover patrol shifts. In addition to full staffing, the addition of new staff will help provide the capacity to do more community outreach. Nevertheless, the Department has made strides in this area by taking advantage of opportunities available to a new Chief of Police and reaching out to the community including:

- Community Stakeholder meetings (one on one with the Chief)
- Neighborhood Association meetings
- Letters to the Editor
- Crime Prevention meetings
- Citizen's Academy

New mediums of community relations currently under development include a department Facebook page and an updated Twitter account. While the department has previously communicated with the public in the form of a traditional press release, Officers have been selected and are being trained to post to both accounts. These sites will be used to not only inform citizens of public safety concerns in and around Kirkland but also to provide community

outreach and build relationships through informational and “just for fun” posts of Officers doing their work.

MANAGEMENT OF DATA AND TECHNOLOGY

The department already relies heavily on technology in its daily operations and was one of the first departments in the state to put laptop computers in patrol cars. Technology can create efficiencies and enhance policing efforts. Procuring and implementing new technologies most often requires funding as well as staff time. The department is well-supported by the City’s Information Technology staff. A dedicated on-site technology staff person would assist in implementation of the technology recommendations and in evaluating the cost/benefit of new technologies.

The department has identified a way to provide handheld devices (smart phones) to patrol officers through the normal cell phone replacement cycle and analyzing budget line items that can be adjusted for the use of technology upgrades. Two of our neighboring agencies have already upgraded to the use of smart phones in the field and are utilizing new law enforcement “apps”. Many of these apps streamline simple processes such as uploading minor collision investigation photos into our records system. Future use of smart phones could include pushing out notifications of officer safety concerns and or probable cause for the arrest of known subjects.

REGULATORY CHANGES

The Department is currently in compliance with the FBI’s National Incident Based Reporting System (NIBRS) that requires collecting any known data on the age, sex, race, and ethnicity of both the victim and suspect in an offense report.

EVOLVING SOCIAL CHANGES

The department has developed and implemented an aggressive plan to train staff through the Criminal Justice Training Commission (CJTC) on Crisis Intervention Techniques (CIT) above and beyond the minimum requirements. Officers are called to incidents involving subjects with mental or emotional issues on a daily basis and frequently use the King County Crisis Response Team.

With the increase in behavioral and mental health challenges in the community, Staff recently developed a proposal to implement a CIT Cadre of Officers on Patrol and in Corrections who would receive additional training and who would be selected based on their temperament, experience and desire to interact with individuals in crisis. The CIT Cadre would work with local and regional mental health professionals & crisis intervention resources as partners in providing outreach and establishing possible diversion programs not currently available to Kirkland residents. While it sounds promising, this CIT Cadre proposal needs further research and development.

PARTNERSHIPS

The City of Kirkland and the Department are continually seeking opportunities for partnerships that will leverage Kirkland's capacity to improve or enhance service and frequently meets with neighboring agencies to discuss the potential for future regional partnerships.

The dissolution of the Eastside Narcotics Task Force has created a deficit in our ability to manage large scale narcotics investigations. While the Investigations Unit has handled a few cases of a community-sensitive nature, the current staffing level does not allow for ongoing narcotics investigations. Experience has shown that property crimes are often associated with subjects who are involved in narcotics trafficking and or addiction. The re-instatement of a Pro-Act unit is a possible solution to handling narcotics investigations along with partnerships with neighboring agencies as the criminal element does not recognize jurisdictional boundaries.

Other partnerships that the department actively maintains are with the FBI's Cyber Crimes Task Force and the Internet Crimes Against Children Task Force. Future partnerships could include Traffic Collision Investigations, Crime Analysis and Animal Control.

COMMUNICATION, CONNECTION AND COLLABORATIVE LEADERSHIP

While the completion of the vision, mission, values and guiding principles are of the utmost importance, the Chief is committed to ensuring that they are developed as a collaborative effort across the Department. Improving communication and establishing renewed connections between work groups is also a priority. Currently, the Chief is scheduling one on one meetings with each member of the Department to build rapport and gain valuable insight and input into improving systems and processes.

Decisions that previously would have been made by Command Staff members without input from line staff such as uniforms, specialty assignments and even vehicle purchases now include collaboration with those that are most affected. Other examples of increasing communication include simple bulletin boards strategically placed throughout the department to post letters of commendation and department announcements.

PERFORMANCE EVALUATIONS

Performance evaluation will be updated after the completion of the mission, vision and values through a collaborative process involving both employees and supervisors.

RETENTION, SUCCESSION MANAGEMENT AND RECRUITMENT

There are a number of improvements that have already occurred that involve the recommendations of succession management and recruitment. A collaborative effort to create a professional development plan for each employee is underway as well as sending two supervisors to the Northwestern University Center for Public Safety's School of Police Staff and Command and the rotation of command officers and supervisors in specialty positions. Most command level officers had previously held the same job for over five years and had not been cross trained in other duties.

In an effort to bolster recruitment, the department has undertaken a major revision of hiring practices to include:

- A streamlined application process for lateral applicant officers, which had previously mirrored the more laborious entry level officer process.
- Aggressive outreach to applicants by scheduling oral boards immediately following each written test.
- New marketing/recruitment strategies to include traditional methods, web based and social media posts, billboards on King County Metro buses and radio/web advertising on two popular FM stations; 100.7 and 99.9.
- Target marketing to include in-person recruitment efforts at college and military career fairs.

Retention continues to be an ongoing process that started with the implementation of a new patrol schedule in February 2016. Contract negotiations are underway with both the commissioned and non-commissioned officers.

Conclusion and Next Steps

The KPD is grateful for the opportunity to have an external review and for the support of the City Manager and City Council to help the department move forward. Staff anticipates working with the City Manager's Office to develop a detailed work plan and work with the Public Safety Committee on specific items as needed. The department will provide periodic updates to the City Council on general progress and well as reports on specific initiatives.

Staff is also planning on conducting public outreach to share the report's findings and field questions and ideas. Once the matrix is updated to reflect Council's comments, it will be posted to the City's web page and kept update to reflect progress on implementation.

The updated Police Strategic Plan report as attached to this memo will be presented for formal adoption by resolution following Council review and any further changes that may be requested.

POLICE STRATEGIC PLAN—SUMMARY OF RECOMMENDATIONS AND STAFF RESPONSE

Category	Recommendation	Agree?	Priority	Responsible	Status	Target Completion	Notes	Requires Bargaining	Requires Funding	Requires Council Action
OVERARCHING DIRECTION										
1.	Finalize the articulation of the Department's Philosophy, Vision, Mission, and Values as begun during this planning process									
a.	Establish a clear and meaningful description of KPD's guiding philosophy.	Y	M/H	Chief		2017		N	N	N
b.	Establish strong Vision, Mission, and Values statements that distinctly represent Kirkland and the Kirkland Police Department.	Y	M/H	Chief		2017		N	N	N
2.	Animate these governing statements by promoting them and using them.	Y	M/H	All		ongoing		N	N	N
CRIME PREVENTION AND RESPONSE										
3.	Align the Patrol policing model with an increased focus on crime prevention and community policing.	Y	H	All			This change in policing will involve multiple steps, some of which will require additional resources and some that will require a change in operational practices.	Maybe	Y	Y
4.	Increase Patrol capacity to create time for preventive, data-driven policing and directed patrol.									
a.	Seek to add the equivalent of approximately 11 additional patrol officers over current authorized levels (60 officers).	Y	H	Chief/City Manager	IP	TBD	One new and one re-deployed officer recommended in 2017 to re-form a Pro-Act unit.	Y	Y	Y
b.	Make lean process or technology improvements to reduce officer paperwork, approvals, and internal communications to enhance service and increase time for directed patrol.	Y	H	Chief		2017/2018	Current staffing challenges will limit the availability of patrol staff to take part in this effort	Maybe	Maybe	N
c.	Monitor shift schedule in relation to calls for service to adapt to changes in production.	Y	H	Chief	IP	ongoing	Adaptations to accommodate changes related to the shift schedule change are being explored or taking place. For instance, the department will be purchasing six new patrol vehicles to provide more efficient shift changes.	Maybe	Y	N
d.	Consider the use of non- or limited-commission personnel.	Y	H	Command	IP	2017	Neighboring agencies use police support officers for non-emergent calls for service. This would need to be bargained.	Y	Y	Y
5.	Implement technologies to alleviate burdens on Patrol and increase capacity for crime prevention and community policing.									
a.	Begin use of online reporting paired with ongoing evaluation.	Y	H	Command	IP	2016/2017	CopLogic (on-line incident reporting tool) is currently in the testing phase; department will develop a marketing plan and assign a staff person to review and follow-up reports as needed.	N	Maybe	N
b.	Once use of CopLogic has stabilized, evaluate the impact online reporting of some crime types that affect staffing needs.	Y	H	Command		2017		N	Maybe	Maybe

POLICE STRATEGIC PLAN—SUMMARY OF RECOMMENDATIONS AND STAFF RESPONSE

Category	Recommendation	Agree?	Priority	Responsible	Status	Target Completion	Notes	Requires Bargaining	Requires Funding	Requires Council Action
6.	Increase data-informed policing with support from crime analysis.									
a.	Add capacity in the form of an additional Crime Analyst.	N	H	Chief/City Manager	IP		Crime analysis support position requested in 2017. Crime analysis support staff will enable the crime analyst to provided more assistance. Ongoing crime analysis support should be evaluated once additional officers are hired to assess demand.	N	Y	Y
b.	Use local resources that can help support crime analysts in small departments.	Y	M	Command			The Crime Analyst currently works with regional partners on sharing intelligence information.	N	Maybe	N
c.	Provide internships to local university students such as students or graduates of the Seattle University crime analysis certificate program.	N	L	Crime Analyst			Extensive background check and security clearance process to enable access to criminal data basis make short term appointments inefficient	N	Y	Y
7.	Shift KPD's command structure to better align with new shift schedule and strengthened focus on crime prevention and community engagement.									
a.	Align command structure with new 10-hour shifts to ensure appropriate span of control.	Y	M	Chief	IP	2017	One lieutenant has been reassigned to swing shift to provide more command staff support outside day shift; ultimately recommend one additional FTE to accomplish; change in lieutenants shift schedule requires change to SEIU collective bargaining agreement.	Y	N	N
b.	Clarify the line of command in the Chief's absence and consider alternative command titles, such as Deputy Chief to better align with peer agencies organizational structures.	Y	H	Chief	IP	TBD	Evaluate conversion of two Captain positions to Deputy Chief.	N	N	N
c.	Consider the merits of a permanent non-commissioned administrative manager position that can work closely with commissioned personnel while increasing the Department's expertise and oversight capacity in administration.	Y	H	Chief		TBD	Evaluate conversion of a Captain position to non-commissioned administrative manager.	N	N	N
8.	Continue to monitor workload of Investigations and other units with shift to new policing model.									
a.	Communicate regularly with the City prosecutors and City policy makers to maintain a shared understanding of the prosecution priorities and filing standards for the City.	Y	L	Command	IP	ongoing	The Operations Captain is in regular contact with the City's contract prosecutors regarding priorities and trends.	N	N	N

POLICE STRATEGIC PLAN—SUMMARY OF RECOMMENDATIONS AND STAFF RESPONSE

Category	Recommendation	Agree?	Priority	Responsible	Status	Target Completion	Notes	Requires Bargaining	Requires Funding	Requires Council Action
9.	Assess community traffic enforcement priorities.									
	a. Engage community members to better understand their traffic-related concerns.	Y	M	Command		2017	Recommend use of CopLogic on line reporting to reduce number of calls for service for non-reportable accident reports (less than \$1,000 damage and no injuries) . Attend neighborhood and PTA meetings to discuss community priorities and range of tools available such as cameras.			
	b. Based on this understanding, set appropriate objectives and staffing. Consider how the Traffic Unit and other resources are best used to address traffic issues relative to other community priorities.	Y	L	Command and Traffic Unit		2018	Traffic represents the highest volume of complaints and calls for service and is clearly a high priority for the community. The Traffic Unit is key to assisting with accidents scenes to keep patrol free for calls for service and to timely clear accident scenes to improve traffic flow. Traffic unit is currently redeployed to patrol which will likely result in delaying implementation of this recommendation.	N	N	N
	c. Determine the importance of addressing school zone speeding relative to other potential uses of department resources.	Y	H	Traffic Unit		2018	School zone speed cameras are effective in reducing speeds, however, each event must be reviewed by a commissioned officer to issue a citation; speed cameras are not a substitute for community presence of police officers. Recommend pilot project to be undertaken in coordination with Public Works in two high traffic school zones to determine effectiveness and impact on staff; also recommend concerted community communication effort to deal with possible negative public perceptions of speed cameras.	N	Y	Y
10.	Reevaluate staffing needs regularly to adapt to City development and population growth, with a focus now on current redevelopment occurring in Kirkland Urban and Totem Lake.	Y	L	Chief		ongoing	Special attention should be paid to impact of high density developments that bring more traffic and people to an area.	N	Maybe	Maybe
RECORDS										
11.	Take a phased approach to strengthening the Records function, seeking efficiencies before adding capacity.									
	a. Seek to address workload issues through increasing operational efficiencies.	Y	H	Records	IP	2017	Lean process to be scheduled to begin later this year through the State Auditor's Office.	Maybe	N	N
	b. Add staffing if the above efficiencies do not alleviate concerns.	Y	M	Chief/City Manager		TBD		N	Y	Y
	c. Create a staff succession plan to account for known retirement.	Y	H	Command		2017		Maybe	N	N

POLICE STRATEGIC PLAN—SUMMARY OF RECOMMENDATIONS AND STAFF RESPONSE

Category	Recommendation	Agree?	Priority	Responsible	Status	Target Completion	Notes	Requires Bargaining	Requires Funding	Requires Council Action
	a. Explore utilizing computer and electronic technology for efficiency, accuracy, and cost containment.	Y	H	Command		2017	Exploring technology available through NORCOM/Tyler module; system is currently based on a combination of paper and electronic records and is inefficient.	N	Y	Y
	b. Review "How to Collect and Analyze Data: A Manual for Sheriffs and Jail Administrators" (NIC).	Y	H	Corrections Lieutenant		2017		N	N	N
	c. Identify key data elements for decision making.	Y	H	Corrections Lieutenant		2017		N	N	N
	d. Obtain a list of available information data bytes from Tyler Technologies/New World Jail Information System.	Y	H	Corrections Lieutenant		2017		N	Maybe	N
	e. Consult with Looking Glass Analytics to provide demonstration of service.	Y	H	Corrections Lieutenant		2017		N	Maybe	N
	f. Consult with King County Detention research and information staff for examples of their data and reports.	Y	H	Corrections Lieutenant		2017		N	N	N
	g. Collaborate with NORCOM and Tyler Technologies/New World JIS to develop daily, monthly and annual inmate data reports.	Y	H	Corrections Lieutenant		2017		N	N	N
	h. Assign staff resources to ensure timely, accurate, relative reports generated.	Y	H	Corrections Lieutenant		2017		N	N	N
	i. Move warrants and records clerical responsibilities from corrections officers to records associates.	Y	H	Chief	IP	2017	Temporary jail administrative support authorized in 2016 and requested to continue in 2017 and 2018 assigned to the jail.	N	Y	Y
17.	Employ efficient and effective staff.									
	a. Conduct Staffing Analysis (NIC model).	Y	H	Corrections Lieutenant		2017	Depending on NIC's funding availability this assistance may or may not have a cost.	N	Maybe	N
	b. Develop a training plan.	Y	H	Corrections Lieutenant and Sergeants		2016		N	N	N
	c. Review recruiting, background, hiring and retention processes.	Y	M	Command	IP	2017	Efforts are similar to actions being taken in police operations recruitment.			

POLICE STRATEGIC PLAN—SUMMARY OF RECOMMENDATIONS AND STAFF RESPONSE

Category	Recommendation	Agree?	Priority	Responsible	Status	Target Completion	Notes	Requires Bargaining	Requires Funding	Requires Council Action
18.	Develop an evidence-based inmate population management plan.									
	a. Develop a housing plan with housing assignments based on inmate risk, needs and facility resources.	Y	H	Corrections Lieutenant	IP	2016/2017	Preliminary (uncertified) housing plan is currently being implemented.	N	N	N
	b. Initiate an inmate behavior management program (NIC - train the trainer funding request).	Y	H	Corrections Lieutenant		2017		N	N	N
	c. Recruit and train volunteers to oversee inmate programs.	N	H	Corrections Lieutenant		2017	Use volunteers to assist in providing programs with KPD staff providing oversight.	N	N	N
	d. Review agencies with similar size and operational scope re: budget, resources, content, frequency, success measures, schedules and implementation of successful inmate programs.	Y	H	Corrections Lieutenant		2017		N	N	N
	e. Develop and implement selected in-custody inmate programs.	Y	H	Corrections	IP	2017	Corrections sergeants are currently are developing.	N	N	N
	f. Establish a Correctional Options Advisory Board comprised of stakeholders (see Law and Justice Council statutory membership for examples).	N	M	KPD and Municipal Court		TBD	This needs to be worked out with the Municipal Court Judge; support improved communications between all parties to include the Court, Prosecutors, Corrections.	N	N	N
	g. Develop correctional options programs to ensure least restrictive alternative without compromising safety.	Y	H	KPD and Municipal Court	IP	ongoing	KPD continues to work with the Municipal Court to support sentencing alternatives as determined by the Judge.	N	N	N
	h. Identify bed capacity and housing of current population.	Y	H	Corrections	IP	2016	This is included in the classification system which is in progress.	N	N	N
19.	Communicate in an open, transparent, and frequent manner.									
	a. Engage stakeholders to determine what Corrections-related information they would like to receive, how often, and in what format.	Y	H	Corrections		2017		N	N	N
	b. Identify agenda items, frequency, participants for regularly scheduled meetings.	Y	H	Corrections Lieutenant		2017		N	N	N
	c. Identify content, frequency, audience, contributors, author, and support staff for written communication and report.	Y	H	Corrections Lieutenant		2017		N	N	N
20.	When developmental improvements are complete, evaluate options for contracting out excess capacity.									
	a. Conduct a cost benefit analysis for contracting out vacant bed capacity to other agencies.	Y	L	Chief		2018		N	N	Y
	b. Review with assigned Civil Prosecutor any contractual or potential liability concerns.	Y	L	Corrections Lieutenant		2018	Work with City Attorney's Office and WCIA.	N	N	N
	c. Develop a timeline for implementation of contracts.	Y	L	Chief		2018		N	N	Y

POLICE STRATEGIC PLAN—SUMMARY OF RECOMMENDATIONS AND STAFF RESPONSE

Category	Recommendation	Agree?	Priority	Responsible	Status	Target Completion	Notes	Requires Bargaining	Requires Funding	Requires Council Action
COMMUNITY RELATIONSHIPS										
21.	Increase the frequency and depth of non-enforcement interactions with community members, building a stronger partnership with the community.									
a.	Build organizational capacity to develop community relationships, including training for all officers on community policing techniques.	Y	H	Command	IP	ongoing	Community policing is part of core training for all KPD officers. In addition, one new and one re-deployed officer recommended in 2017 to re-form a Pro-Act unit.	N	Y	Y
b.	Increase the Department's overall cultural competency.	Y	M	Command		ongoing	This is already included as part of core training available for officers; outreach of multi-cultural organizations for recruiting efforts.	N	N	N
22.	Increase electronic public access to departmental information.									
a.	Make improvements to the Department website.	Y	H	PIO	IP	2016	Website in process of update to enhance recruitment efforts and to enhance usability.	N	N	N
b.	Improve use of social media.	Y	H	PIO	IP	ongoing	KPD has implemented an updated Facebook page and twitter account and is developing policies on their use.	N	N	N
23.	Measure organizational success based on indicators the community cares about. Organizational performance measures should drive individual performance measures.									
a.	Conduct annual Community Satisfaction Surveys in addition to the bi-annual city-wide Citizen Satisfaction Survey.	N	M	Chief		2017	Biennial community survey provides useful baseline information; recommend focus groups to supplement.	N	Y	Y
b.	Create quality metrics to accompany department-wide quantity metrics.	Y	M	Command		2017	Will emerge from visioning process.	Maybe	N	N
c.	Use performance measurement as a means to drive improvement and shape organizational culture.	Y	M	Command	IP	2017	Updated performance evaluation system to be based on updated vision and appropriate metrics.	Maybe	N	N
24.	Consider the development of Neighborhood Policing Plans with neighborhood -specific goals and measures.	Y	M	Command/ NRO		TBD	Need to explore further with regard to process for development; possible one time resources needed.	N	Maybe	Y
MANAGEMENT OF DATA AND TECHNOLOGY										
25.	Increase the Department's ability to manage technology in a strategic manner.									
a.	Establish a "Technology Champion" role.	Y	M	Chief		TBD	Recommend dedicated applications analyst for police to support current and evaluate future applications.	N	Y	Y
b.	Engage local technology firms and community members as technology partners.	Y	M	Command		TBD		N	N	N

POLICE STRATEGIC PLAN—SUMMARY OF RECOMMENDATIONS AND STAFF RESPONSE

Category	Recommendation	Agree?	Priority	Responsible	Status	Target Completion	Notes	Requires Bargaining	Requires Funding	Requires Council Action
26.	Increase use of real time crime data.									
	a. Evaluate current use of New World system and functionality. Determine if the system could be enhanced by creating additional modules in the current Records Management System.	Y	H	Command		2017		N	Maybe	N
	b. Explore emerging analytic tools that can be used with the existing crime information generated through the New World records system.	Y	H	Command	IP	2017	Working with NORCOM to secure "dashboard" software to produce base reports for patrol.	N	Maybe	N
	c. Evaluate new forensic tools that become available.	Y	M	Operations		TBD	Do not recommend purchasing polygraph (continue to contract as needed); KPD already uses voice stress analyzer.			
	d. Invest time with the Automated Fingerprint Identification System technicians to learn the latest tools that can be used with their system.	Y	M	Operations	Completed	2016	AFIS is already deployed in the field.	N	N	N
27.	Purchase tools with mobile device capability.	Y	H	IP		ongoing	Currently working with Information Technology Department to replace existing flip phones with smart phones as they are due for replacement.	N	Maybe	N
28.	Examine results of local two-year body-worn video pilots.	Y	L			2018	If implemented requires extensive investment in equipment, training and communication.	Y	Y	Y
29.	Invest in automated license plate readers for patrol vehicles.	Y	M			TBD	Recommend limited use in selected vehicles due to large server requirements and funding availability.	N	Y	N
REGULATORY CHANGES										
30.	Determine the demographic data that KPD will collect to monitor the impact of the City's criminal justice system on minorities.	Y	L	Operations		TBD	Already collect some data.	N	N	N
EVOLVING SOCIAL CHALLENGES										
31.	Increase Department capacity and expertise for handling increasing behavioral and mental health challenges.	Y	H	Training		2017	Recommend increasing training and continued use of King County Crisis Response Team; also recommend exploring establishing a Crisis Intervention cadre within KPD and researching the success of other departments' use of civilian human services staff to supplement patrol.	N	N	N
PARTNERSHIPS										
32.	Partner with other public safety agencies in the region.	Y	M	Command	IP	ongoing	KPD continues to explore opportunities for partnerships for special programs such as Pro-Act.	Maybe	Maybe	Maybe
COMMUNICATION, CONNECTION AND COLLABORATIVE LEADERSHIP										
33.	Implement Pro-Act change management and strengthen internal vertical communication flow.									
	a. Strengthen leadership's communication of issues of importance.	Y	H	Command	IP	ongoing	Chief has implemented a number of enhanced communications tools.	N	Maybe	No
	b. Focus on improving communication at the sergeant level.	Y	H	Sergeants		ongoing		N	N	N

POLICE STRATEGIC PLAN—SUMMARY OF RECOMMENDATIONS AND STAFF RESPONSE

Category	Recommendation	Agree?	Priority	Responsible	Status	Target Completion	Notes	Requires Bargaining	Requires Funding	Requires Council Action
34.	Strive to create a strong department-wide culture that unites diverse work groups under the Kirkland Police banner.									
a.	Promote a department-wide identity through communications, celebrations, personnel recognition, and other opportunities.	Y	H	Command	IP	ongoing	The command staff is focusing on enhanced communication, recognition and connections with the community.	N	N	N
b.	Break down silos in horizontal communication.	Y	H	Command	IP	ongoing		N	N	N
35.	Continue to preach and practice collaborative leadership in which personal initiative and suggestions for improvement are welcomed so long as they are well-intentioned, professionally delivered, and aligned with KPD's Philosophy, Vision, Mission, and Values.									
a.	Create opportunities to match individual interest and talents with organizational needs.	Y	H	Command	IP	ongoing	Chief is actively engaging staff at all levels in providing new opportunities for supplemental responsibilities to enhance experience and employee growth.			
PERFORMANCE EVALUATIONS AND PROFESSIONAL DEVELOPMENT										
36.	Revamp the current evaluation process and supporting tools.									
a.	Revise the evaluation process.	Y	H	Command/HR	IP	2017	In progress; need to complete vision/mission to develop appropriate measures.	Y	N	N
b.	Establish clear and transparent expectations defining what individuals will be evaluated for by position.	Y	H	Command/HR	IP	2017	In progress; need to complete vision/mission to develop appropriate measures.	Y	N	N
37.	Strengthen professional development planning, establishing a longer-term view and linking to Departmental succession management efforts.									
a.	Establish a long-term focus in professional development planning.	Y	H	Command	IP	2017		Y	N	N
b.	Support and evaluate staff in leadership positions for their ability to grow their staff through collaborative leadership, evaluations, and professional development.	Y	H	Command	IP	2017		N	N	N

POLICE STRATEGIC PLAN—SUMMARY OF RECOMMENDATIONS AND STAFF RESPONSE

Category	Recommendation	Agree?	Priority	Responsible	Status	Target Completion	Notes	Requires Bargaining	Requires Funding	Requires Council Action
RETENTION, SUCCESSION MANAGEMENT AND RECRUITMENT										
38.	Establish a succession management program.									
	a. Establish a succession management approach.	Y	H	Command	IP	ongoing	Chief is actively engaging staff at all levels in providing new opportunities for supplemental responsibilities to enhance experience and employee growth.			
	b. Analyze the data.	Y	H	Command		ongoing		N	N	N
	c. Hire for future leaders.	Y	H	Command	IP	ongoing	Current recruitments are focusing on individuals with capacity for long term growth.	N	N	N
	d. Be transparent about expectations and competencies for leadership, establishing a career development guide and specifics for each rank/level of responsibility.	Y	H	Command		ongoing		N	N	N
39.	Continue to strengthen recruitment efforts to get the best qualified applicants aligned with KPD's values.									
	a. Modernize hiring standards.	Y	H	Command		ongoing		N	N	N
	b. Use limited commission positions as hiring pool for fully commissioned officers.	Y	H	Command		ongoing	Requires working with bargaining units	Y	N	N
	c. Continue a strong marketing campaign that highlights the new Justice Center Facility.	Y	H	Command		ongoing		N	N	N
	d. Increase diversity in hiring.	Y	H	Command		ongoing		N	N	N



KIRKLAND POLICE DEPARTMENT

Strategic Planning: CONSULTANT REPORT

Final – September 30, 2016





"Helping Communities and Organizations Create Their Best Futures"

Founded in 1988, we are an interdisciplinary strategy and analysis firm providing integrated, creative and analytically rigorous approaches to complex policy and planning decisions. Our team of strategic planners, policy and financial analysts, economists, cartographers, information designers and facilitators work together to bring new ideas, clarity, and robust frameworks to the development of analytically-based and action-oriented plans.

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Appendices

The following Appendices provide additional information and analysis as context for the recommendations contained in this report:

- 1. Kirkland Crime Trends**
 - 2. Community Perceptions of Kirkland Police**
 - 3. Community Profile**
 - 4. Review of Existing Conditions**
 - 5. Assessment of the Corrections Unit**
 - 6. References**
-

EXECUTIVE SUMMARY

The Kirkland Police Department has a long history of being an effective, responsive, and professional agency. Through its recent growth, it has stayed a nimble organization with strong leadership, people, and infrastructure. Importantly, the Department has maintained its positive relationships with its community members and City of Kirkland partners. The Department aspires for excellence and is dedicated to critical self-review, ongoing improvement, and, if necessary, substantial change to be the best law enforcement agency possible for the Kirkland community it serves.

This Consultant Report makes recommendations to further strengthen the organization by addressing key observations of the assessment process, including service and staffing capacity, technology, professional development, communication, and the community's desire for even stronger community-police relationships.

The recommendations in this report seek to build upon the foundation the Department has created and further strengthen it by providing the means to:

- Articulate what is most important to the community and to the Department through the Department Philosophy, Mission, Vision, and Values.
- Execute a significant, fundamental shift in operations, moving from a relatively reactive model to a more proactive model focused on community policing and crime prevention. This change has implications for staff capacity, data systems and the capacity to analyze and use data, strengthened community relations, and enhanced officer training.
- Further professionalize the Corrections function as the Unit continues to evolve from a holding facility to a full-fledged correctional facility.
- Strengthen internal communications, performance evaluations, and other internal processes, tools, and procedures.

While this report contains many important recommendations, the following deserve prioritization in the short-term:

- Finalize the Department's Philosophy, Vision, Mission, and Values.
- Engage the community in establishing policing priorities.
- Establish a detailed workplan and timeline for system and process improvements identified in this report.

1. INTRODUCTION AND PLANNING PROCESS

1.1 Purpose and Organization of this Report

This report is the result of a seven-month assessment and planning process that involved a team of consultants, a diverse planning committee representing the Kirkland Police Department and the City of Kirkland, and numerous engagements with KPD staff, Council Members, and community stakeholders.

This document and the accompanying volume of appendices compile the findings and recommendations of the consultant team as discussed and vetted by the Planning Committee. Together with the issuance of this report, KPD will engage City leadership in a dialogue around implementation of some or all of the recommendations contained in these pages. The Department will develop a work plan to implement the final direction as established in subsequent conversations with the City Manager and City Council.

This document and accompanying appendices are organized as follows:

- **The remainder of Section 1** provides additional context by summarizing the planning process and presenting a brief history of the Department. An overview of crime trends and a community profile are provided for additional critical context.
- **Section 2** reviews existing conditions based chiefly on data analysis, consultant observations, and employee input. Topics explored include:
 - Overarching Direction: Departmental Philosophy, Vision, Mission, and Values.
 - Resource Levels, Deployment, and Performance.
 - Corrections Unit Operational Analysis.
- **Section 3** begins to look forward, considering the following:
 - Changes occurring in the Kirkland community and surrounding region.
 - Regulatory changes affecting policing in general.
 - Opportunities to use current and emerging data tools and other technologies.
- **Section 4** provides a situation assessment of the internal functions of the Department and offers strategies to strengthen the organization through:
 - Communication, connection, and collaborative leadership.
 - Performance evaluation and professional development protocols.
 - Retention, succession management and recruitment plans.
 - Community Relationships.
 - Performance Measurement.
- **Section 5** concludes the report with brief summary comments and suggestions for next steps.

1.2 Planning Process

This strategic planning process centered on the four meetings of the Strategic Planning Committee, which included membership from across KPD, as well as representation from City Administration. The Committee met four times during the seven-month planning process, reviewing, commenting on, and helping to revise the work done by the consultant team. Five Committee members also served on a Core Planning Team that provided guidance on draft materials prior to each Committee meeting and served to steward the overall planning process.

To inform and complement the input of Committee members, additional engagement efforts focused on key stakeholders and Department staff. The consultant team also reviewed Kirkland’s Biennial Community Survey and log of citizen complaints to better understand community perceptions of the Department. These inputs are summarized below.

Stakeholder Engagement

The consulting team interviewed stakeholders as part of the assessment process, including community members, City Councilmembers, and City of Kirkland department directors. Two meetings were held with a total of five City Councilmembers, who were asked about strengths and challenges of the Police Department. A group of 15 community leaders was interviewed, including representatives of faith communities, youth, seniors, businesses, human services, and neighborhoods.

From these conversations, three themes emerged:

1) Praise for KPD’s Community Outreach and Responsiveness

- Both community leaders and Councilmembers gave high marks to **KPD’s outreach to the community**, including presence and participation at neighborhood meetings. Several Councilmembers stated that this presence helps the community feel more secure.
- Several community members praised KPD’s relationship with **vulnerable populations**, including homeless persons and individuals with mental illness, and with churches hosting homeless encampments.
- Both community members and Councilmembers praised KPD’s **responsiveness**. The Department is seen to respond quickly to incidents, such as late-night issues at bars, or in follow-up to crimes. The Department also received praise for clear explanations of process and call priority.

KPD Strategic Planning Steering Committee

- Marilynne Beard, Deputy City Manager*
 - Cherie Harris, Police Chief*
 - William Hamilton, Operations Captain*
 - Michel St. Jean, Lieutenant – Training and Cadres*
 - Nathan Rich, Sergeant – Traffic and Guild President*
 - Randi Crocker, Corporal – Investigations
 - Jessica Dreher, Administrative Assistant
 - Brandon Hardesty, School Resource Officer
 - John Haslip, Lieutenant – Operations
 - Eric Karp, Corporal – Operations
 - Kimberly McLynne, Records Lead
 - Kyle Sheler, Corrections Officer
 - Kristina Shull, Crime Analyst
 - Clayton Slominski, Detective
 - Shawn Stredwick, Sergeant – Corrections
 - Tiffany Trombley, Training Officer
 - Mike Ursino, Administrative Captain
 - Julia Valencia, Traffic Officer
- * member of Core Planning Team

- Several Councilmembers expressed strong support for the “**guardian**” culture of respecting everyone, as opposed to an “enforcer” or “warrior” culture. They believe the guardian culture has helped with public interactions, and that it should be maintained and emphasized more, in part through hiring the right people.
- Councilmembers do occasionally hear **complaints** about KPD. Some hear complaints about overly aggressive traffic enforcement in newly annexed areas, but this has declined since annexation. In addition, one Councilmember stated they heard frustrations about inadequate response to property crimes.

2) A Strong Desire for Stronger Community-Police Relationships

Both community members and Councilmembers voiced concerns that **national tensions** between communities and police departments related to officer-involved shootings could spill over in to Kirkland. Community members and Councilmembers expressed a strong desire for more proactive community engagement to maintain or enhance the good relationship that exists now between the Kirkland community and its police force. This will be increasingly critical as the city experiences denser land use, increasing population, demographic shifts, and a more “urban” policing context. Some Councilmembers also expressed concern that the national atmosphere could harm officer recruiting efforts.

Two community members reported that they or family members have had negative experiences with KPD officers, described as racial profiling.

Community members and Councilmembers voiced a desire for KPD to take more steps to proactively reach out to the community and build stronger relationships. This could include:

- Outreach to immigrants, ethnic and language minorities, and faith groups. Building personal connections and relationships can strengthen trust and is seen by Councilmembers as a necessary step to prevent a Ferguson-like situation. In addition, community members felt this would support the Department’s efforts to recruit more diverse candidates for officer positions.
- Better integration of officers in the community, through participation in events, general friendliness, officers getting out of their cars, and perhaps more officers residing in Kirkland.
- A more proactive role in social services and emergency preparedness.
- More diversity and cultural training for officers.

3) A Desire for More Communication

Community members and Councilmembers articulated a desire for more communication from KPD. Desired communication improvements include:

- Increased use of social media to push timely information to residents and business owners. Real-time information during incidents is desired to help reduce speculation and misinformation.
- More educational information for residents, including steps to prevent crime, and how to report non-emergencies.
- Information about policing priorities, including how property crimes are prioritized relative to other demands.

Staff Engagement

The consulting team met with KPD staff members in a series of meetings. These included four meetings with Patrol during shift briefings (on March 3rd and March 24th), a meeting with non-commissioned personnel (March 3rd), a meeting with command staff (March 24th), and four meetings with Corrections professionals (March 17th and March 21st). Discussion centered on KPD's strengths and areas for improvement. Participants were provided a handout with discussion topics and a link to an online survey. One response to the online survey was received; it included similar themes to the in-person meetings.

Information from these employee meetings is considered throughout the report. The major themes heard during these meetings include:

Department Strengths

- People
- Professionalism
- Public image and a strong relationship with the community (that needs to be protected)

Areas for Improvement

- Service and staffing capacity, particularly with regard to proactive policing
- Technology for digital evidence storage, records system, and online reporting
- Performance evaluations
- Professional development, training, and promotional opportunities
- Communications within the Department and with the community
- Performance measurement

Later in the planning process, KPD staff were asked to provide input on Vision, Mission, and Values statements. This input was incorporated in Steering Committee discussion of this topic and is reflected in consideration of these governing statements in **Section 2.1**.

Community Perceptions of Kirkland Police

Nationwide issues affecting community-police relations may impact local perceptions of the Kirkland Police Department. In the past few years, several videotaped and publicized cases of police use of force with African-Americans have drawn protests and increased scrutiny of police departments. Incidents include the deaths of Michael Brown in Ferguson, Missouri in 2014, Eric Garner in New York City in 2014, Freddie Gray in Baltimore in 2015, and Alton Sterling in Baton Rouge, Louisiana this year.

National polling about confidence in police has shown a decline in confidence in the past few years, with Gallup reporting that the proportion of Americans who have “a great deal” or “quite a lot” of confidence in police dropped from 57% in 2012-13 to 52% in 2014-15. (Gallup, 2015) The new figure is the lowest level of confidence reported in this survey since 1993.

The Kirkland community's relationship with its police department is in noted contrast to the national scene. As reflected in the stakeholder input summarized above and the Biennial Community Survey, residents in Kirkland by and large feel safe and have a positive association with the Department. Significant Planning Committee discussion focused on the importance of retaining this trusted position and many of the recommendations contained in this report focus on strengthening the relationship and communication between KPD and the community it serves.

Appendix 2 provides more details on the Biennial Community Survey and citizen complaints.

1.3 History and Structure of the Department

Kirkland was incorporated in 1905 with a population of 400. Shortly thereafter, Charles H. Daniels was named the first Town Marshal beginning the legacy of what is now the Kirkland Police Department. Since that time, the community, the city, and the Department, as well as the nature of policing, has changed fundamentally.

As shown in **Appendix 3**, the Kirkland population has increased greatly, both through natural population growth and annexation. Through 11 annexations, city boundaries are about 12 times as large as they were at founding (Wikipedia). The most recent annexation, in June 2011, added approximately 30,000 residents to the City's population, bringing in the neighborhoods of Finn Hill, Juanita, and Kingsgate. These neighborhoods were previously served by King County Sherriff's Office and as they transitioned to city policing, the Department needed to expand its staffing, budget, and physical space.

The City purchased a former Costco Home property in 2010 and issued \$35 million in bonds to convert it into the new Kirkland Justice Center. The move occurred in June 2014.



The Kirkland Police Department is now a larger department, attempting to address the needs and demands of the population it serves, including:

- A larger geographic service area.
- A larger, growing, and increasingly diverse population.
- Increasing community expectations.
- Increasing expectations for data-driven policing – and the associated technology to support it.

This is being done within the context of a larger police force and a new facility.

These recent changes are important to consider as the remainder of this report describes KPD's current strengths and challenges and considers future opportunities and challenges. KPD's evolution from a quiet suburban department to a larger organization serving a more complex community is very much a work in progress.

Relationship to the City of Kirkland

The Kirkland Police Department is a City of Kirkland department. As such, the Police Chief is responsible to the City Manager, who is hired by the City Council. The Council's Public Safety Committee focuses on police issues, as well as fire and EMS, municipal court, emergency management, and code enforcement.

It is important that a police department have a productive relationship with the City Council, City Manager, and other City departments. In Kirkland's case, this appears to be working very well, as the Department appears to enjoy a highly professional and productive relationship with the City of Kirkland administration and other City departments. This view was supported by input from the Steering Committee, which described these relationships as a "strength" and by interviews conducted for this study with the City Manager and individual department directors.

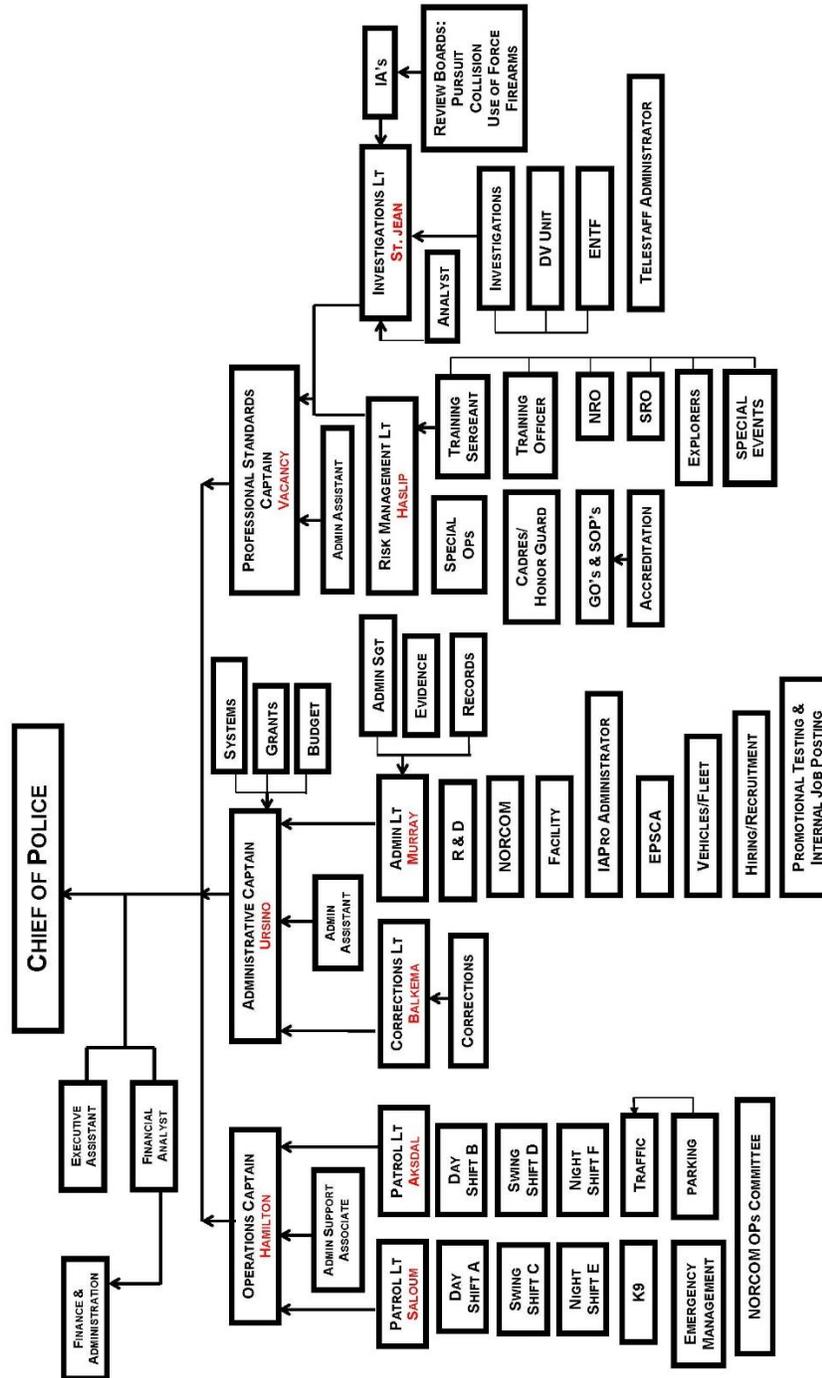
Mutual respect is evident between the Police Department and City Administration. Police leaders seem well informed and supportive of the City's priorities. As the Department develops its Strategic Plan, it will be important to keep this context in mind, building a plan that is aligned with City priorities and cognizant of the Department's part of this larger whole.

Organizational Structure

The current organizational structure of the Department, represented in **Exhibit 1**, is well within industry standards, structured around a Patrol Division, an Investigations Division, and several special units, including:

- A Corrections Unit that manages the Kirkland Jail.
- A Domestic Violence Unit.
- A Records Unit responsible for phone and counter customer service in addition to records management.
- A Traffic Unit that is primarily responsible for traffic enforcement, traffic collision investigation, and all other traffic related incidents.

Exhibit 1. Organizational Structure, February 2016



1.4 KPD’s Previous Strategic Plan

The Department last developed a strategic plan in the early 2000s, which resulted in the *Kirkland Police Department 2003-2008 Strategic Plan*.

Exhibit 2 summarizes the document’s Goals and Objectives and provides a brief status update.

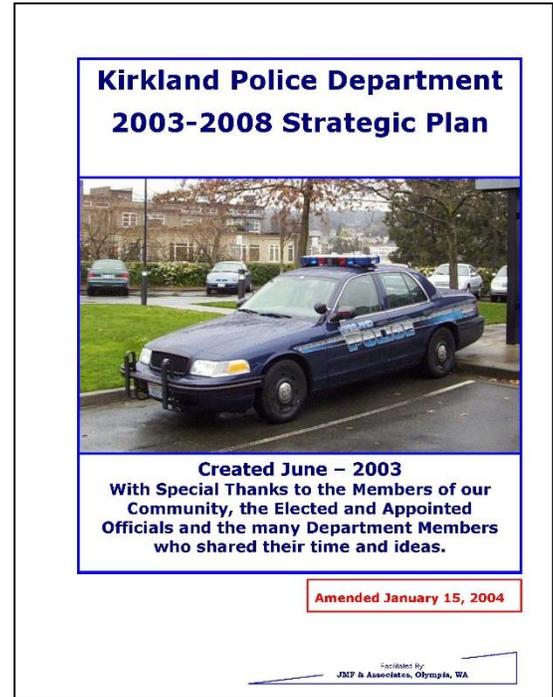


Exhibit 2. Status of 2003 Strategic Plan Goals and Objectives

Goals and Objectives	Notes
1. Adequately staff KPD to meet the needs, expectations, and priorities of our community.	
<ul style="list-style-type: none"> • Create staffing model. 	<ul style="list-style-type: none"> • Became Annexation Staffing model.
<ul style="list-style-type: none"> • Develop budget plan to support staffing needs. 	<ul style="list-style-type: none"> • Completed.
<ul style="list-style-type: none"> • Create an “Annexation” staffing model. 	<ul style="list-style-type: none"> • Completed.
<ul style="list-style-type: none"> • Create Pro-active unit to focus on identified problem areas. 	<ul style="list-style-type: none"> • Created and then shut down during the Recession.
2. Construct and occupy a new public safety facility.	
	<ul style="list-style-type: none"> • Done: move in was June 2014.
3. Provide best training possible for our employees to ensure their success.	
<ul style="list-style-type: none"> • Redefine training officer/coordinator position. 	<ul style="list-style-type: none"> • Completed.
<ul style="list-style-type: none"> • Refine current training matrix. 	<ul style="list-style-type: none"> • Completed and revisited in 2012.

Goals and Objectives	Notes
<p>4. Provide useful and meaningful information to employees and community on continual basis.</p>	
<ul style="list-style-type: none"> Develop plan to educate and involve community and enlist their support for staff and facility needs. 	<ul style="list-style-type: none"> This did not seem to occur in a “formal” program. Related efforts include: <ul style="list-style-type: none"> Crimemapping.com, Participation in community events National Night Out Against Crime Citizens Academy Neighborhood Resource Officer In addition, the City supported KPD’s facility needs through construction of the Kirkland Justice Center.
<ul style="list-style-type: none"> Identify a method to disseminate Civilian Crime Information Bulletin to the community. 	<ul style="list-style-type: none"> Other than CrimeMapping.com, this was not completed.
<ul style="list-style-type: none"> Invite on-duty supervisors and sergeants to weekly staff meetings. 	<ul style="list-style-type: none"> Completed and still a current practice.
<ul style="list-style-type: none"> Establish a monthly one-on-one between the Chief and the Guild President. 	<ul style="list-style-type: none"> Was done inconsistently during the 2003-2008 Strategic Plan period. Now is a consistent practice.
<p>5. Encourage and support high morale throughout the department through open communication and respect for all employees.</p>	
<ul style="list-style-type: none"> Command, Supervisors, and all employees should identify and discuss reasons for low morale and implement ways to improve it. 	<ul style="list-style-type: none"> More detail needed on what was done.
<ul style="list-style-type: none"> Foster and maintain employee recognition for “job well done.” 	<ul style="list-style-type: none"> Created a system for anyone at any level of the department to nominate other KPD employees for awards listed in SOP. Created “Lunch with the Chief” program: employees are nominated for good work, taken out to lunch by the Chief, and given a Chief’s coin.
<p>6. Successfully accomplish the re-accreditation of the KPD.</p>	
	<ul style="list-style-type: none"> Done in 2012. Onsite Accreditation Assessment completed June 2016.

1.5 Kirkland Crime Trends

Kirkland has relatively similar rate of crime (49.4 crimes per 1,000 members of the population) as the neighboring jurisdictions of Redmond (51.2) and Bothell (46.7), with lower crime rates than the state overall (59.2). Despite similar overall crime rates, Kirkland experiences higher rates of motor vehicle theft and larceny than Redmond and Bothell. The community experienced increases in these crimes from 2012 to 2014 while the same crime rates were decreasing in Washington State and across the nation. More details on Kirkland's crime trends are available in **Appendix 1**.

1.6 Community Profile

Population and Demographics

Kirkland's 2015 population was estimated to be 83,460 by the Washington State Office of Financial Management. This reflects a growth of 71% over the 2010 population. As noted in **Section 1.3**, this growth was primarily due to the 2011 annexation of North Juanita, Finn Hill, and Kingsgate, which added approximately 30,000 people to Kirkland.

Along with this increase in population, the city is experiencing growing diversity, with the population of white residents decreasing 13.5 percentage points between 1990 and 2010. During the same period, the population of Asian and Pacific Islanders increased from 4.5% to 11.5% and there were notable increases in those identifying as Hispanic (City of Kirkland, 2015).

Kirkland has experienced a gradual aging of its population since 1990, and now has a median age of 37. The city is also relatively wealthy, but with increasing levels of poverty. The median income for all households in Kirkland was \$94,332 in 2014, which is significantly higher than the median income for all households in King County (\$75,834). Despite this indicator of wealth, in 2010 5.6% of all households were living in poverty, similar to other communities in the region. More information on Kirkland's demographic makeup is available in **Appendix 3**.

Housing

The 2011 annexation of relatively low-density neighborhoods with primarily single family homes decreased the overall citywide density. It also increased the community's share of single-family housing stock to 60% in the 2010 to 2014 time period, from 50% in 2000 (City of Kirkland, 2013; U.S. Census Bureau, 2000). Even though the annexation increased the share of single-family homes in Kirkland, most development over the past decade has been multifamily construction. Of the city's net gain of almost 2,000 housing units between 2006 and 2013, 62% (1,173) were multifamily. More information on Kirkland's housing is available in **Appendix 3**.

Employment

In 2013, the City of Kirkland had an estimated 40,514 jobs. Employment in the city ebbs and flows, declining in 2005 and again in 2009, before rising dramatically in 2012.

Future

Kirkland updated its Comprehensive Plan in 2015 to comply with the Growth Management Act; this plan accommodates expected housing and employment growth through the year 2035. Kirkland is planning for the addition of over 17,000 new residents between 2013 and 2035, for a total 2035 population of

approximately 99,632, and the addition of over 22,000 new jobs. Over 75% of Kirkland's expected housing growth through 2035 is anticipated to be in multifamily housing units (City of Kirkland, 2015).

In addition to increased multifamily housing, ongoing development projects could impact demand for police services, including:

- Kirkland Urban is anticipated to net approximately 2,200 new office employees, 160 new retail employees, and 500 new residents in downtown. (City of Kirkland, 2015)
- On the east side of Interstate 405, the Totem Lake Mall Redevelopment includes new buildings, parking structures, and a redesigned public plaza. In addition to the typical retail uses, the site may include office and residential spaces.
- The Cross Kirkland Corridor is a 5.75-mile segment of the Eastside Rail Corridor. If the trail is opened at night, KPD will need to determine how to patrol it.

2. OPERATIONAL ANALYSIS AND RECOMMENDATIONS

2.1 Overarching Direction: Departmental Philosophy, Vision, Mission, and Values

Nationwide, effective policing strategies are increasingly guided by four variables:

1. Successful crime control depends on a close relationship between the police and the community being policed.
2. Fear in the community is a problem itself regardless of the traditional measures of crime and arrest rates. Police are being asked to reduce this fear and the means used to reduce fear may not be the same traditionally used to address crime.
3. Community members increasingly want to use the police for services other than crime control, often to address disorder, unsettling behavior in their neighborhoods, or to access other service providers.
4. What police see as disparate incidents are often indicators of a continuing, fundamental problem that demands more than an initial police response to resolve.

The Community Policing Style continues to be a popular approach because of its focus on (1) community partnerships, (2) organizational transformation, and (3) problem solving. It also reflects a way of providing police service that does not rely on patrolling in cars to reduce crime, detective work to solve crimes, or quick response times to calls-for-service to reduce crime. It does promote closer community relationships, the systematic assessment of problems, and an organizational approach to solving problems, focusing on addressing crime, the fear of crime, and disorder. Further, it encourages the development of critical thinking; strategic planning; communications skills; organizational skills; and initiative, all desired skills in employees and good for encouraging teamwork and building morale among employees.

Recommendations

Recommendation 1. Finalize the articulation of the Department's Philosophy, Vision, Mission, and Values as begun during this planning process

The Kirkland Police Department operates under the overarching direction established by the City of Kirkland, including its Vision, Guiding Principles, Operating Values, and City Council Public Safety Goals. In setting strategic direction for the Department and in making operational decisions, KPD leadership should be informed by these governing statements.

In parallel fashion, the various divisions and units that make up the Kirkland Police Department should be seen as operating under the umbrella of the Department's Vision, Mission, and Values. It is important, therefore, that these statements are broad enough and inclusive enough to appropriately guide all the work done by all the members of the Department. As noted in **Recommendation 15**, this report recommends establishing a Purpose Statement and set of Guiding Principles specific to the Corrections Unit. These division-level governing statements operate under the overarching departmental guidance described below.

Kirkland City Council Public Safety Goal

Provide for public safety through a community-based approach that focuses on prevention of problems and a timely response.

a. Establish a clear and meaningful description of KPD’s guiding philosophy.

The following key ideas were discussed multiple times over the course of the planning process and found to be accurate descriptions of how KPD approaches its work:

- **Kirkland Police exists to serve Kirkland’s residents, business, and visitors.** Our top priority is to build a trusting, collaborative relationship with our community and to respond to what is important to community members. Our approach to our work is informed by and focused by what is important to our community, as we ask ourselves: is this what the community wants?
- **Kirkland Police embraces the 21st Century policing model.** We seek to serve ethically, effectively, and efficiently. We believe in procedural justice and must have strong policies and procedures in place to guide our work.
- **Kirkland Police is a progressive department.** We are open to innovative policing models and the appropriate use of technology to strengthen the effectiveness and efficiency of our work. We are a learning organization, seeking to continually improve and adapt to a dynamic operating environment. We seek creative ways to provide efficient and effective service, collaborating with others in the region where appropriate.
- **Kirkland Police practices collaborative leadership.** Our people are empowered to make decisions consistent with our Vision, Mission, Values, and department directives. Clear direction, a collaborative approach to leadership, strong communication, and opportunities to excel support individual and collective success.

The final articulation of this philosophy should be stated in “plain English,” without use of buzz words or reliance on national frameworks; it should speak directly and clearly to external audiences as well as those employed in the police profession.

As with the Department’s Vision, Mission, and Values, this Philosophy should be true to the Kirkland community’s desires for its police department, and it should be informed by members of KPD itself. Ultimately, however, it is the responsibility of the Police Chief to provide leadership to guide the organization toward its Vision.

b. Establish strong Vision, Mission, and Values statements that distinctly represent Kirkland and the Kirkland Police Department.

The Department’s **Vision Statement** should be an aspirational and inspiring statement describing the organization that KPD seeks to be. Potential concepts for consideration include:

- *A leading or model department.*
- *A department recognized for excellence.*
- *Other ideas noted in the Department Philosophy section, above.*

The Department’s **Mission Statement** should describe the organization’s purpose, focusing on what the Department does and its role in the community. Some suggested words or clauses include:

- *Promote community safety; uphold the law; preserve the peace; protect rights.*
- *Principled service; provided with honor.*
- *Working in partnership with the Kirkland community to uphold the law with fairness, preserve the peace, and provide quality service.*

The Mission Statement is an important place to reflect the breadth of the Department's work, inclusive of crime prevention, crime response, corrections, and records. The consultant team recommends a Mission Statement that describes the full extent of the Department's role and functions, such as:

- *We work in partnership with the Kirkland community to prevent crime, respond effectively when incidents occur, and rehabilitate convicted offenders.*
- *We provide for a safe and just community through crime prevention, responsive policing, and the rehabilitation of inmates.*

Organization Values describe the spirit by which the Department approaches its work. Committee discussion emphasized the importance of these in distinguishing what defines the Department, perhaps distinguishing it from other police departments. To avoid dilution, the Department should limit itself to a small number of Values, perhaps three or four, focusing on what matters most. Values may be accompanied by a brief description of how they will be applied to KPD's context or manifested by staff in their day-to-day work.

Appendix 4.1 summarizes the ideas generated by the Planning Committee in its third meeting and the number of votes each option received from staff.

The consultant team recommends the following potential Values as reflective of the type of Department KPD is and seeks to be:

- ***Progressive.***
- ***Compassionate.***
- ***Courageous.***

While there are many other relevant words that could be referenced, including service, professional, respect, etc., they are generally true of well-managed police departments and speak less directly to the spirit of policing embraced by the Kirkland Police Department.

Recommendation 2. Animate these governing statements by promoting them and using them.

Unless the Department puts the above governing statements to work, they are nothing more than words. The statements and what is intended by them must be actively promoted with current and new team members. They must be actively used and referred to whenever the appropriate opportunity arises in making budget requests, in work planning, and in making personnel decisions, including hiring, evaluations, promotions, and terminations. Organizational Values in particular are well-suited to inform personnel decisions; it is most important that they be used to attract and screen for new employees who are well suited to serve the Kirkland community.

2.2 Crime Prevention and Response

This section considers the many interlinked components related to KPD’s capacity for preventing and responding to crime. The Records and Corrections Units that are directly related to this effort are considered in the sections that follow.

The Kirkland Police Department enjoys a positive public image and relationship with the City, and the Kirkland City Council Goals reflect community desires for a community-based approach to crime prevention. Public stakeholders report appreciation for the Department and a desire for more police involvement in community development and social support functions, both of which require more consistent, dedicated resources. At the same time, personnel across the Department report feeling over-extended and would like to be less reactive in their work. Quantitative analysis of Patrol described on the following pages confirms this self-reported perception that officers go from call to call, with little opportunity for proactive community engagement and preventative policing.

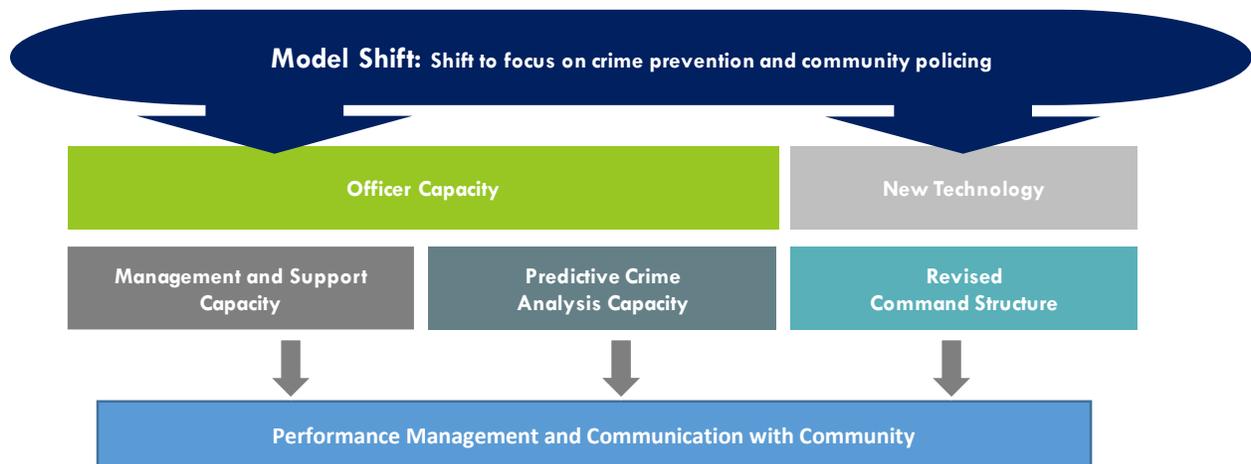
Increasing such activities through a model shift that focuses on crime prevention and community policing will have ripple effects throughout the rest of the Department with implications on technology, support functions, crime analysis, command structure, and investigations. To support community partnerships and problem solving, an organizational transformation is needed to align all parts of the KPD organization – management, technology, and personnel – around this purpose as illustrated in

Exhibit 3. This organizational change will also require leadership to demonstrate the value of this shift through their actions as well as by investing in resources that align with this model.

Community Policing

Community policing typically focuses on community involvement, consultation, and problem solving. Because community policing is focused on close collaboration with the community and addressing community problems, it has often been seen as an effective way to simultaneously increase citizen satisfaction, enhance the legitimacy of the police, and reduce crime. The President's Task Force on 21st Century policing recommended using strategies that “reinforce the importance of community engagement in managing public safety” and “working with neighborhood residents to co-produce public safety” through problem solving efforts.

Exhibit 3. Component Pieces of Model Shift



Staffing Levels

Rather than basing staffing levels on a simple ratio of officers per 1,000 residents, police staffing is increasingly determined based on performance relative to community expectations. To evaluate the adequacy of the current staffing levels, the Department needs to engage the City leadership and community in a discussion about service expectations, and then determine whether the current staffing can meet those expectations. The City's Biennial Community Survey provided generally positive feedback about Department performance, indicating that the Department is meeting the community's service expectations.

The following sections describe how staffing levels for Patrol and Investigations can be determined by response and clearance rates, while staffing levels related to community engagement are determined by community-specific expectations.

Staffing Levels Related to Response and Clearance Rates for Patrol and Investigations

There are many factors to consider in determining appropriate staffing levels and several approaches. Some departments use the "**per capita**" approach that looks at the number of officers and the population of a jurisdiction and compares the officer number with similarly sized cities. This approach is simple, but does not take into account community conditions, community expectations, or quality of service provided.

Another method is to set a **minimum staffing level** for the jurisdiction at different times of day. There are no objective standards for setting a minimum staffing level. Departments can consider call load, crime rate, and other variables such as whether there are other police resources performing duties who can be deployed (e.g. administrative officers, or other specially assigned officers) to accommodate fluctuating workload.

The most comprehensive approach is to engage stakeholders in a detailed conversation about performance expectations based on workload in a "**performance-based**" staffing study. This workload approach analyzes staffing needs based on workload demand while accounting for the specific community characteristics and service expectations. Most accredited agencies regularly conduct workload assessments that can be used to assist in this analysis. There is not a universally accepted standard for this assessment; the work relies instead on the specific characteristics of each jurisdiction such as type of crime, geography, travel times, and desired time for community policing activities.

The Department of Justice Office of Community Oriented Policing Services issued a comprehensive report: ***A Performance-Based Approach to Police Staffing and Allocation*** by Jeremy M. Wilson and Alexander Weiss, 2012. This report describes a step-by-step approach for conducting a workload-based assessment that includes:

1. Examining the distribution of calls for service by hour of day, day of week and month.
2. Examining the nature of the calls for service.
3. Estimating time consumed on calls for service.
4. Calculating an agency shift-relief factor.
5. Establishing performance objectives.
6. Providing staffing estimates.

BERK conducted a modified performance-based staffing study of the Patrol Unit using the methods described in ***A Performance-Based Approach to Police Staffing and Allocation***. The full results of this study can be found in **Appendix 4.6**.

The last step prior to providing the staffing estimates is to establish and apply a "performance objective." A performance objective determines what portion of an officer's time should be dedicated to calls for

service, and therefore, how much time is available for other activities such as cultivating positive relationships with the community and engaging in proactive, data-driven policing. To determine the appropriate performance objective for our analysis, we took direction from multiple sources, all of which described a more proactive model, with capacity to engage in preventative policing and community engagement. These sources included the City Council Public Safety Goal which emphasizes a community-based approaches to policing and the prevention of problems (see page 13), stakeholder input which stressed a desire for stronger community-police relationships and a desire for more communication (see page 3), and input from Department leadership and line staff.

Based on these inputs and the many well-recognized benefits associated with this model as described in **Recommendation 3**, we used a performance objective established by the International Association of Police Chiefs which dedicates one-third of an officer’s time to citizen-generated calls for service. This is a less reactive model than the current one, in which patrol officers spend about 45% of their time responding to calls for service.

Recommendations

The following recommendations emphasize a shift towards a more proactive force focused on increased crime prevention and community policing. As noted in Recommendation 4, additional patrol officers are required to make this shift. A workload based assessment conducted for this study estimated a specific number of positions, but the reality is that the Department will add these positions over time, seeking the greatest possible gain from existing and added resources. The implementation of other recommendations contained in this report may cause the precise number of additional positions to shift up or down as visually depicted below:

Impact	Factor	Related Recommendations
<i>Upwards Pressure</i> ↑	Prioritization of traffic enforcement	Recommendation 9
	Continued growth and development of the Kirkland community	Recommendation 11
Number of positions identified in workload-based staffing analysis		Recommendation 4
<i>Downwards Pressure</i> ↓	Efficiencies gained through lean process improvements and the use of technology	Recommendations 4b., 4d.
	The use of non- or limited commissioned personnel for selected functions	Recommendations 5a., 5b.
	De-prioritization of traffic enforcement	Recommendation 9

Recommendation 3. Align the Patrol policing model with an increased focus on crime prevention and community policing.

This foundational recommendation entails aligning the Department’s policing style to match community desires as reflected in the overarching Department Philosophy and the City Council Public Safety Goal (see text in **Recommendation 1**). This shift would focus the Department on community-based policing and proactive crime prevention.

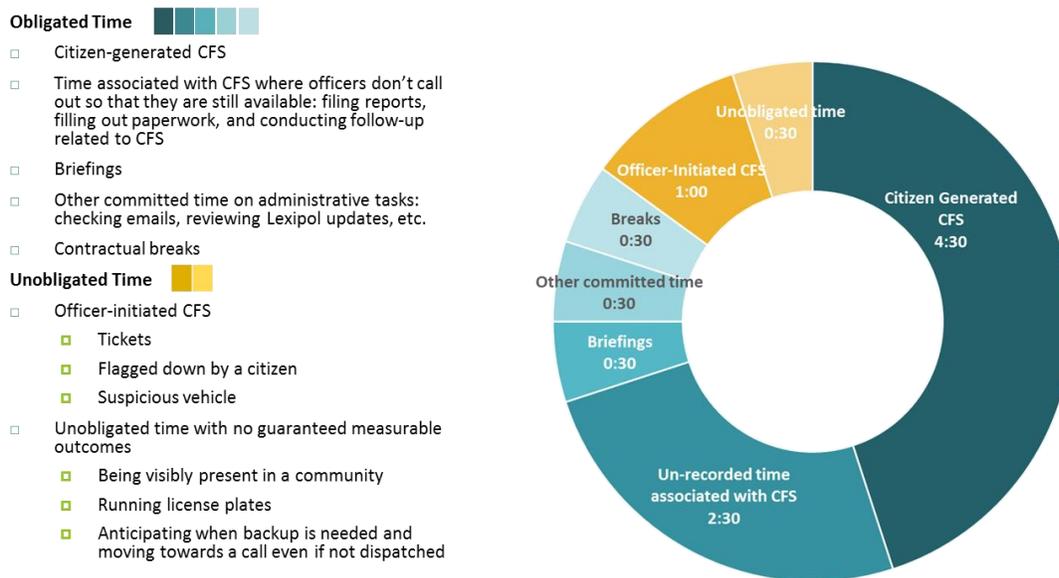
Community policing uses trust-building and collaboration between a city and its police department to effectively address the underlying issues causing crime. This shift to community policing would include building community partnerships and using proactive problem solving to prevent crime. Increased community partnerships can lead to creative problem solving and also serve to bolster community trust in police, which is always important and critical in this time of tense community/police relations elsewhere in the country. Problem solving entails proactively examining identified problems, using the best available data, and developing effective strategies to address them. (COPS, U.S. Department of Justice, 2014)

Recommendation 4. Increase Patrol capacity to create time for preventive, data-driven policing and directed patrol.

A workload-based assessment of the Patrol Division found that additional capacity, equal to 11 additional full-time officers, over current authorized levels (60 officers), would be required to create time for community policing, including community relationship building and proactive crime prevention through directed patrol. The model driving these conclusions is fully explained in **Appendix 4.6**.

Our analysis of the Patrol Unit’s typical day found that much of it (~45%) is currently spent being reactive, as shown in **Exhibit 4**. This data analysis was reflected in engagement with patrol officers who described their day as largely running from call to call and handling the paperwork that accompanies those calls. This status quo model, with 45% of time spent on responding to calls for service is substantially more than the 33% recommended by the International Association of Police Chiefs (IACP), one standard that can be used to define a patrol unit’s performance objective.

Exhibit 4. Typical Day on Patrol, February 2016



To be effective in community policing, police must have time to have positive interactions, unrelated to criminal activity, with residents on the street. In addition to having time to build positive relationships, the Department must also be able to use data to be proactive in policing. Not just responding to crime reactively, after it occurs, but determining where crimes are occurring and having the time and resources to dedicate officers to those areas. This type of directed patrol, based in sound data analysis, coupled with strong community relationships is demonstrated to lead to systematically reducing recurring crimes, such as motor vehicle prowls or stolen vehicles.

Increasing patrol staffing is only one way to increase capacity and patrol operations could benefit from a lean process improvement exercise, efficient and effective use of new shift schedules, and increased use of non- or limited-commission personnel where appropriate.

a. Seek to add the equivalent of approximately 11 additional patrol officers over current authorized levels (60 officers).

Additional patrol officer capacity is required if the Department wants to become less reactive and create time for community-focused preventive policing. The Department should explore the ways to deploy this additional capacity, including the following three options:

- **Option 1.** Add 11 full-time sworn officers to the Patrol Unit to create increased time for directed patrol initiatives that could focus on crime prevention, relying on increased crime analysis capabilities.
- **Option 2.** Reestablish a free standing proactive unit (“proact unit”), which would require a minimum of five FTEs, including three full-time sworn officers, one full-time sworn supervisor, and a civilian. This option emphasizes crime prevention and decreases the amount of time that Patrol could spend building community relationships and using data to drive directed patrols. If a standalone proactive unit is desired in addition to the extra capacity of patrol to focus on community policing, the number of full-time officers required for the unit would need to be in addition to the 11 full-time officers needed to make time for community policing.

- **Option 3.** A third option is to create a hybrid model and form a small emphasis team of patrol officers to focus on analyzing and organizing directed patrol operations focused on specific current issues or community topics. This special team would deploy officers on special duty assignments as part of their regular shifts, and could be much smaller than a full-fledged proactive unit, leveraging the extra capacity created in the Patrol Unit for directed patrols.

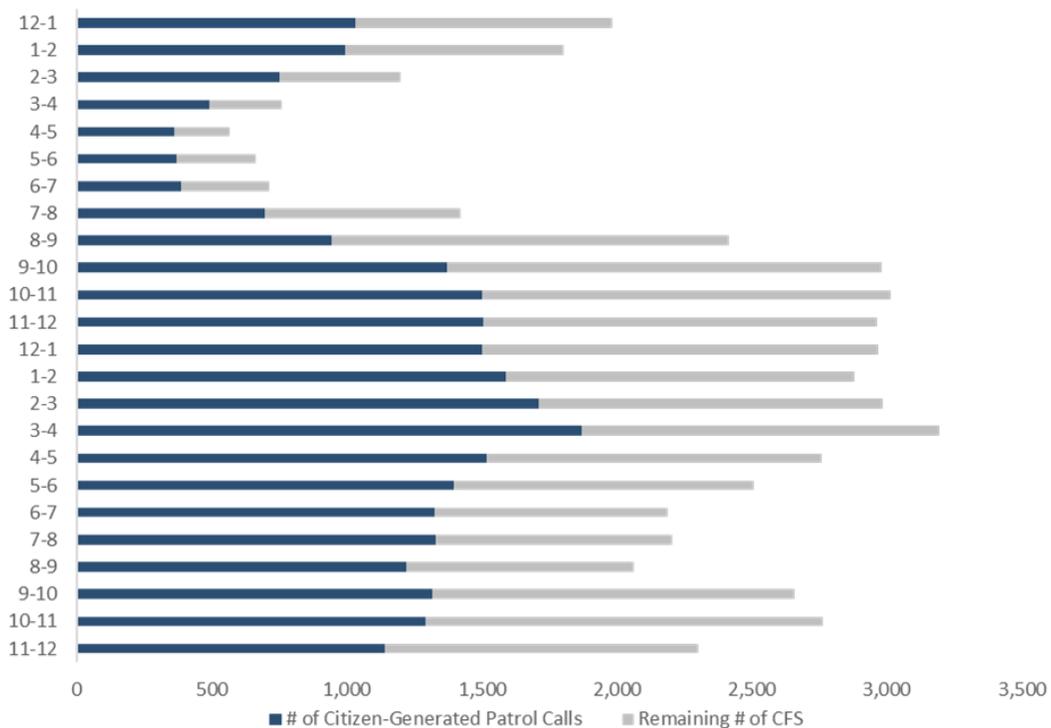
b. Make lean process or technology improvements to reduce officer paperwork, approvals, and internal communications to enhance service and increase time for directed patrol.

Similar to the process suggested for Records in **Recommendation 11**, Patrol should undergo a lean process improvement exercise to evaluate inefficiencies in officer paperwork, approvals, and internal communications. Police agencies can often gain efficiencies in these areas through effective lean analysis. By nature, the process would also touch other departmental functions including traffic, investigations, and special teams. The result of implementing this process would be enhanced service and increased time for directed patrol once identified inefficiencies were addressed.

c. Monitor the shift schedule in relation to calls for service to adapt to changes in production.

To efficiently address peak demand times, the shift schedule should be continually evaluated in relation to call volume. This will eliminate staffing inefficiencies and make best use of shift overlap days, times of day for training, directed patrol, and community outreach. **Exhibit 5** demonstrates the call volume for the year (April 1, 2015 to March 31, 2016) and when high volume is generated by residents. In the late spring/early summer of 2016, the Department adjusted their swing shift to start an hour earlier, at 3 pm, to better cover peak demand times during the same hour. This type of examination and adjustment should continue to be made on at least an annual basis.

Exhibit 5: Annual Call-for-service Volume by Time of Day with Shift Overlap (April 1, 2015 – March 31, 2016)



d. Consider the use of non- or limited-commission personnel.

Non- or limited-commission personnel are a less resource intensive way to add capacity for specific roles. Many law enforcement agencies in the Puget Sound employ civilian staff or limited-commission personnel as Community Service Officers or Crime Prevention Officers. Non- or limited-commissioned personnel may also direct traffic, complete paperwork at the crime scene, conduct jail transfers, package evidence, and perform other functions that do not require a commissioned officer. Additional information is provided in **Appendix 4**, under **Section 4.4: Personnel**.

Through a department-wide survey, call types that could be handled by a civilian were identified. The call types with more than 80% agreement are listed in Exhibit 6. Call descriptions are provided by NORCOM.

Exhibit 6: Civilian Opportunity Call Types

NORCOM Call Types	Call Description
Lost Property	Lost property such as wallets, purses, etc.
Civil	Neighbor complaints and other non-criminal calls between two parties
Illegal Dumping	When someone has dumped something in a spot other than where it should have gone
Traffic Abandon	When citizens are reporting vehicles parked in odd/unauthorized places
Animal	Any animal-related call that does not represent an immediate threat to people
Found Property	Found property such as wallets, purses, etc.
Mail Out Report	Very specific crime types with no suspect information such as stolen phones.

Recommendation 5. Implement technologies to alleviate burdens on Patrol and increase capacity for crime prevention and community policing.**a. Begin use of online reporting paired with ongoing evaluation.**

Online reporting is easy for the victim, eliminates some duplicate data entry, and can free up officer time to respond to other calls. Personnel across the organization indicated numerous calls for service where the online reporting system “CopLogic” could be used for citizen reports of crime and scheduled patrol responses. The calls with the most opportunity are identified in **Exhibit 7**. While online reporting produces some efficiency, it also lessens contact between officers and the public. Each incremental change from in-person to electronic contact needs to be evaluated as to how it changes the relationship between the Department and the public.

Exhibit 7: Online Reporting Opportunity Call Types

NORCOM Call Types	Call Description
Civil	Used for neighbor complaints and other non-criminal calls between two parties
Lost Property	Used for lost property such as wallets, purses, etc.
Illegal Dumping	Used when someone has dumped something in a spot other than where it should have gone
Motor Vehicle Prowl	Used when a vehicle is broken into and items are taken
Malicious Mischief	Used for events such as graffiti, broken windows, etc. where no burglary/prowling is involved
Traffic Abandon	Used when citizens are reporting vehicles parked in odd/unauthorized places
Noise Complaint	Used when citizens have called in to report noise above a level they deem appropriate
Animal	Used for any animal-related call that does not represent an immediate threat to people
Found Property	For found property such as wallets, purses, etc.

- b. Once community use of CopLogic has stabilized, evaluate the impact online reporting of some crime types affects staffing needs.***

Recommendation 6. Increase data-informed policing with support from crime analysis.

Crime analysis is a critical function of law enforcement. Effective crime analysis can reduce crime using strategies that direct limited patrol resources efficiently. In addition to providing reports such as weekly crime summaries and year over year comparisons, crime analysis can also be used operationally to identify hot-spots and commonalities in crimes to reveal serial cases. At the command-level crime analysis can be used strategically for long-term planning and to optimize the workforce. (VERA Institute of Justice, 2014)

- a. Add capacity in the form of an additional Crime Analyst.***

The Investigations Lieutenant monitors and prioritizes crime analysis requests, but despite a managed workload, current capacity of the crime analysis unit is low due to frequent unplanned data requests and urgent crimes requiring large analytic lifts. The insufficient resources in the unit lead to long wait times for anything other than urgent requests. Up-to-date and geographically specific crime information will be needed to support the shift to more proactive patrol approaches and community-oriented problem-solving strategies. Additional capacity, in the form of a second crime analyst, should be added to absorb current workload and add capacity for urgent requests. This new capacity will free up existing resources to use data proactively, for both operations and strategy.

- b. Use local resources that can help support crime analysts in small departments.***

Many smaller departments have constrained crime analysis resources and there are organizations that offer support. The Bureau of Justice Assistance (BJA), one of the Office of Justice Programs run

by the U.S. Department of Justice, funds training and technical assistance directly to local agencies to enhance crime analysis capability. The “Crime Analysis on Demand” training and technical assistance connects departments to products and services that address analytical gaps. The BJA also offer symposiums and workshops to help increase and build analytical capacity. In addition to these resources, there is also a local peer working group for the Northwest that KPD should join. Working regionally and sharing information can help identify larger trends that span jurisdictional borders and address regional issues. Aside from the BJA, resources can be found through the Washington Association of Police Chiefs (WASPC) and the King County Chiefs.

c. *Provide internships to local university students such as students or graduates of the Seattle University crime analysis certificate program.*

The Criminal Justice programs have many students that are eager to gain experience and have the benefit of bringing new tactics and knowledge that could help create efficiencies in crime analysis within the department.

Recommendation 7. Shift KPD’s command structure to better align with new shift schedule and strengthened focus on crime prevention and community engagement.

KPD’s current command structure is reasonable, with appropriate span of command. However, with the addition of a third patrol shift and changes in peer department command structures, KPD should consider adjusting its command structure to better align with new the new shift schedule and provide parity with neighboring agencies.

a. *Align command structure with new 10-hour shifts to ensure appropriate span of control.*

Reorganize the existing lieutenant structure or create a third lieutenant position so that each 10-hour shift has a lieutenant.

b. *Clarify the line of command in the Chief’s absence and consider alternative command titles, such as Deputy Chief to better align with peer agencies organizational structures.*

The current command structure and titles serve to channel communication through the Police Chief. In the Chief’s absence, it is unclear who neighboring agencies and others should contact. Further, the current Captain rank is not parallel with Deputy Chiefs in neighboring jurisdictions, meaning that external communications that would preferably be directed to the next tier in the command structure is more likely to be directed back to the Police Chief. This creates inefficiencies and overburdens the Chief with tasks and communications that are in the Captains’ purview.

c. *Consider the merits of a permanent non-commissioned administrative manager position that can work closely with commissioned personnel while increasing the Department’s expertise and oversight capacity in administration.*

This additional consistent and highly trained administrative command and management capacity with skills related to budget, technology, records and other non-patrol functions is warranted given the increasing demands on crime analysis and technology reflected in many of the recommendations in this section.

Recommendation 8. Continue to monitor workload of Investigations and other units with shift to new policing model

The current staffing in Investigations is reasonable. However, making the best use of the detectives' skills requires thought about support services - e.g. is there adequate crime analyst and clerical support, are the detectives getting adequate training and mentoring etc. With additional demands on Patrol related to preventive policing, the current level of felony-case investigation could change and increase demand for additional investigative support or additional detectives. Investigative workloads are directly tied to which cases are filed and prosecuted.

a. Communicate regularly with the City prosecutors and City policy makers to maintain a shared understanding of the prosecution priorities and filing standards for the City.

City policy makers and the City Prosecutor's office set misdemeanor filing standards and priorities for the community. These filing standards and enforcement priorities affect police department deployment and resource utilization. KPD should regularly provide policy makers with current data to help inform these decisions.

The City may adjust its prioritization of civility or low level property crimes, or choose to implement deferral programs. Any policy direction of enforcement priorities will have an impact on deployment and support resource levels. For example, some cities choose not to prosecute or have a very high threshold for certain types of crimes such as car prowls, prostitution, or civility-related crimes. Cities with a high threshold have determined that they will not file a case unless the suspect has a specified number of previous arrests or convictions. This filing standard reduces the workload of investigations, by removing the need to file the case for use in a criminal proceeding. Alternatively, having a lower threshold for certain types of crimes would require additional police resources for those cases in order to investigate the crimes and prepare the file to the level required to prosecute the crime.

Recommendation 9. Assess community traffic enforcement priorities.

More community discussion is needed to evaluate and update how the Department approaches traffic. Carefully focused traffic enforcement (ticketing) can address community safety concerns but does little to address *congestion*, which may in fact be the primary concern of the community.

Currently, KPD's Traffic Unit is primarily focused on accident investigations and not ticketing. Using a simple workload-based assessment of the Traffic Unit, there appears to be adequate staffing for the current role and workload, with some additional capacity that could be allocated to other units where needed.

a. Engage community members to better understand their traffic-related concerns.

b. Based on this understanding, set appropriate objectives and staffing. Consider how the Traffic Unit and other resources are best used to address traffic issues relative to other community priorities.

- What is the appropriate traffic enforcement role for patrol officers?
- What is the capacity of the Traffic Unit to do tasks other than accident investigations?

c. Determine the importance of addressing school zone speeding relative to other potential uses of department resources.

Stakeholder and staff input did not describe speeding in school zones as a top priority in discussions with the consultant team. To better understand the relative priority of school zone speeding, the Department should work with the School District to gather data on how much speeding currently

occurs in the school zones, especially when children are present. This information should then be used to make an informed policy decision in collaboration with the City Council. In the end, the City must weigh this use of resources with others based on community priorities.

If reducing speeds in school zones is determined to be a priority issue, cameras can be an aid to calming traffic with a relatively less intensive use of officer resources. While each ticket generated by the camera system must have video footage reviewed by a commissioned officer before a ticket can be issued this takes less time than assigning an officer to this location during school hours.

Residents are often skeptical of camera-generated tickets, believing they are primarily a revenue source and not a meaningful safety tool. Evidence describing the magnitude of the safety issue gathered in collaboration with the school district should be used to communicate the public safety intent behind use of the cameras. Subsequent reduction in speeding should also be communicated to demonstrate success of the effort and the enhanced safety secured for school children.

Recommendation 10. Reevaluate staffing needs regularly to adapt to City development and population growth, with a focus now on current redevelopment occurring in Kirkland Urban and Totem Lake.

By the year 2035, the City of Kirkland is anticipated to grow its population by 13% to 99,632 residents. If call volume continues its current relationship with population, the Department can expect a 14% increase in patrol officer need over current recommended capacity in **Recommendation 4a**, requiring 81 officers by 2035. This is only one measure of future demand, and a variance analysis anticipating a 5 or 10% increase over current 2035 estimates could increase the officers needed to respond to demand up to 90 officers.

Changes in policing and new commercial development (such as the Village at Totem Lake and Kirkland Urban) and greater residential density may change demand and should be monitored. To better understand the potential impact of current redevelopment in Kirkland Urban and the Totem Lake, the Department's crime analyst should anticipate crime and appropriate service response by assessing the experiences of neighboring communities. Analysts from Bellevue, Bothell, Redmond, and Woodinville would be able to share changes in crime stats related to developments of comparable size, density, volume of public transit, and other factors.

2.3 Records Unit

The Records Unit is a core operation of the Department that requires special attention due to the current backlog and its effect on other functions. The workload of the Records Unit is impacted by its large volume of work in archiving and in Public Disclosure Requests (and associated redactions). This workload is currently challenging Records to be able to support the Department as well as desired.

Public Disclosure Requests. Public records requests for law enforcement records are often more complicated because of conflicting statutes and rapidly evolving case law. The number of Kirkland’s requests increased approximately 36% from 2013 to 2015 (based on WEBQA). In addition to the increased number, each request can include a number of reports to generate (as many as 200) and time-consuming redactions.

Year	Number of Requests
2013	1,918
2014	2,504
2015	2,609

Archive Backlog. There is a large backlog of records that need to be archived and also records that have been kept past their retention date. Keeping records past their required retention makes them subject to public disclosure and complicates the search process when responding to public records requests.

Succession Planning. Turnover is anticipated in the Records Unit, with the supervisor and PDR specialist both expected to retire in the next year.

Recommendations

Recommendation 11. Take a phased approach to strengthening the Records function, seeking efficiencies before adding capacity.

With some effort, efficiencies may be gained that will offset the need for additional capacity in the Records function. Note that the recommended new Administrative Manager described in **Recommendation 7** will add management capacity and oversight to this function.

a. Seek to address workload issues through increasing operational efficiencies.

- **Fund a special duty assignment or temporary position to clean up the archive backlog.**
- **Increase presence of City’s Public Disclosure Analyst.** Many of the Department's public disclosure requests require specialized review from the City's Public Disclosure Analyst. The Department would benefit from additional regularly scheduled time dedicated to KPD.
- **Monitor the impact of CopLogic on the record unit workload.** New online reporting through CopLogic, which is currently being tested, could lead to more crimes being reported, and therefore a higher workload for Records.
- **Conduct a lean analysis of Records, archiving, evidence and others to identify opportunities to create more efficient processes.**
- **If necessary, do a detailed workload analysis** coinciding with the lean process.

b. Add staffing if the above efficiencies do not alleviate concerns.

c. Create a staff succession plan to account for known retirements.

2.4 Corrections Unit

Kirkland Police Department's Corrections Unit experienced significant changes with their inmate population, facility design, operations and staff levels over the last two years as seen in **Exhibit 8**. While their increased staffing levels and deployment schedules may be adequate for day to day maintenance of normal operations, it does not support the development of systems and programs necessary to comply with best practices, national standards and mitigate risk associated with the operations of a municipal correctional facility. The bed capacity increased from a 12 bed Holding Facility to a 62 bed Correctional Facility; the average daily population increased from 11 male inmates to 40 male and female inmates; the average length of stay of inmates increased from 2 to 11 days. These changes collectively have had a tremendous impact on staffing levels, training needs, available resources and the achievement of desired goals.

Exhibit 8: Change in the Operations, Responsibility, and Liability of KPD Corrections

	Prior to 2014	Post-2014
Bed Capacity	12	62
Average Daily Population	11	40
Length of Stay (days)	2	11
Defined as	Holding Facility (<30 days)	Correctional Facility (< 365 days)

In spite of these critical changes in the scope of responsibility, the KPD Corrections Unit developed and implemented a two-week orientation and training of all staff to prepare for the transition to the new facility; adopted the Lexipol policy manual management system which provides content and a consistent format of all policies; successfully contracted with South Correctional Entity Regional Jail (SCORE) for Special Needs Inmates including high risk inmates with medical, mental health, assaultive and behavioral issues; and provided all staff with new state of the art equipment and uniforms. These achievements are noteworthy and demonstrate the intent of the Kirkland Police Department and Corrections Unit Administration to establish and support sound correctional practices.

The findings from the initial assessment of current jail operations indicate that overall the jail may not be managed in the most efficient and effective manner. Discussions with line staff, supervisors and administration revealed the desire and need to establish management systems; operating and supporting processes for sound decision making; data collection and analysis; process, outcome and key performance measures; vertical and horizontal communications strategies; employee performance measures; comprehensive policies and procedures; best practices inmate programs; and population management initiatives.

The below stated **Goals** were voiced indirectly by line and supervisory staff, city, police and corrections administrators as critically important. In order to accomplish these goals over the next two to three years, various strategies, processes and initiatives are recommended. These include audits, assessments, reviews, research, policy and procedure development and most importantly, development and implementation of management systems. All strategies, processes and initiatives should be plotted out in an Action Plan format in order to prioritize, assign responsibility, designate resources and establish a time line. Support from the City and KPD administration is critical to the successful implementation of these initiatives. By providing the necessary resources to seek technical assistance grants where available;

backfilling skilled staff to accomplish specific tasks; or contract when necessary -- these goals can be met within the next two to three years.

Corrections Goals

1. Safe, Secure and Sanitary Facility
2. Standards Driven Operations
3. Research Based/Data Driven Management Information System
4. Efficient and Effective Staff
5. Evidence Based Inmate Population Management Plan
6. Open, Transparent, Relative and Frequent Communications

Needed Systems Development

To attain these Goals, various management **systems** should be developed that will provide a solid foundation for jail operations and programs.

- Validated and Objective Inmate Classification System
- Comprehensive Management Information System
- Policies and Procedures compliant with American Corrections Association (ACA) Core Jail Standards
- Staffing Plan
- Training Plan
- Communications Plan

Recommendations

Recommendation 12. Articulate a clear and compelling direction for KPD Corrections Unit

As articulated by staff, the **Mission** of KPD's Corrections Unit is to protect the public by holding inmates accountable and providing opportunities for positive change. The **Vision** for the Unit is that inmates who are detained at KPD Jail go on to lead productive and crime free lives. In order to accomplish this Mission and establish a plan to realize the Vision of the KPD Corrections Unit, KPD and City Officials must be crystal clear on prioritizing their goals and provide the necessary resources and funding.

KPD is more than just a police department. KPD has an opportunity to improve public safety, change behavior and positively impact offenders' lives. A work environment can be created so staff can see the importance of their work and connect their daily work assignments to the Mission, Vision and Goals of the Agency. Further, that the establishment of a Corrections Unit Work Plan in collaboration with KPD and City Administration will ensure collaboration and communication while the Unit moves from a baseline of supervising inmates to a safe, secure and effective corrections operation supported by evidence based practices.

The Development of a Work Plan is the most pressing and critical initiative to organize and prioritize strategies and activities, designate responsibility, identify funding and resources, assign tasks, establish timelines, monitor and evaluate progress and readjust as needed. The above listed **systems** in need of development will become the basis for reaching the goals indicated above which ultimately support the Mission and Vision. These strategies and systems and can be attained by the development of a supported Strategic Plan.

- a. Engage Corrections staff to establish a compelling Purpose Statement and Guiding Principles for Corrections.**

b. Establish an action plan to guide systems development and the continued maturation of the Corrections Unit.

Recommendation 13. Establish a validated and objective inmate classification system.

Implementation of an **Objective Inmate Classification System** is recommended as the first and most important initiative as it provides the foundation to all operations. To operate safe, secure, and productive correctional operations, we must know what the inmate population is really comprised of as related to risk to the public, risk to other inmates and staff, and risk to themselves. Inmate needs are also important in terms of establishing relevant medical and mental health services; educational, vocational and reentry programs; drug and alcohol treatment services; and cognitive and/or behavioral treatment programs.

An Objective Inmate Classification System that is normed to the local jurisdiction reflects true risk; is reliable; non-discriminatory; efficient and easy to understand for staff and inmates alike. It ensures appropriate housing and program assignments; identifies least restrictive housing based on inmate's risk; involves prisoners in the process; and establishes a clear definition of operational goals and objectives. Advantages also include improved safety and security; reduced escapes, suicides, and assaults; supports cost savings; ensures consistent decision making; provides a structure for fair and equitable processing and programming of inmates; effectively and cost efficiently deploys personnel; identifies eligibility of low risk population for least restrictive, correctional options programs; and improves overall safety for staff and inmates.

Technical Assistance Grants are available through the National Institute of Corrections to conduct a Classification Review. Reportedly, there are still funds available for Inmate Classification, however all other travel and training technical assistance grants are frozen until January 2017. A National Institute of Corrections (NIC) Classification Review may be sufficient to determine if the risk instruments and scoring weights are normed for the KPD inmate population, however a complete Validation study may be in order.

a. Request Review and/or Validation Study of current Classification Process (NIC).

Recommendation 14. Ensure a safe, secure, and sanitary facility.

A Safe, Secure, and Sanitary Facility can be attained by initiating a Security Audit or Jail Vulnerability Assessment. This process can provide the roadmap to facility and security practices that may compromise inmate and staff safety. Existing policies, procedures and post orders will be reviewed and recommendations made. Often times, these recommendations result in reducing duplication, simplifying procedures, and identifying critical differences in duties related to various posts or types of inmates being managed. The National Institute of Corrections or our Washington State Sheriffs and Police Chiefs Association (WASPC) may provide the resources necessary.

A security audit is a "process of evaluation and analysis of security systems, policy, procedures, standards, and practice combined for a safe and secure environment." Its goal is to identify and correct security deficiencies. The three components of this process are to: 1. Determine if the physical plant supports the mission, vision, goals and objective; 2. Establish outcome and key performance measures as related to programs and services; and 3. Determine the performance levels and effectiveness of the staff. For example, a good staff can often manage safely and effectively even if a jail has a poorly designed physical plant. Similarly, a facility that ensures that inmates are continually involved in productive programs, can offset design flaws.

- a. Conduct a security audit or jail vulnerability assessment (NIC, WASPC).*
- b. Develop Emergency/Critical Incident Response Plan*
- c. Develop, fund and implement Equipment Repair and Replacement Plan*
- d. Develop and implement random and unannounced Safety, Security and Sanitation Inspections conducted by Administration*

Recommendation 15. Implement standards-driven operations.

To ensure all KPD Corrections Unit operations are supported by nationally recognized correction's standards as well as standing court decisions, all existing and future policies, procedures and post orders must be reviewed for compliance. Successful litigation and court decisions are sometimes seen as a moving target so policy makers should stay current on legal issues through publications and training offered by national organizations such as the American Corrections Association (ACA), American Jail Association (AJA), National Prison Rape Elimination Act (PREA) Resource Center, National Institute of Corrections (NIC), and National Sheriff's Association (NSA). The most litigated corrections issues continue to be isolation/in cell times, mail, visiting, program opportunity, PREA compliance, and LGBTQI (Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex) parity issues.

- a. Compare existing policies, procedure, post orders and practices with National and State Standards – identify gaps.*
- b. Attend Legal Issues for Jails Training (AJA).*
- c. Review current litigation and court decisions regarding Administrative Segregation, Discipline Lockdown, Protective Custody housing (AJA Legal Issues).*
- d. Review NIC Policy, Review and Development Guide LGBTQI in Custodial Settings (NIC Library).*
- e. Develop and Implement an Inmate Discipline, Grievance and Appeal Process that will comply with recent court decisions (NIC).*
- f. Request initial PREA Pre-Audit Review to determine steps to PREA Certification.*
- g. Develop and implement scheduled operational reviews.*

Recommendation 16. Establish a research-based/data-driven inmate management information system.

KPD does not currently have a **Comprehensive Inmate Management Information System** or data collection and reporting strategy which could positively impact decisions of managing day to day jail operations and support research based planning for the future. In order to enhance the current jail information system, initial research utilizing jail information experts such as Looking Glass Analytics or King County Jail information staff to provide training and examples of the benefits of accurate and timely information would be a good starting point. A request should be made to Tyler Technologies/New World Information System to determine the capacity of their enhanced Odyssey Product Suite specifically the Integrated Jail Management System. A comparison of what their software is capable of providing (data, reports, formats, frequency, interpretation, analysis services) along with associated costs of other models could be used to determine the most cost effective means to implement a solid corrections Management Information System. In addition, corrections officers are currently performing clerical records work and

being paid an officer's wage for this work. The best use of resources would move this work from corrections officers to records clerks.

- a. Explore utilizing computer and electronic technology for efficiency, accuracy, and cost containment.*
- b. Review "How to Collect and Analyze Data: A Manual for Sheriffs and Jail Administrators" (NIC).*
- c. Identify key data elements for decision making.*
- d. Obtain a list of available information data bytes from Tyler Technologies/New World Jail Information System.*
- e. Consult with Looking Glass Analytics to provide demonstration of service.*
- f. Consult with King County Detention research and information staff for examples of their data and reports.*
- g. Collaborate with NORCOM and Tyler Technologies/New World JIS to develop daily, monthly and annual inmate data reports.*
- h. Assign staff resources to ensure timely, accurate, relative reports generated.*
- i. Move warrants and records clerical responsibilities from corrections officers to records clerks.*

Recommendation 17. Employ efficient and effective staff.

To reach the aspiration of ensuring that KPD Corrections has the most **Efficient and Effective Staff** several strategies must occur. The KPD Corrections Unit has developed and implemented a staffing schedule for current operations. However, once a Validated Classification System and Management Information System are implemented the current schedule and deployment of staff should be analyzed using the National Institute of Corrections' Model. Staff costs can make up 70-80 percent of the annual budget so attention to managing, deploying and allocating staff is critical to controlling costs and effective management of a jail. The National Institute of Corrections (NIC) Staffing Analysis Workbook for Jails provides a model to help improve jail operations by improving jail staffing practices. It is helpful to "review and evaluate an existing staffing plan in response to changes at the facility or in policy." Technical Assistance Grants may be available in January, 2017 from NIC to assist with this process.

Similarly, the creation of a comprehensive **Staff Training Plan** that supports the onboarding of new staff as well as in-service annual training for all staff is an important component to developing the skills required for an effective staff. A Training Plan should be clear, concise, realistic, and measurable. A comprehensive Staff Training Plan will: identify goals of the agency; assess the training needs of the current staff; establish training objectives for newly hired staff as well as current staff; identify funding and training resources (including subject matter experts and on-line training resources); solicit feedback; evaluate and revise as necessary.

- a. Conduct Staffing Analysis (NIC model).*
- b. Develop a training plan.*
- c. Review recruiting, background, hiring and retention processes.*

Recommendation 18. Develop an evidence-based inmate population management plan.

An **Evidence Based Inmate Population Plan** begins with establishing the goals and purpose of in custody inmate programs based on the Vision, Mission and Values of the Agency. Components of an Inmate Population Plan include: A Housing Plan that ensures inmates will be housed in a safe and secure environment; development of in custody programs based on the needs of the population, available resources, and solid evidence based practices; establishment of correctional options programs based on the inmate's risk to reoffend. All correctional options programs must be developed in collaboration with the law and justice stakeholders to ensure success.

- a. Develop a housing plan with housing assignments based on inmate risk, needs and facility resources.**
- b. Initiate an inmate behavior management program (NIC – train the trainer funding request).**
- c. Recruit and train volunteers to oversee inmate programs.**
- d. Review agencies with similar size and operational scope re: budget, resources, content, frequency, success measures, schedules and implementation of successful inmate programs.**
- e. Develop and implement selected in-custody inmate programs.**
- f. Establish a Correctional Options Advisory Board comprised of stakeholders (see Law and Justice Council statutory membership for examples).**
- g. Develop correctional options programs to ensure least restrictive alternative without compromising safety.**
- h. Identify bed capacity and housing of current population.**

Recommendation 19. Communicate in an open, transparent, and frequent manner.

A Communications Plan for the Corrections Unit can be developed that will ensure **Open, Transparent, Relevant, and Frequent Communications**. The development of this plan can begin with a simple needs assessment or survey of corrections stakeholders including city and police administration, law and justice partners, volunteers and community partners, police and corrections staff. The survey should solicit what information they require or are interested in receiving. Frequency, format and recipients of the information should be identified and mapped out in the plan to determine daily, monthly, annual or as requested reports on corrections related data and general information.

- a. Engage stakeholders to determine what Corrections-related information they would like to receive, how often, and in what format.**

Stakeholders should represent City functions (Council, City Manager, budget, human relations) and Police functions (Police Chief, Patrol, administration, corrections union officers, Corrections Unit line staff, supervisory and civilian staff), and related stakeholders (courts, prosecutor, public defender, clerk, court security).

- b. Identify agenda items, frequency, participants for regularly scheduled meetings.**
- c. Identify content, frequency, audience, contributors, author, and support staff for written communication and report.**

Recommendation 20. When developmental improvements are complete, evaluate options for contracting out excess capacity.

When current population is safely and appropriately housed with low risk offenders transitioned to non-bed correctional options programs, the resulting vacant bed capacity may be utilized to generate revenue by contracting with other local agencies. This option should only be explored once Corrections has completed the above recommendations related needed to strengthen its core functions and serve as a fully-functional Correctional Facility.

- a. Conduct a cost benefit analysis for contracting out vacant bed capacity to other agencies.***
- b. Review with assigned Civil Prosecutor any contractual or potential liability concerns.***
- c. Develop a timeline for implementation of contracts.***

2.5 Community Relationships

As described in **Section 1.2**, the Kirkland community appreciates its relationship with its police department and would like: more engagement and more non-enforcement interactions. The proposed model shift introduced in **Recommendation 3** increases capacity for crime prevention and community policing, creating additional ability to engage community members in non-enforcement interactions. This investment seeks to preserve the goodwill that currently exists between community and department, and will also pay dividends in building effective crime prevention and crime response as described below.

Recommendations

Recommendation 21. Increase the frequency and depth of non-enforcement interactions with community members, building a stronger partnership with the community.

Dedicated effort will be necessary to maintain/improve positive relations with specific populations. In general, as the Eastside continues to diversify, the Department will benefit from more community engagement, greater diversity of its workforce, greater language abilities, and greater cultural competency.

- a. Build organizational capacity to develop community relationships, including training for all officers on community policing techniques.***

The Department may want to form community advisory groups representing interests whose perspective and input to the Department could enhance department operations. Typically, such advisory groups are assembled in collaboration with already identified leaders among the members of the groups. The groups may represent various interests: neighborhoods, social services, businesses, religious denominations, racial or ethnic groups, sexual identity groups, or ad hoc groups arising from topical issues of interest to the community and department.

Because studies demonstrate close police-community relationships are often the reason crimes are solved, the Department will want to have established trusting relationships with whatever individuals and groups might be of help in solving or preventing crimes. These relationships can be slow to develop, must be nurtured over time, and are fragile. Reaching out to these individuals and groups can be done in several ways: visits by department employees, invitations to attend informational meetings facilitated by department employees, and use of various electronic media.

Note that some dedicated community engagement functions can be fulfilled by limited commission personnel, training in effective community policing will be critical for all officers.

b. Increase the Department's overall cultural competency:

Trust and intimate relationships between police and diverse communities and individuals may take time. Relationship building cannot be rushed. The Department should acknowledge that this will be a process, there is no inoculation that can make everything better with one shot. The Chief may want to be the face of the Department in reaching out to these diverse communities and individuals as her demonstrated interest will be appreciated and valued.

Other potential strategies include:

- The Department may want to use its present training cadre to develop a resource list of readings, websites, presentations, and other available learning resources to be used by department employees to gain knowledge about current events, history, and issues.
- The Department training cadre may want to arrange a speaker's forum where members of the community are invited to interact with department employees on topical issues of race and ethnicity- or similarly sensitive matters.
- Create a welcoming environment by hosting social events at police facilities where diverse community members can interact with department employees in a loosely structured way, perhaps over ethnic meals subsidized by local businesses.

Recommendation 22. Increase electronic public access to departmental information.

a. Make improvements to the Department website.

Provide content on the website that adds value to the public's interaction with the Department and continue to update it regularly. Most law enforcement job applicants find information about Police Departments via the internet, and specifically on the Department's website. KPD's website is not especially visually appealing, interactive, or updated regularly. Adding visual appeal and more information to the website could assist with both recruitment and community outreach.

Include information relative to the Corrections Unit operations that would inform the public and law and justice stakeholders such as summary inmate data (ADP, ALOS, percent pre-trial status, percent of sentenced, racial breakdown, number and percent of male and female population); specific inmate information for public viewing by inmate families, friends, victims (who is in custody, status, court dates, booking and release dates. All of this is public information.

b. Improve use of social media.

KPD should expand its use of popular social media platforms, to continue its positive image and good relationship with the community. Continued proactive use of the Department's Twitter account and possession of the existing Kirkland Police Department Facebook account, as well as new Instagram or Snapchat accounts could provide an opportunity for the Department to promote the good work it does in the community.

Importantly, the Department should strive to create opportunities for social media *interactions* (two-way communication) with the community.

Several local jurisdictions use social media very effectively. Issaquah, Kent, and Mercer Island focus on sharing positive images of the department engaging with community members:

- Issaquah’s Facebook account highlights the department’s relationship with the community, including posts showing a School Resource Officer ready for the first day of school, annual cookie deliveries from the local Girl Scout Troop, thanks for officers that are retiring, and congratulatory posts for new corrections officers.
- Kent highlights the department’s participation in neighborhood family festivals with photos of their Neighborhood Response Team interacting with residents.
- The Mercer Island Police highlight their Citizens Academies and volunteer activities through posts with photos of officers interacting with the public.

Lynnwood provides more real-time updates on police activity by maintaining a Twitter account that alerts residents to high-priority police incidents, like stabbings and successful high-profile arrests.

[The State of Washington](#), [King County](#), and the [Kirkland City Council](#) have social media guidelines and/or policies that the Kirkland Police Department can leverage.

2.6 Performance Measurement

Performance measurement is critical to an organization. Performance measures inform a department’s policing priorities and form the standards that a department delivers against. They are also complex, easy to get wrong, and can demand disproportionate resources to implement. Many common measures are flawed or insufficient, and many departments remain focused on outdated indicators. Like other police departments, Kirkland emphasizes indicators such as enforcement productivity (e.g. arrests, tickets), response times, and clearance rates. Though productivity and response times show effort, they don’t reveal if the department or individual police officers are engaging in smart policing or if they are positively impacting the community. The Department should be moving toward a “balanced scorecard” approach for law enforcement, initially proposed by Kaplan and Norton in 1996. By broadening the focus of the police mission, Mark Moore suggests in *Recognizing Value in Policing* the focus should be framed around the following dimensions.

1. Reducing criminal victimization
2. Calling offenders to account
3. Reducing fear and enhancing personal security, guaranteeing safety in public spaces
4. Using financial resources fairly, efficiently, and effectively
5. Using force and authority fairly, efficiently, and effectively to achieve legitimacy with those policed

The Northern Ireland Policing Board is one example of using a balanced scorecard approach to measuring law enforcement performance, with a focus on service excellence, serious harm, and local policing. Their annual report contains a scorecard that indicates police performance on measures outlined under each identified goal. They follow strict protocols on how and when each metric is recorded. An example of this scorecard is shown in **Exhibit 9**. The Policing Board that oversees this process also conducts a survey of the community twice annually, in addition to surveys sent specifically to victims of crime in the past year. These surveys are used to determine the community’s satisfaction with police response times, treatment, and follow-up. (RAND , 2012)

Exhibit 9. An Example from Northern Ireland's Annual Report Scorecard

Target	Performance	Target Achieved
1.1.1. To achieve a victim satisfaction rate of 75% for 2005–2006	PSNI/Northern Ireland Policing Board Victims Survey, quarters 1–3, 2005/2006: 80%	Achieved
1.2.1. To increase the percentage of people who think that the police do a good job by 5 percentage points	Omnibus survey: April 2005: 63% September 2005: 60% Average: 62%	Partially achieved
1.3.1. To increase the percentage of people who think that the police treat everyone equally by 5 percentage points	Omnibus survey: April 2005: 66% September 2005: 64%	Not achieved
1.4.1. To work toward establishing a baseline for measuring police response times to emergency calls, reporting to the Northern Ireland Policing Board quarterly	Within 5 minutes: 34.9% 5–9 minutes: 26.9% 10–14 minutes: 15.2% 15–19 minutes: 7.8% 20–24 minutes: 4.5% 25–29 minutes: 2.9% 30+ minutes: 7.9%	Achieved

Source: (RAND , 2012)

Recommendations

Recommendation 23. Measure organizational success based on indicators the community cares about. Organizational performance measures should drive individual performance measures.

a. Conduct annual Community Satisfaction Surveys in addition to the bi-annual city-wide Citizen Satisfaction Survey.

Use Community Satisfaction Surveys to create indicators based in community desires, such as citizen willingness to report crime, citizen fearfulness, and citizens' perceived crime and disorder issues. Indicators should be chosen carefully, thinking about the ripple effects through the Department and any perverse incentives they could create. For example, if officers are given targets for traffic tickets, they may devote free time and resources to meeting that target, instead of addressing other emerging crimes or being visible in the community. The Community Surveys create an important feedback loop, informing priorities of Kirkland citizens and measuring departmental performance.

Questions for residents that can help lead to meaningful indicators include:

1. What do you think the current priorities are of the Kirkland Police Department?
2. What do you think the current priorities of the Department should be?
3. Have you had an encounter with the police? If yes, was the Department empathetic? If yes, was your issue resolved satisfactorily?
4. Do you feel informed about crime trends and safety issues in your community?
5. Have you accessed the KPD website? If so, did it answer your questions or provide the information requested?

b. Create quality metrics to accompany department-wide quantity metrics.

Quantity metrics are the most familiar and easiest to identify and measure, but quantity measures for the Department should be accompanied by quality metrics. Those quality metrics should be rooted in the Organization’s Mission, Vision, and Values (see **Section 2.1**) and, based on the type of work, measure dimensions such as: significance, professionalism, accuracy, timeliness, cost-efficiency, or client satisfaction.

c. Use performance measurement as a means to drive improvement and shape organizational culture.

Performance measurement shouldn’t be a single point in time measure of department success. It should be rooted in the larger organizational culture. Moving toward this model will require investment and support of those in every position - from those in leadership positions to officers and civilian personnel. Making results of performance measures broadly available, both internally and externally, can encourage this continuous support of the program.

Recommendation 24. Consider the development of Neighborhood Policing Plans with neighborhood - specific goals and measures.

Neighborhood Policing Plans allow departments to engage with neighborhoods and define performance measures specific to those communities. The process builds trust and partnerships to fight crime collaboratively and produce public safety collectively. Another benefit of neighborhood-specific goals and measures are that they allow the Department to have varied metrics across neighborhoods based on their specific public safety needs. The Seattle Police Department’s [“micro community policing plans”](#) provide a local example, though Kirkland may approach this work at a less “micro” level, engaging fewer, larger neighborhoods.

3. ADAPTING TO A CHANGING ENVIRONMENT

3.1 Management of Data and Technology

Technology plays an increasingly important role in the daily work of law enforcement officers in the field, equipping them with enforcement and investigative tools that have the potential to make them safer, better informed, and more effective and efficient.

The City of Kirkland has a centralized IT Department that provides services to the Police Department. The IT Director has a well-developed understanding of the unique issues related to criminal justice information management. The new Justice Center facility was built with future technology in mind. The Police Department is in a good position to move forward with new technology, and the officers have indicated a desire to embrace new technologies to create efficiencies and enhance their service.

Important considerations:

- For all technology improvements or enhancements, the Department needs to consider the impacts on the records unit as well as privacy concerns of the public.
- Many of the current KPD officers and the upcoming generation of potential recruits have high technology expectations. Keeping current and progressive with technology tools may draw in new employees, as well as retain current employees.
- There are some tools that often grab attention but may not offer value to KPD at this time. These tools include facial recognition software (other than used with booking photos), gunshot detection systems, or drones.

Recommendations

The Department should be progressive, but not overly aggressive with regard to technology. It should find ways to engage staff, community members, and community partners in new and emerging technologies. Technology leadership will uphold the expectations of a tech-savvy community and aid in staff retention and recruitment.

Recommendation 25. Increase the Department's ability to manage technology in a strategic manner.

a. Establish a "Technology Champion" role.

To increase capacity for addressing technology in a thoughtful and well-managed way, the Department should create dedicated capacity and consistent support for IT. This internal "Technology Champion" may be a full-time position, or dedicated capacity within an existing FTE. This individual should be tasked with:

- Maintaining currency with technology advances in public safety.
- Collaborating directly with the City's IT Director, serving as a consistent liaison between the Department and the City.
- Monitoring current tools and evaluating future tools to avoid gathering disparate technology systems that cannot communicate with one another.

- Reviewing technical and budgetary impacts of new technology, using the International Association of Chiefs of Police (IACP) Technology Policy Framework and City policymakers to discuss the appropriate use and management of the tools.

b. Engage local technology firms and community members as technology partners.

Many technology companies enthusiastically partner with law enforcement agencies as a development opportunity for their own employees as well as a public service. Several sophisticated technology companies have offices in Kirkland: Google, Microsoft, INRIX, Acumatica all have large offices in the City and could be valued partners in learning about technology tools, sharing resources and enhancing KPD's technology toolkit. Tableau trains police departments how to enhance visualization of their crime data for internal use in streamlining police processes in crime mapping and other crime analysis, and for external use, as a way to share data with the public.

In addition, the public meeting room space in the Justice Center can be used to host technology demonstrations, hackathons, or other technology events sponsored by KPD and involving community partners.

3.2 Emerging Data Analysis Tools and Other Technologies

Contemporary policing is being affected by rapidly emerging new technologies. KPD's current and potential use of some existing tools is explored in **Section 3.1**, while this section focuses on emergent technologies. Technology is becoming an increasingly important means by which law enforcement agencies accomplish their missions and meet the evolving expectations of their communities:

Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy.

President's Task Force on 21st Century Policing. 2015. Final Report of the President's Task Force on 21st Century Policing. Washington, DC: Office of Community Oriented Policing Services.

Recommendations

The recommendations that follow are listed in sequential order reflecting the relative immediacy of uptake suggested by the consultant team. This reflects the relative maturity of the technologies in question and the relative benefits they can provide KPD. Note that speeding cameras were discussed earlier in the document, under **Recommendation 9**.

Recommendation 26. Increase use of real time crime data.

Law enforcement data systems are being developed to gather large amounts of data from multiple sources, analyze the data, and use it to make rapid deployment and response decisions. This information can also be used for predictive and intelligence-led policing strategies for more efficient deployment of resources and increased apprehension rates. The Department's staff capacity to take advantage of these advances is addressed in **Recommendation 5**, which speaks to the need for an additional Crime Analyst position.

- a. Evaluate current use of New World system and functionality. Determine if the system could be enhanced by creating additional modules in the current Records Management System.**
- b. Explore emerging analytic tools that can be used with the existing crime information generated through the New World records system.**
- c. Evaluate new forensic tools that become available.**

For example, new truth detection systems are becoming available that can be used to in lieu of polygraphs. It may provide value to the detectives in lieu of using a polygraph in some circumstances. It is inexpensive and easy to learn.

- d. Invest time with the Automated Fingerprint Identification System technicians to learn the latest tools that can be used with their system.**

New tools such as mobile fingerprint units could aid the Department in making instant identifications and cut down on mistaken identity.

This task would be ideally suited to either the detectives or evidence technicians.

Recommendation 27. Purchase tools with mobile device capability.

Kirkland officers have mobile data terminals in their vehicles but do not have hand-held mobile devices such as tablets or smart phones. The vehicle-based mobile data terminals are limited in their functionality due to their interconnectedness with the dispatch system, NORCOM, and cannot access the internet or the internal City network. Many applications are being developed to push information out to officers on mobile devices (tablets and phones). These tools can aid in confirming identity of witnesses and/or suspects, gathering evidence, filling out contact forms, and officers in the field receiving a wider range of timely information. Emerging law enforcement technology innovations and applications will require putting additional mobile tools in the hands of officers.

Any acquisition of a new tool should be carefully evaluated by the Technology Champion and the City's IT Department to make sure that it is compatible with other equipment and that data gathered by that tool will not have to be reentered into another system.

Recommendation 28. Examine results of local two-year body-worn video pilots.

Many agencies are evaluating whether to deploy body-worn video cameras to gather evidence in cases, and for police accountability related to their interactions with the public. Although body-worn cameras can offer benefits, they also raise serious questions about how technology is changing the relationship between police and the community. A two-year pilot window recently passed and our recommendation is to closely monitor and evaluate the results of the 50 jurisdictions that chose to participate in these pilots. The police departments shown at right may be of particular interest given their geographic proximity to and shared characteristics with Kirkland.

During evaluation, community desires as well as the total cost of operating body worn cameras should be considered, including camera upgrades and other equipment as well as ongoing records management (indexing, redacting, storing, uploading, reviewing, retrieving and matching video with case records, and transmitting video to prosecutors and courts).

- Auburn
- Bainbridge Island
- Bellevue
- Bellingham
- Bremerton
- Gig Harbor
- Lake Forrest Park
- Lake Stevens
- Lakewood
- Lynwood
- Mill Creek
- Monroe
- Puyallup
- Renton
- Seattle
- Tukwila

Recommendation 29. Invest in automated license plate readers for patrol vehicles.

Automated license plate readers can assist officers with identifying and recovering stolen vehicles, locate wanted vehicles, and provide information for various types of investigations. The parking enforcement vehicle has this technology, but the functionality should be available to officers beyond the Traffic Unit to aid in proactive crime prevention.

3.3 Adapting to Regulatory Changes

The following recent and potential future changes in state and federal laws and regulations could impact KPD's future operations:

- **Sentencing requirements.** The trend in Washington State is toward less jail time, and more diversion or referral to treatment services or community service, especially for those involved in low level drug or property crimes. The level of supervision of individuals who commit such crimes and who are no longer being incarcerated is minimal and especially if they are doing low level property crime (bike theft, car prowls, burglaries, shoplifting, etc.) to support a drug habit or due to other untreated conditions, the criminal behavior is more likely to continue.
- **Marijuana legalization.** After the legalization of recreational marijuana, Washington law enforcement agencies are still working out the practical aspects of their relationship and involvement with marijuana possession, consumption, and distribution crimes. The State Legislature continues to modify roles and responsibilities between local law enforcement and the State's Liquor and Cannabis board, especially as it relates to medical marijuana dispensaries and personal growing operations.
- **Washington State Public Records Act.** Washington's Public Records Act requires that all records maintained by state and local agencies be made available to all members of the public with only narrow statutory exemptions. Due to the potential liability related to disclosure errors and the complicated web of rules related to law enforcement records, police departments, including Kirkland,

devote sizeable resources to managing the public records process, taking resources away from other priorities.

- **Disparate impact of criminal justice system.** Policy makers at all levels of government are concerned about the overrepresentation of minorities in arrests, convictions, and sentences. Police departments are being asked to collect more demographic data to help study these issues, which can be time consuming and may require new policies, forms, and data aggregation tools. KPD will need to monitor this change as reflected in **Recommendation 30**, below.

Recommendations

Recommendation 30. Determine the demographic data that KPD will collect to monitor the impact of the City's criminal justice system on minorities.

The President's Task Force on 21st Century Policing recommends the following:

To embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and regularly post on the department's website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics. [emphasis added]

As noted previously in this report, KPD overall enjoys a positive relationship with the community it serves. This relationship should be protected as the agency's greatest asset, particularly in the current national context of strained police/community relations. Stakeholder input gathered in this process did surface some concerns of racial bias on the part of KPD (see page 4). To better understand this issue, we recommend that the Department gather, analyze, and share data on the relationship between law enforcement interactions and race.

KPD should engage City policymakers in determining what level of detail and how much data they want to collect, analyze, and report. Only data that will be used should be gathered. This will require modifying forms and records templates to gather additional data, and demand time from officers, as well as the Records and the Crime Analysis units. Each data point collected will add time to each police encounter to collect and input the information, and new forms will likely create large amounts of data that will need to be analyzed, stored, and managed.

Many other law enforcement agencies have started collecting demographic data including the Washington State Patrol and City of Seattle. The Department of Justice published a [Resource Guide on Racial Profiling Data Collection Systems](#), with data collection goals and limitations, case studies of jurisdictions outside of the Puget Sound area, and recommendations for traffic-stop data collection systems. The demographic data that should be collected during traffic stops includes date of birth, gender, race/ethnicity, and reason for the stop.

3.4 Evolving Social Challenges

Broad social conditions will continue to create challenges for the City of Kirkland and other communities in Washington State:

- **Mental health and substance abuse.** Washington State does not have enough services for individuals experiencing mental illness or substance abuse crises. Consequently, police are called upon when these untreated or unhoused individuals commit crimes, cause disorder, or endanger others. Law

enforcement contacts with individuals in crisis continues to grow. Officers find inadequate options available to assist with these encounters. Even individuals who desire treatment (either emergency medical detox, or longer term treatment) find that the treatment centers have no capacity.

Opioid abuse is widespread throughout our region, and often contributes to three types of crime: use-related crime by individuals who take drugs that affect their behavior, economic-related crime to fund a drug habit, and system-related crime that result from the structure of the drug manufacture and delivery of drugs.

- **Homelessness.** The entire Puget Sound region is experiencing a large increase in individuals and families experiencing homelessness, some of whom sleep or camp in unauthorized areas or live in their vehicles. Police often are the first service provider called to respond to citizen complaints about these individuals. Kirkland's Parks and Community Services Department and Police Department collaborate to make referrals to appropriate services or take law enforcement action when necessary. Some individuals are experiencing mental health or substance abuse issues, or are engaging in low-level property and drug crimes. In many cases police have a legal basis to arrest and/or book a person for these crimes, but there is a trend toward diversion or referral to services instead of arrest, booking or charging.

It is likely that the number of homeless individuals on the Eastside will increase and programs, training, and collaborative efforts to address this population will need to expand.

- **Privacy concerns.** With the enhanced ability of police departments and other public agencies to gather and store large quantities of data and connect regional data systems, civil rights organizations and some citizens are concerned about privacy. There are calls to limit the amount of information that is gathered, especially in the context of law enforcement activities. Tools such as video surveillance, body-worn or in-car video, automatic license plate readers, and facial recognition software are becoming a focus of privacy concerns, especially in the context of Washington's Public Records Act.

Recommendations

Recommendation 31. Increase Department capacity and expertise for handling increasing behavioral and mental health challenges.

Currently KPD partners with an outside social services agency for behavioral health events. Every indication is that the frequency with which the Department interacts with individuals with mental and behavioral health complications will increase. We recommend exploring other partnerships and potentially increasing in-house capacity and expertise, either through another City department or via KPD staff, though there are good reasons to have the function fulfilled by staff outside the Police Department.

This issue may be fruitful to pursue in collaboration with neighboring communities or via a regional partnership, the subject of the next section.

3.5 Partnerships

Effective partnerships can provide the benefit of a large amount of expertise for emergencies with a reasonable amount of officer resource commitment. These partnerships also give officers an opportunity to develop professional relationships and skills. Kirkland Police currently participates in the FBI Cybercrimes Task Force, the Washington State Internet Crimes Against Children Taskforce, North Sound Metro SWAT and, until June 2016, the East Side Narcotics Taskforce.

Recommendations

Recommendation 32. Partner with other public safety agencies in the region.

Explore partnership opportunities to address issues that are more efficiently or more effectively addressed in collaboration with others. With its new firing range, Kirkland can offer access to an increasingly scarce resource and so should leverage this asset in exploring partnerships.

Regional collaboration may make most sense related to:

- Water and bike patrols.
- Tactical Emergency Medical Support (EMS). Tactical EMS provides emergency medical care during high-risk special operations, such as active-shooter scenarios. Having tactical EMS experience can save officer and citizen lives.
- Community engagement. This may take the form of coordinating outreach by City of Kirkland entities (Police, Fire, Emergency Management, Parks, etc.) to align messages, leverage outreach efforts to carry multiple messages, and sharing effective tools, techniques, and partners. The increasing complexity of culturally- and linguistically-tailored outreach also means that it may be effective to share resources with neighboring Eastside agencies facing the same challenges of serving an increasingly diverse population.
- Narcotics, Car Thefts, and Gangs.
- Internal Investigations and Use of Force reviews.
- Regional Crime Analysis.
- Special Events.
- Legal Advising.

Recommendations from other sections also relate to partnerships, including:

- **Recommendation 25** encourages partnerships with technology companies.
- **Recommendation 31** notes that regional collaboration may be an effective way to address human services issues.

City of Kirkland Operating Value Related to Regional Partnerships

Kirkland encourages and participates in regional approaches to service delivery to the extent that a regional model produces efficiencies and cost savings, improves customer service and furthers Kirkland's interests beyond our boundaries.

4. STRENGTHENING THE ORGANIZATION

4.1 Overall Situation Assessment

The Kirkland Police Department has undergone significant change, including the recent appointment of a new Police Chief. The recent changes, including an annexation expanding the geographic jurisdiction of the department, an increase in the number of department personnel, a new facility, and new work shifts, while presenting challenges, also offer an opportunity for the new Police Chief to inspire a course for transformational progress.

Organizational culture can be defined as the way the Department operates and the interactions among its members. It encompasses the work atmosphere; bonds among employees; how the Department learns; and the norms and values of the department. It is the deep identity of the organization and can enhance the Department or damage it.

4.2 Communication, Connection, and Collaborative Leadership

The functioning of any organization is as dependent on internal communications and culture as it is on having the proper people, training, equipment, and procedures. The assessment work found that there are opportunities to improve vertical and horizontal communication flow. Staff described cultural challenges created by the new facility that physically separates functions and decreases informal communication. This has led the Department rely more on e-mail and phone contact rather than face-to-face conversation.

The assessment also found that in addition to physical communication issues, there is a divided culture that has grown out of an historically strong hierarchy that limits innovation and organizational learning and improvement. This has led to limited delegation of tasks that can lead to decreased efficiencies.

Recommendations

Recommendation 33. Implement proactive change management and strengthen internal vertical communication flow.

The residual effects of recent significant changes (annexation, staffing expansion, new facility, new patrol work shifts, and the anticipation of additional change resulting from the recent selection of a new Police Chief) continue to ripple through the Department, creating concurrent feelings of loss and hopefulness among employees. There is a need for a proactive change management approach to address these issues head on, communicating the Department's strategy internally before making public announcements of changes. Department staff should hear of changes first, before hearing on the news or rumor mill.

Communication systems should support the effective dissemination of command direction, organizational, and individual performance expectations, and revisions in departmental policies and procedures. In addition, vertical communication improvements are required for identifying and clarifying decision-making processes and promoting constructive feedback and input from employees.

a. Strengthen leadership's communication of issues of importance.

Focus on decreasing emails to convey important shifts in policy or procedure and increase in-person communications.

b. Focus on improving communication at the sergeant level.

Sergeants are the main connector between command and officers and strong leadership in this position can improve vertical communication for commissioned personnel.

Recommendation 34. Strive to create a strong department-wide culture that unites diverse work groups under the Kirkland Police banner.

KPD is a relatively large and relatively diverse organization. While individuals naturally feel most connected to their individual work group, it is critical for the success of the organization to maintain a strong Department-wide identity that embraces all work units and both civilian and commissioned personnel.

a. Promote a department-wide identity through communications, celebrations, personnel recognition, and other opportunities.

b. Break down silos in horizontal communication.

Staff reported horizontal communication is “siloeed,” i.e., intra-unit information may flow well but inter-unit information flows poorly, creating information voids or confusion that generate inaccurate speculation, rumor, and ill will.

Internal newsletters or other communication devices can be used to share information of unit's work. For example, few people knew about CopLogic, the social media plan, new recruitment strategies, and other meaningful, positive changes occurring in the department. Keeping people notified helps limit rumors or misunderstandings about what is happening.

Recommendation 35. Continue to preach and practice collaborative leadership in which personal initiative and suggestions for improvement are welcomed so long as they are well-intentioned, professionally delivered, and aligned with KPD's Philosophy, Vision, Mission, and Values.

KPD's Philosophy encourages independent decision making and leadership when it is informed by, aligned with, and accountable to community and departmental values.

“Collaborative Leadership,” the systematic development of all formal and informal leadership throughout the Department at all levels, including commissioned and non-commissioned personnel, is a way to enhance the flexibility and responsiveness of the organization to anticipate and respond to evolving environments and associated service expectations. It acknowledges that neither the chief nor any centralized authority can make all the decisions necessary to ensure the efficient and effective functioning of such a complex organization. Collaborative Leadership has five characteristics:

1. A shared understanding of what leadership means in the department.
2. A commitment to shared goals and values by leaders at all levels of the department.
3. A recognition that leaders at different levels in the Department have varying responsibilities and therefore must be trained according to their needs.
4. Formal training to develop leader knowledge and skills at all levels.
5. A means to assess where leaders are in the Department and their evolution as leaders.

Collaborative Leadership has many benefits, including:

- Creating a more intelligent and adaptive agency.
- Cultivating future leaders (succession planning).
- Creating a positive workplace environment in which employees feel valued, respected, and that they have opportunities for growth (retention and attraction).

a. Create opportunities to match individual interest and talents with organizational needs.

Department staff bring a variety of strengths and interests to the workplace, not all of which may be actively utilized. Professional development plans (see **Recommendation 37**) can be used to link individual talents to departmental initiatives, encouraging staff members to contribute in a well-managed way where they have interest/strengths. These contributions and special duty assignments simultaneously strengthen the department, provide professional development and succession planning opportunities (see **Recommendation 38**), and enhance engagement and job satisfaction, leading to retention.

4.3 Performance Evaluations and Professional Development

As an accredited agency, KPD is required to do yearly performance evaluations. KPD Administration states that all employees received an evaluation in 2015, and that a new patrol evaluation was just completed.

In speaking with department employees, we found widespread dissatisfaction with the present performance evaluation process. Moreover, several employees stated they had not been evaluated in some time. Comments about the evaluation form included:

- It lacks meaningful performance standards.
- It is not tailored to the specific positions being evaluated.
- It does not promote constructive discussion between the evaluator and the person being evaluated.
- It fails to contribute to a Personal Performance Plan for the individual being evaluated.
- It is administered infrequently and in a subjective manner.

There is a strong desire for a more meaningful evaluation and professional development processes for both commissioned and non-commissioned employees.

Recommendations

Recommendation 36. Revamp the current evaluation process and supporting tools.

There is a widespread and deep desire for processes that capture not only simple quantitative-based performance but also recognize the qualitative performance, especially in light of how patrol officers function as both first responders and as detectives conducting follow-up investigations. Staff further believe performance should be evaluated for how the individual supports the Mission, Vision, and Core Values of the Department.

a. Revise the evaluation process.

Staff currently evaluate their superiors just prior to being evaluated themselves, a sequence which, warranted or not, creates a fear of reprisal. This practice creates strong disincentives for honest

feedback. The Department should create a process for subordinates to evaluate superiors in a way that promotes a productive critique, ensures the anonymity of the subordinate, and protects them from retaliation. This should include separating supervisor evaluations from evaluations of subordinates.

It may be advantageous to have input gathered by a lieutenant, analyzed for themes, and presented in productive fashion.

The employee whose performance is being evaluated and the supervisor conducting the performance evaluation should collaborate to draft a Professional Development Plan for the employee to develop the knowledge and skills helpful for the employee to assume a higher responsibility or desired position. The plan may consist of readings, discussions via mentoring, training classes, or experiences.

b. Establish clear and transparent expectations defining what individuals will be evaluated for by position.

The framework for evaluation should be based on clear position descriptions and identified desired competencies. Revisit and update position descriptions throughout the Department to gain a clear understanding of roles and responsibilities across the agency and how they tie to the overall Department's overarching philosophy.

In addition to capturing simple quantitative-based performance measures, it is important to recognize qualitative performance, especially in light of how patrol officers function as both first responders and as detectives conducting follow-up investigations. A performance evaluation should also consider how the individual supports the Mission, Vision, and Core Values of the Department.

The evaluation process should likely incorporate self-reflection and evaluation.

Recommendation 37. Strengthen professional development planning, establishing a longer-term view and linking to Departmental succession management efforts.

An organization's commitment to the ongoing professional development of its employees is directly correlated to staff retention, succession management, and even recruitment.

a. Establish a long-term focus in professional development planning.

The current focus in professional development conversations is very short-term (the current year), resulting in goals that are too modest as staff are incentivized to show attainment of stated goals. Instead, this process should have a long-term focus, looking out 5 or even 10 years.

Long-term goals should align with the organizational needs of the Department (a part of succession management discussed in **Recommendation 38**) and should be used to directly inform training goals and budgets and the departmental level.

b. Support and evaluate staff in leadership positions for their ability to grow their staff through collaborative leadership, evaluations, and professional development.

Supervisors should be mentors and advocates, helping people achieve their long-term goals. If someone aspires to an unreasonable goal given his/her abilities, it is the responsibility of the supervisor to have an honest conversation, or to give them the opportunity to succeed or fail. Supervisors may need training and skill development to perform this function well. It is a core duty for a sergeant.

With the new shift bidding process, people will get a new supervisor, with a new look at their goals, each year.

4.4 Retention, Succession Management, and Recruitment

The Kirkland Police Department pays close attention to the composition of its workforce as it relates to age, seniority, and retirement. The Department enjoys a good reputation in the area with good pay and benefits. That said, as with other public agencies in the region, the Department is facing a pending wave of retirements creating concerns about retention, leadership succession, and recruitment. In the next nine years, almost 40% of Kirkland’s staff will become eligible for retirement. Though all eligible staff will not choose to retire due to health benefits the Department affords as well as increases in pay that come with seniority, the number of staff with eligible retirements remains a risk for the Department. Approximately 15% of the KPD staff are currently eligible for retirement, all of them commissioned officers. See **Appendix 4.** for more information.

Recommendations

Recommendations related to retention, succession management and recruitment are made here, but many other sections of the plan make recommendations related to making KPD a great place to work (including improved communications – **Section 4.2**, personal development – **Section 4.3**, etc.), which will contribute to the retention of existing employees.

Recommendation 38. Establish a succession management program.

- a. Establish a succession management approach.** Establish a deliberate and systematic effort to encourage individual advancement and ensure continuity in key positions, including management, technical and professional specialist roles.
- b. Analyze the data.** Understand where the Department will need to take a more proactive role in cultivating future leaders. This includes identifying key leadership positions that will need replacement due to pending retirements.
- c. Hire for future leaders.** Include consideration of quality and character – key ingredients for future leaders – when hiring at all levels and for all positions.
- d. Be transparent about expectations and competencies for leadership, establishing a career development guide and specifics for each rank/level of responsibility.**

Succession Management

Succession management proactively identifies, trains, and develops internal staff to fill leadership positions, expanding the availability of experienced and capable employees when retirements occur.

Successful succession management can shape an organization’s leadership culture and build a leadership pipeline by concentrating resources on talent development.

There is a large body of research surrounding the leadership competencies for law enforcement employees at all ranks and levels of responsibility within an organization. There are studies from the International Association of Chiefs of Police (IACP), Police Executive Research Forum (PERF), Federal Law Enforcement Training Centers (FLETC), Royal Canadian Mounted Police (RCMP), U.S. Army, and others that list these competencies for various supervisory and leadership positions. Although there are variations of these lists, most set out similar competencies that can be grouped together in the following categories:

- Ethics/integrity
- Vision and goals
- Getting results - completing tasks/making decisions/solving problems
- Communication
- Coaching/training/mentoring
- Technical improvement/self-improvement

Working within each category, it is possible to list more details specific to a particular rank or position. Therefore, more detailed lists can be assembled for desired ranks/levels of responsibility.

- e. **Cultivate individuals.** Identify those with the aptitude and desire to advance; provide critical development experiences and mentoring that actively guides them through career development.

Recommendation 39. Continue to strengthen recruitment efforts to get the best qualified applicants aligned with KPD's values.

The Department should create a formal recruitment plan that prioritizes desired competencies aligning with the Departmental Philosophy, Vision, Mission, and Values.

a. Modernize hiring standards.

Throughout the organization hiring standards are cited as a point of pride for staff, but they have also posed a challenge for recruitment. We recommend that the Department review all of its oral board testing, background screening, and minimum qualifications criteria to evaluate whether these standards are still relevant to their desired workforce.

b. Use limited commission positions as hiring pool for fully commissioned officers.

Positions like limited commission Community Service Officers can provide opportunities to test recruits before investing in trainings required for full commissioning.

c. Continue a strong marketing campaign that highlights the new Justice Center Facility and demonstrates the Department's progressive stance on technology.

The Department should continue current marketing efforts and increased media presence, which will be helpful in keeping Kirkland at the forefront of potential recruits' minds and updating the image they may have of Kirkland. Specific ideas include:

- Using public events as a forum for promoting the Department as a superior workplace.
- Continuing to host trainings at the new Justice Center and use those trainings as recruitment opportunities while promoting the Department's modern facilities.
- Using technology for marketing efforts: update the Department's website, allow for electronic application forms, and communicate with texts or email on progress of candidate applications.

- Targeting recruitment of Millennials who are increasingly dominating the hiring pool, estimated to constitute more than 75% of the workforce in the next 10 years. See sidebar at right.

In general, the agencies that are doing well hiring and recruiting are those who have a highly motivated and active person dedicated to shepherding applicants through the process and keeping in regular contact with them. The State Patrol and SCORE are noted as being very good at this process; they and others typically have recruiters present when Public Safety Testing holds testing events.

d. Increase diversity in hiring.

As Kirkland continues to grow, the Department should strive to reflect the diversity of the community in its workforce. KPD should work with Civil Service to develop specific, measurable, diversity goals, with incentives to increase diversity in initial applicant pools. Diversity in race as well as gender should be prioritized. For example, additional points could be given during the hiring process for language proficiency in languages that are relevant to the Kirkland population. Other examples of incentives are a 5% dual language premium provided by King County Sheriff's Office. An example of diversity in hiring goal, from Irving, California, is to have minorities and women make up more than 50% of entrance exam takers.

Given Civil Service requirements, some variables related to recruiting cannot be changed. The Department controls its own process, however, and its chances of landing the right candidate will increase if the process is swift and lean:

- Eliminate duplicate processes and meaningless steps.
- Eliminate errors.

Finally, as noted by community stakeholders during interviews, partnerships with local organizations and community-based organizations could be used to raise KPD's profile and reputation with members of diverse communities, encouraging more to apply for open positions with KPD.

Strategies for Recruiting Millennials

Meet them where they are:

- Seattle University Job Fair
- Central Washington University's Women in Law Enforcement Job Fair

Target those employed in:

- Companies that are downsizing as posted on the Washington State Employment Security Department website:

<https://esd.wa.gov/about-employees/WARN>

- Jobs where Millennials may become bored, including the airline industry, nursing, or teaching

Identify personality interests or strengths that are compatible with a public safety career and KPD's Philosophy.

5. CONCLUSION

Kirkland Police began this strategic planning process in a strong position, with a robust positive relationship with community members, a healthy and respectful affiliation with other partners in the City of Kirkland organization, and strong leadership, people, and infrastructure. Perhaps most important, the Department has confidence and aspirations for excellence that are well-founded based on its long history of being an effective and professional agency.

The BERK team strongly believes that the recommendations contained in this report will further strengthen the organization by:

- Articulating what is most important to the community and to the Department.
- Executing a significant shift in operations, from a more reactive model to a more proactive model focused on community policing and crime prevention, relying on strong data systems, strengthened community relations, and enhanced officer training.
- Further professionalizing the Corrections function.
- Strengthening internal communications, performance evaluations, and other important tools.

As the Department begins to implement these recommendations, bargain changes with the guild, and make other improvements in the Department, we suggest that the following actions deserve prioritization:

- Finalize the Department's Philosophy, Vision, Mission, and Values.
- Engage the community in establishing policing priorities.
- Establish a detailed workplan and timeline for system and process improvements identified in this report.

The result of this hard and important work should be stronger community connections and demonstrable performance improvements. Further, the Department will be well prepared for ongoing and upcoming changes in its operating environment, including new technologies and new regulations, as well as ongoing population growth and increasing commercial and residential density in the City of Kirkland.



KIRKLAND POLICE DEPARTMENT

Consultant Report: TECHNICAL APPENDICES

Final – September 30, 2016



"Helping Communities and Organizations Create Their Best Futures"

Founded in 1988, we are an interdisciplinary strategy and analysis firm providing integrated, creative and analytically rigorous approaches to complex policy and planning decisions. Our team of strategic planners, policy and financial analysts, economists, cartographers, information designers and facilitators work together to bring new ideas, clarity, and robust frameworks to the development of analytically-based and action-oriented plans.

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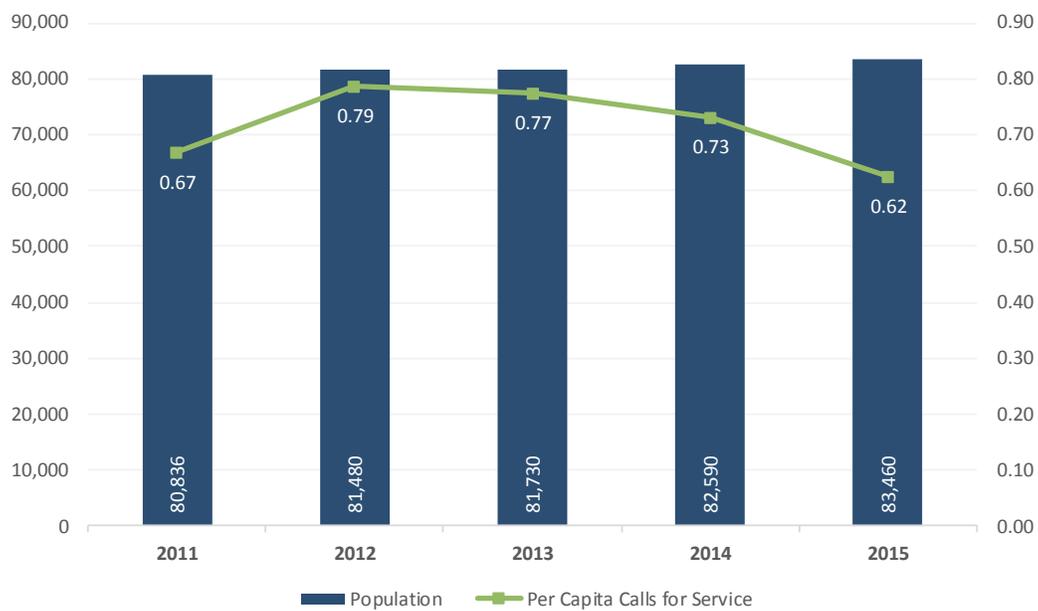
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1. KIRKLAND CRIME TRENDS

Kirkland experiences relatively similar crime levels as neighboring Redmond and Bothell, with lower crime rates than the state overall. Despite an overall similar crime profile to neighboring jurisdictions, Kirkland has a higher rate of motor vehicle theft and larceny than Redmond and Bothell, and experienced increases in these crimes from 2012 to 2014 while these crimes were decreasing statewide and nationwide.

As seen in **Exhibit 1**, Kirkland's per capita calls for service have been fairly steady since annexation in 2011. After the annexation there were 0.67 per capita calls for service for 2011. That number increased to 0.79 in 2012. Since 2012, per capita calls for service have decreased each year. On average, over the last five years, there have been 0.72 calls for service per resident.

Exhibit 1: Per Capita Calls for Service



Source: (Kirkland PD, 2010 - 2015)

Crime Statistics

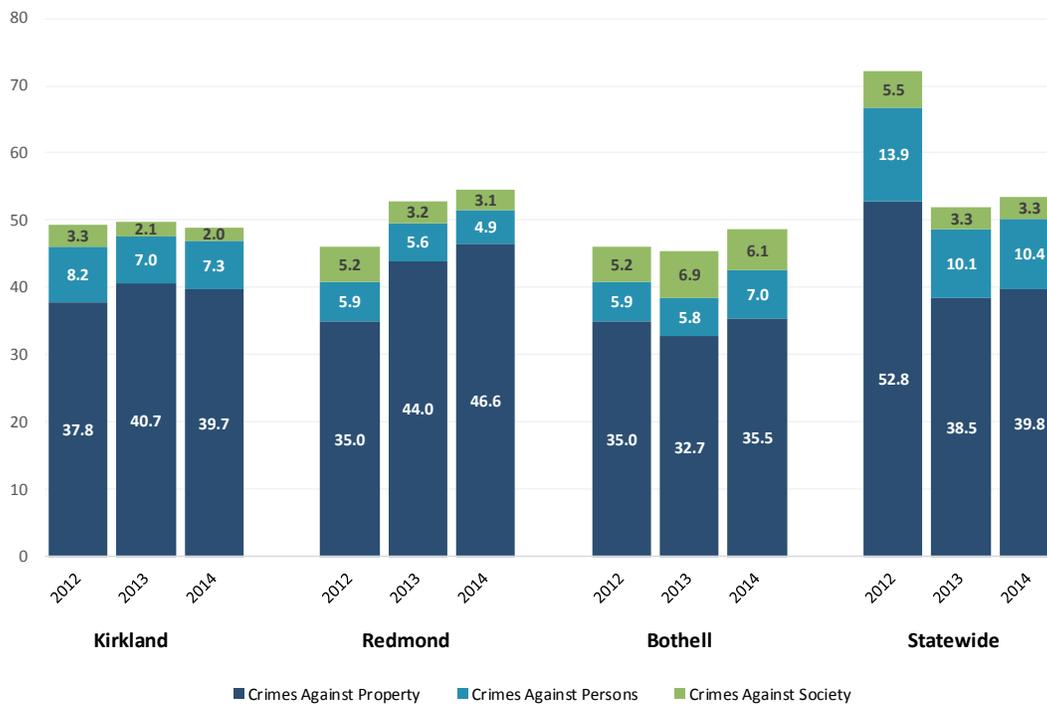
Crime data for Kirkland, Redmond, and Bothell, discussed below, is from the Washington Association of Sheriffs and Police Chiefs (WASPC). Redmond and Bothell are neighboring jurisdictions that report crime data similarly to Kirkland. Data shown is for the period from 2012 through 2014; during this time, each city used the National Incident-Based Reporting System (NIBRS). National crime data is from the FBI’s Uniform Crime Reporting webpage.

Overall Crime Rate

Exhibit 2 shows Kirkland’s overall crime rate remained steady from 2012 to 2014. During this time, Kirkland had an average rate of 49.4 crimes per 1,000 members of the population and an average annual growth in crime of -0.4%. These rates are similar to rates in Redmond and Bothell.

Bothell shows a slightly lower average rate during this same time period of 46.7 crimes per 1,000 members of their population and an average annual growth in crime of 2.7%. Redmond experienced a greater increase in crime than both Bothell and Kirkland from 2012 to 2014, with an average annual growth in crime of 8.8% and an average rate of 51.2 per 1,000 members of their respective populations.

Exhibit 2: Crime Rates Per 1,000 People, By Type, 2012 – 2014



Source: (WASPC, 2012-2014)

Crimes Against Persons

Crimes against persons include crimes such as murder, rape, and assault and the victims are always individuals. Kirkland’s crimes against persons were slightly higher during the 2012 to 2014 period than both Redmond and Bothell, with an average crime rate of 7.5 compared to Redmond’s 5.5 and Bothell’s 6.2.

Crimes Against Society

Crimes against society include activities that society has prohibited such as gambling, prostitution, and drug violations. These crimes are typically victimless crimes and property is not involved. The rate of crimes against society in Kirkland was lower than Redmond and Bothell during this period, with an average rate of 2.5 crimes per 1,000 compared to 2.8 in Redmond and 6.1 in Bothell.

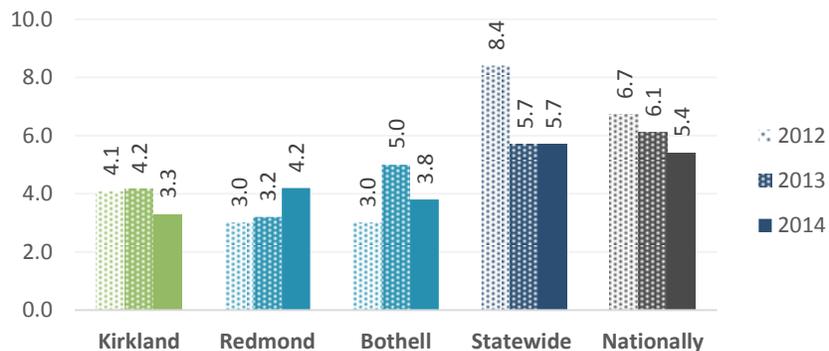
Crimes Against Property

Crimes against property include robbery, bribery, and burglary and are typically focused around obtaining money or property. Crimes against property make up the largest share of crime locally, statewide, and nationally. As seen in **Exhibit 2**, Kirkland experienced a relatively steady rate of property crime from 2012 to 2014, with an average crime rate of 39.4 and an average annual growth in crime over that period of 2.4%.

Burglary

Burglary is the unlawful entry of a structure to commit a felony or theft, such as breaking into someone's house to steal a television. Matching nationwide trends, Kirkland's rate of burglary decreased from 2012 to 2014, as shown in **Exhibit 3**. Over the same period, neighboring Bothell and Redmond experienced increases in burglary rates.

Exhibit 3: Burglary Crime Rate, per 1,000

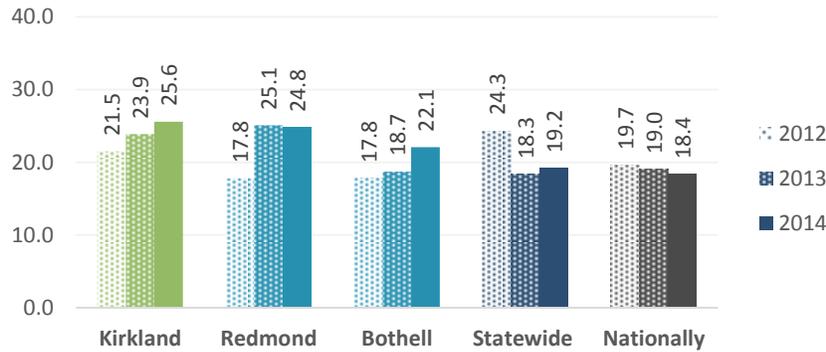


Source: (WASPC, 2012-2014), (FBI Uniform Crime Reports, 2014)

Larceny Theft

The FBI defines larceny theft is the unlawful taking of property from the possession of another, such as bicycle theft or pocket-picking. Kirkland's rate of larceny steadily increased from 2012 to 2014 despite decreases in larceny theft nationally, with an average annual growth of 9.1%, as shown in **Exhibit 4**. Neighboring Redmond and Bothell experienced increases in larceny to an even greater extent, with annual average growth of 18% and 11.4% respectively.

Exhibit 4: Larceny Theft Crime, per 1,000

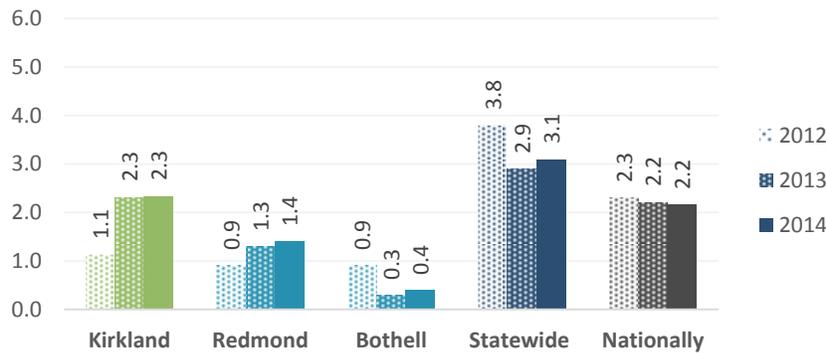


Source: (WASPC, 2012-2014), (FBI Uniform Crime Reports, 2014)

Motor Vehicle Theft

Kirkland experienced increased motor vehicle theft from 2012 to 2014, with an annual average growth of 44.6%, as shown in **Exhibit 5**. Redmond experienced an increase to a lesser extent over the same period with an average annual growth of 24.7%, while Bothell’s motor vehicle theft decreased in line with statewide and national trends.

Exhibit 5: Motor Vehicle Theft Crime Rate, per 1,000

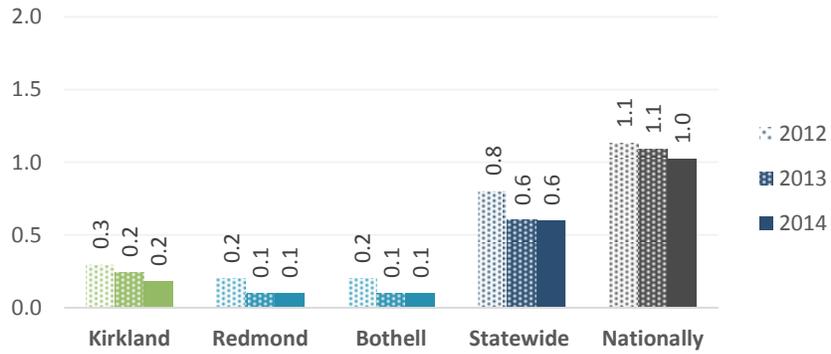


Source: (WASPC, 2012-2014), (FBI Uniform Crime Reports, 2014)

Robbery

Robbery is defined as the taking or attempting to take anything of value from the custody of a person by force or threat of force. **Exhibit 6** shows Kirkland’s low robbery rates, with an average crime rate of 0.2 during this period, decreasing from 2012 to 2014. These low rates of robbery are similar to Redmond (0.1) and Bothell (0.1). All three neighboring jurisdictions experience lower robbery rates than the statewide average (0.7) and national average (1.1).

Exhibit 6: Robbery Crime Rate, per 1,000



Source: (WASPC, 2012-2014), (FBI Uniform Crime Reports, 2014)

2. COMMUNITY PERCEPTIONS OF KIRKLAND POLICE

2.1 Biennial Community Survey

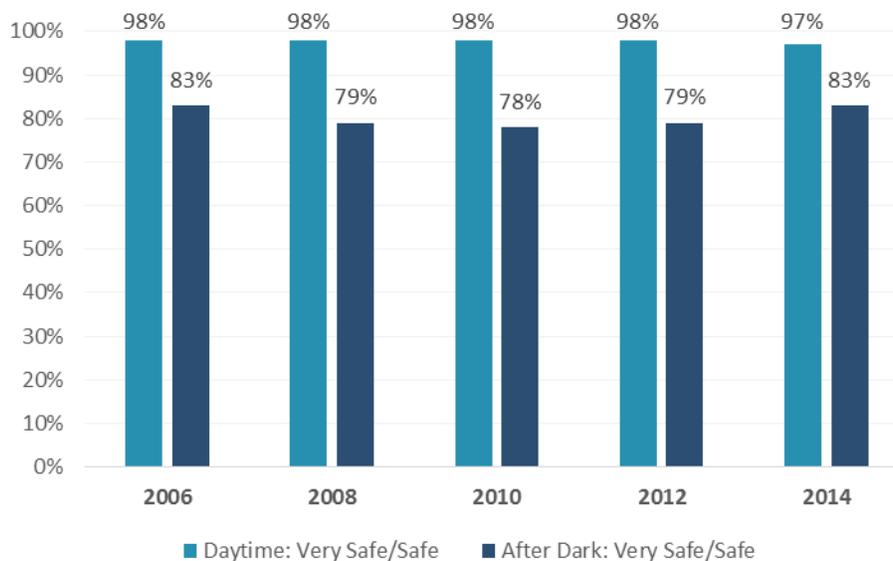
Since 2006, the City of Kirkland has surveyed its residents every two years to assess attitudes and opinions about quality of life, priorities for the future, and satisfaction with city government and services. These telephone surveys are conducted by a polling firm of a random sample of Kirkland registered voters.

Questions relevant to the Police Department include feelings of safety, concerns about the way things are going in Kirkland, and performance of each city agency.

Feelings of safety

The proportion of Kirkland residents who feel safe during the day has remained very high, at 97% to 98%, since 2006, while the proportion who feel safe at night declined after 2006 then rose again in 2014, as shown in **Exhibit 7**. Concerns mentioned by respondents who felt unsafe included lack of streetlights and general concerns about crime.

Exhibit 7. Proportion of Kirkland Residents Who Feel Very Safe or Safe, 2006-2014

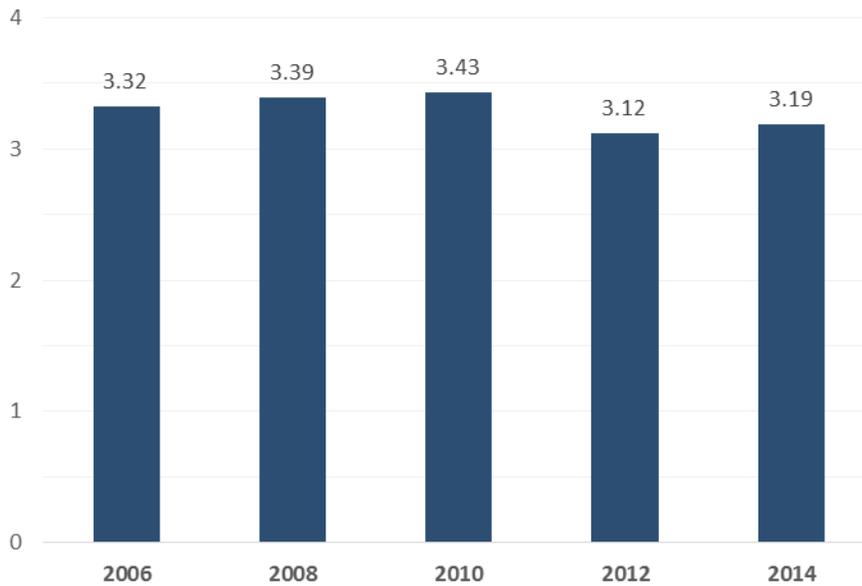


Source: (City of Kirkland, 2006-2014)

Performance

The Community Survey asks residents how well they think the City is doing in a variety of functions. Residents are asked to grade each function, including Police Services, on a scale of A (Excellent) through F (Failing). The Police Department's average rating gradually rose from 2006 through 2010, as shown in **Exhibit 8**. After falling in 2012, the rating rose modestly in 2014, the last year surveyed.

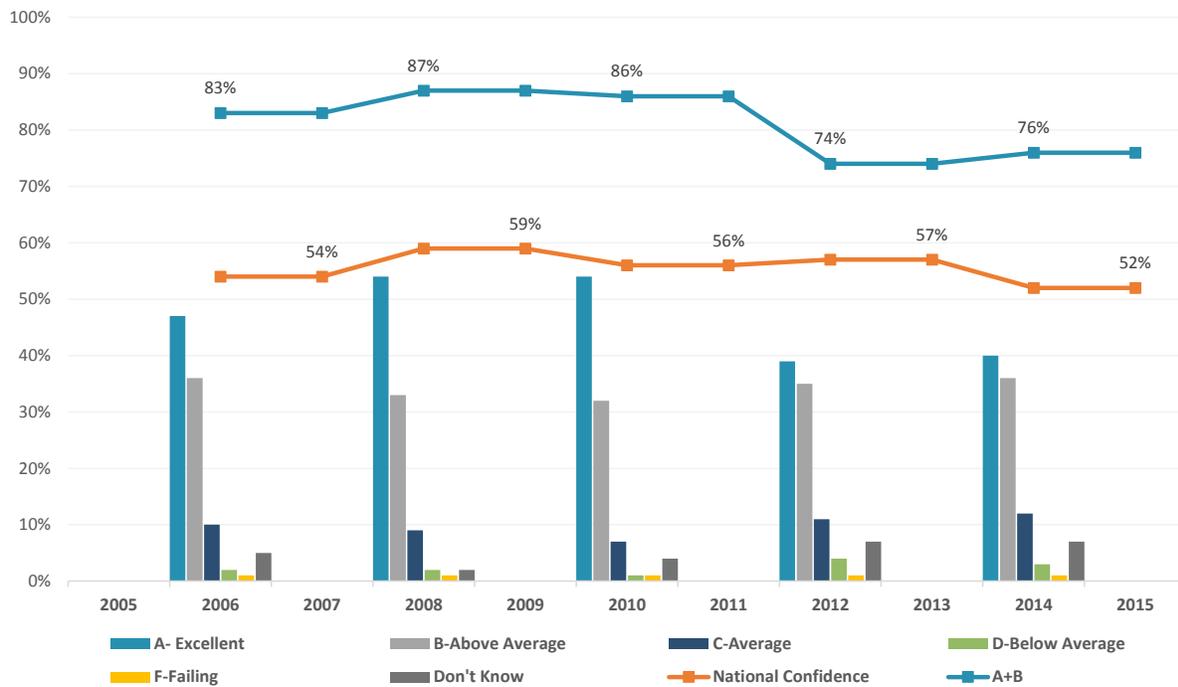
Exhibit 8. Average KPD Performance Ratings, 2006-2014



Source: (City of Kirkland, 2006-2014)

Looking at the actual grades given to the Police Department, we see that the “A” grade fell from a high of 54% in 2010 to 39% in 2012 and 40% in 2014, as shown in **Exhibit 9**. The C grade, D Grade, and “Don’t Know” responses all rose in 2012, as did the B grade.

Exhibit 9. KPD Performance Ratings, 2006-2014



Note: National Confidence reflects proportion of Americans who have “a great deal” or “quite a lot” of confidence in police according to Gallup’s national polling. A+B reflects proportion of Kirkland residents who grade Police Services an “A-Excellent” or “B-Above Average” according to community surveys.

Source: (City of Kirkland, 2006-2014), (Gallup, 2015)

One possible reason for the drop in performance ratings in 2012 is the 2011 annexation of neighborhoods that had previously been served by the King County Sheriff's Office. According to anecdotal reports from stakeholders, some residents of newly annexed areas were uncomfortable with the increased level of traffic enforcement during the period immediately following annexation. This adaptation to more rigorous policing by the community is frequently seen following annexation.

Concerns about “the way things are going”

The Community Survey asks if residents have any concerns about “the way things are going” in Kirkland. Residents are asked to name those concerns in an open-ended response. Each year the top answers have been growth or land use issues, traffic or parking, or “nothing”. However, a few responses have mentioned police: 1.5% of respondents in 2006, 2% in 2008 and 2010, and 5% in 2012 and 2014.

The higher level of concerns in 2012 and 2014 track with the performance ratings for the Police Department, which declined in 2012. This could be related to residents in newly annexed areas or national attention on law enforcement issues.

2.2 Citizen Complaints

In 2014, the KPD received 20 citizen complaints and a handful of internal complaints; 2015 data is still being finalized by the Department.

While this is relatively low number of complaints for a department of Kirkland's size and complexity, it is difficult to benchmark this volume to other departments. There is a wide variation of what complaints are accepted among departments (e.g. some departments don't accept anonymous or third party complaints, some don't include complaints over a certain number of months old, etc.). The most common of Kirkland's 20 citizen complaints in 2014 were reports of officers being disrespectful or rude. Other complaints included not operating their vehicle safely, and failure to investigate.

It is worth noting, however, that in reviewing the Kirkland website, it is difficult to understand how an individual would file a complaint. Information on how to file a complaint should be easily available. Contact information for supervisors should also be updated to reflect current staffing.

3. COMMUNITY PROFILE

3.1 Change in the Kirkland Community

Kirkland's population and employment has grown rapidly over the past fifteen years. The 2011 annexation expanded the population by approximately 60%, largely adding single-family residential neighborhoods. Meanwhile, new residential construction is primarily multifamily housing, and that is expected to continue as the city becomes denser and more urban. More mixed-use development of residential, office, and commercial space is expected (and underway) in the Downtown and Totem Lake areas.

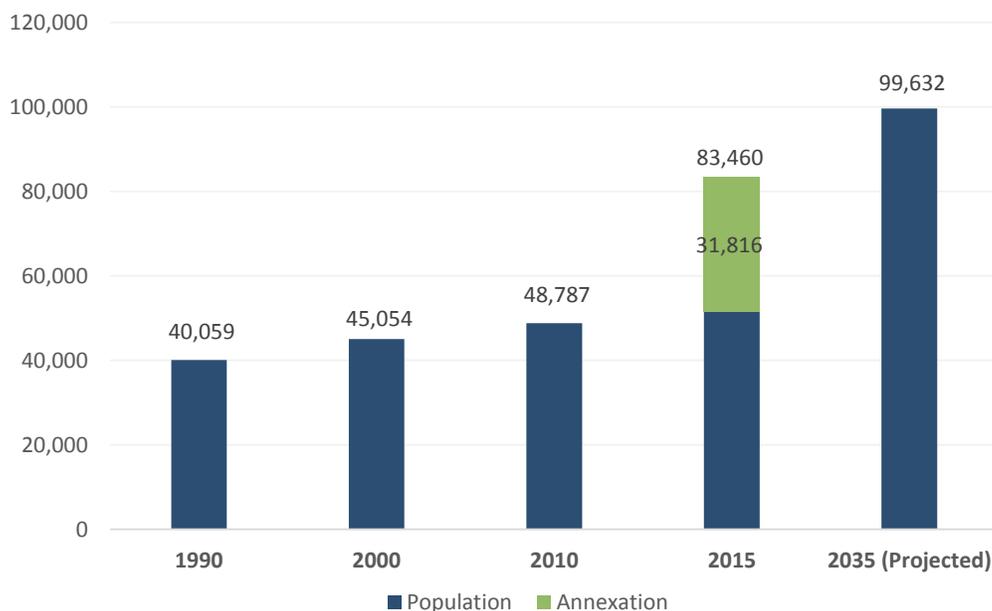
3.2 Population Growth

Kirkland's population was estimated at 83,460 in 2015 (Office of Financial Management, 2015). This reflects a growth of 71% over the 2010 population, primarily due to the 2011 annexation of North Juanita, Finn Hill, and Kingsgate, which added approximately 30,000 people to Kirkland.

Kirkland updated its Comprehensive Plan in 2015 to comply with the Growth Management Act; this plan accommodates expected housing and employment growth through the year 2035. Kirkland is planning for the addition of over 17,000 new residents between 2013 and 2035, for a total 2035 population of approximately 99,632, and the addition of over 22,000 new jobs.

Exhibit 10 shows Kirkland's population growth since 1990 and projected population in 2035. In 2015, 31,816 residents, shown in green, are attributed to the 2011 annexation.

Exhibit 10. Kirkland Population Growth, 1990-2015 and 2035 Projection



Source: (City of Kirkland, 2015)

3.3 Demographics: Race and Ethnicity, Age, and Income

Increasing racial and ethnic diversity

In 2013, Kirkland's population was 77.4% White, 13.8% Asian or Pacific Islander, 1.4% Black, 1.7% Some other race, and 5.1% Two or more races. In addition, 7.3% of residents identified themselves as being of Hispanic or Latino origin (U.S. Census Bureau, 2015).

Between 1990 and 2010 Kirkland's racial and ethnic composition changed significantly:

- The population of White residents decreased from 92.8% to 79.3%.
- Asian and Pacific Islanders increased from 4.3% to 11.5%.
- Those identifying as Hispanic increased from 2.4% to 6.3%.
- Neither Blacks nor American Indians saw significant increases.

These numbers follow similar trends to those seen in King County as a whole (City of Kirkland, 2015).

An aging population

The median age in Kirkland is just over 37 years. Although the changes have been gradual, there has been an increase in older residents and a decrease in younger and workforce aged residents since 1990 (City of Kirkland, 2015).

A relatively wealthy community...

The median household income for all households in Kirkland was \$94,332 in 2014. This is significantly higher than median household income for all households in King County (\$75,834) and Seattle (\$70,975), and just below Bellevue (\$95,146).

...with slowly increasing poverty levels.

In 2010, 1,262 households (or 5.6% of all households) were living in poverty in Kirkland. This percentage was comparable to similar communities in the region, and significantly less than in Seattle (12.5%). The City of Kirkland, however, experienced a less pronounced increase in the number of households living in poverty between 2000 and 2010 than similar communities, the City of Seattle, and King County overall.

Homelessness

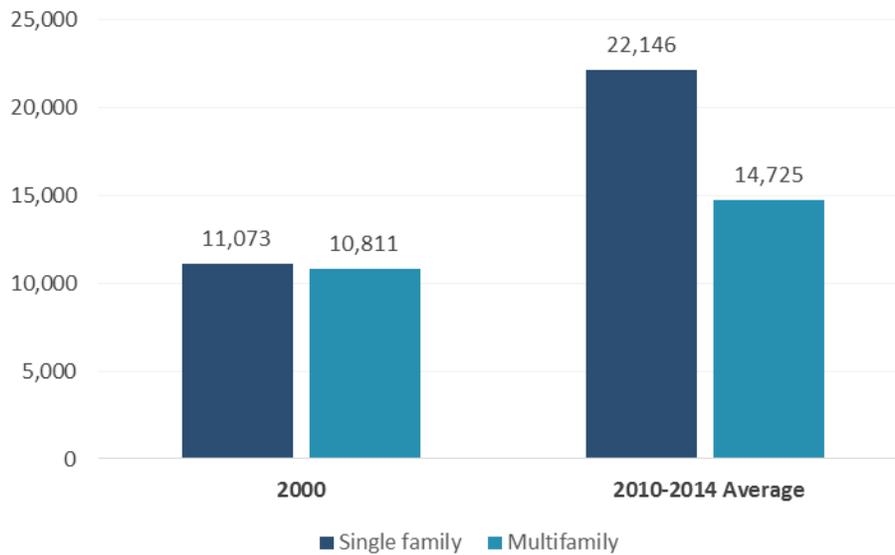
While there is no data available for individual cities, the number of unsheltered homeless people in east King County grew between 2015 and 2016. The "One Night Count" organized by the Seattle King County Coalition on Homelessness found 134 unsheltered homeless in east King County in 2015, and 245 in 2016 (Seattle/King County Coalition on Homelessness, 2016).

3.4 Housing

The 2011 annexation of primarily low-density residential land changed the citywide density and housing composition in Kirkland. The 2013 average citywide residential density was an estimated 3.1 units per acre, a decrease from the 2010 residential density of 3.4 units per acre (City of Kirkland Community Profile, 2013; U.S. Census, DP-1, 2010).

Kirkland's citywide housing stock became more single family after annexation, going from 50% of the housing stock in 2000 to 60% in the 2010-2014 time period, as shown in **Exhibit 11**.

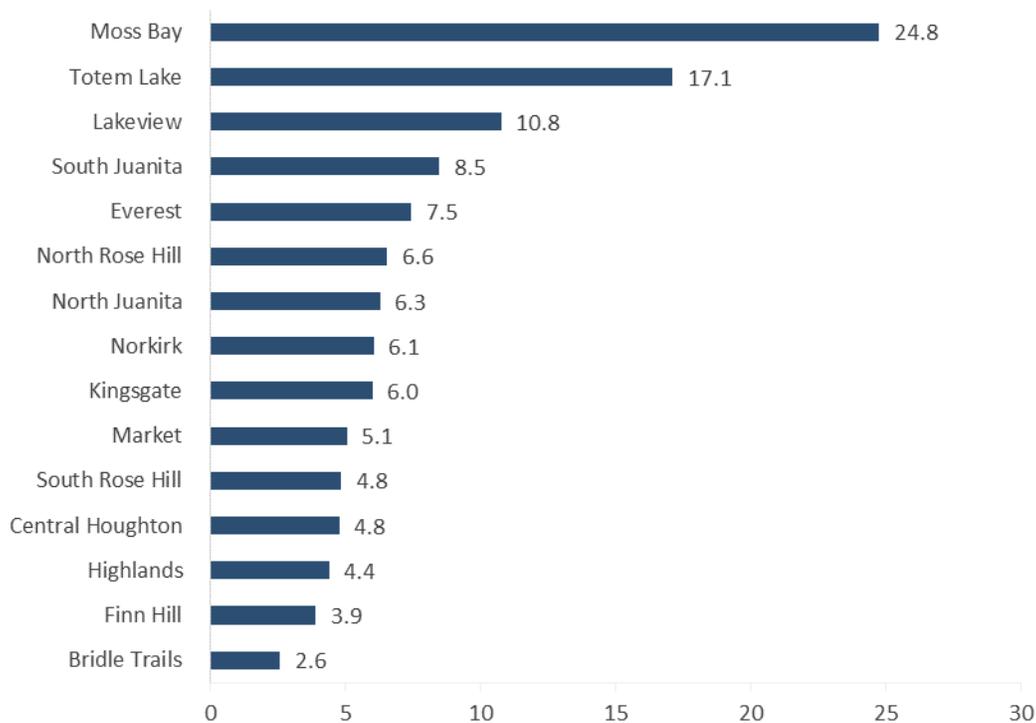
Exhibit 11. Kirkland Housing Units by Type, 2000 and 2010-2014



Source: (U.S. Census Bureau, 2000), (American Community Survey 2010-2014)

Kirkland’s residential density varies significantly by neighborhood, as shown in **Exhibit 12**, with Moss Bay (which includes downtown) and Totem Lake the densest.

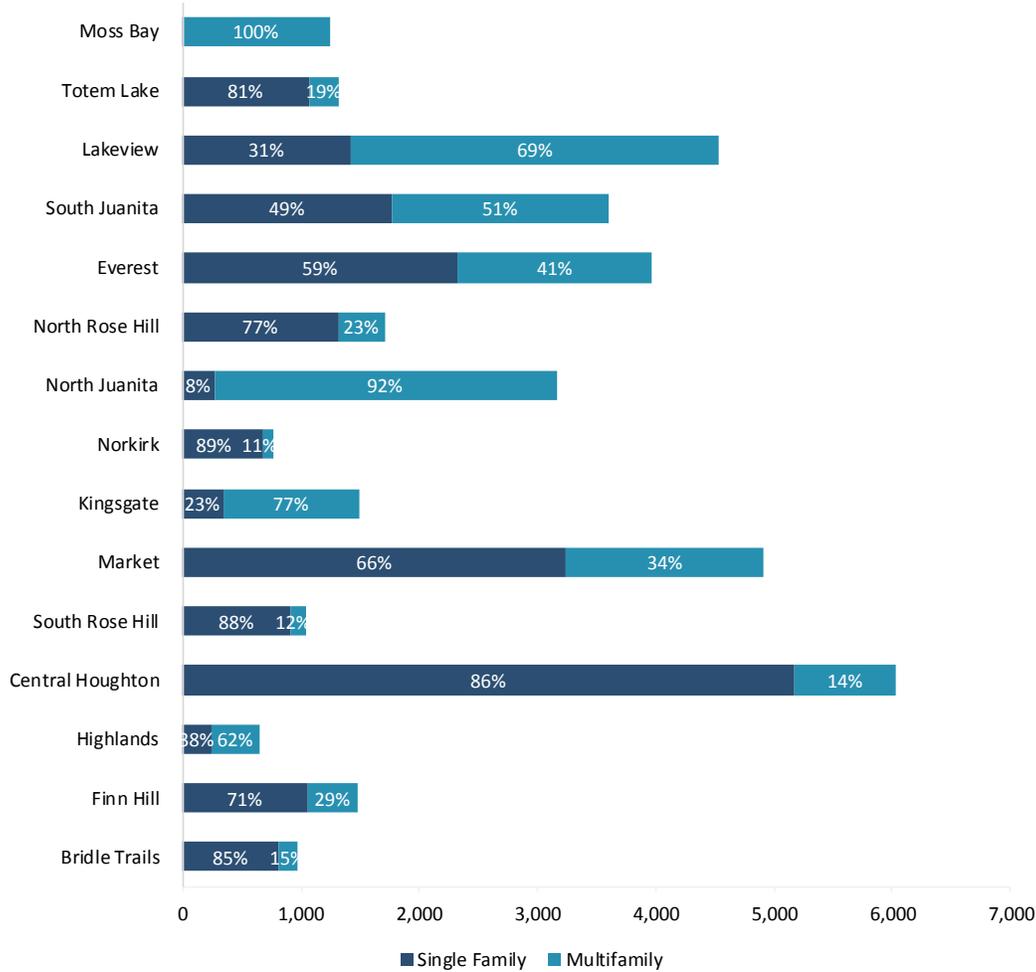
Exhibit 12. Residential Density by Neighborhood, 2013 (Units per Residential Acre)



Source: (City of Kirkland, 2015)

Similarly, the amount of single family and multifamily housing varies significantly by neighborhood, as shown in **Exhibit 13**.

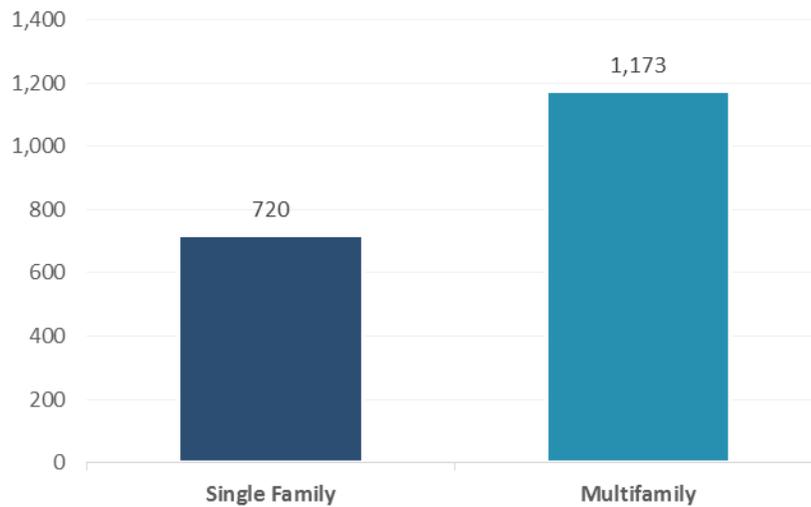
Exhibit 13. Housing Units by Neighborhood, 2013



Source: (City of Kirkland, 2015, p. 80)

Housing Density and Form

An analysis of building permits shows that new residential construction in Kirkland over the past decade is primarily multifamily. Between 2006 and 2013, 2,373 new residential units were completed and 480 residential units were lost, creating a net gain of 1,893 housing units (Puget Sound Regional Council, 2006-2013). Of these net new units, 62% (1,173) were multifamily and 38% (720) were single family, as shown in **Exhibit 14**. The vast majority of net new multifamily units (1,042) were in structures with 50 or more units.

Exhibit 14. Net New Housing Units Permitted, by Type, 2006-2013

Source: (Puget Sound Regional Council, 2006-2013)

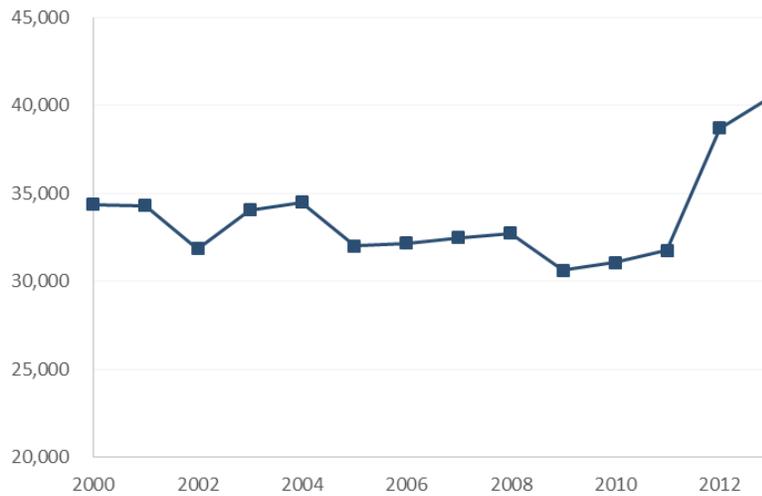
Over three-quarters of Kirkland’s expected housing growth through 2035 is expected to be in multifamily housing units, with about one-quarter in single-family dwellings (City of Kirkland, 2015). This projection is based on the fact that the land parcels with development capacity are largely located in multifamily areas.

3.5 Employment

In 2013, the City of Kirkland had an estimated 40,514 “covered” jobs (Puget Sound Regional Council, 2013). Covered employment refers to positions covered by the Washington State Unemployment Insurance Act, which exempts self-employed persons, making total employment likely to be higher.

Employment in Kirkland has ebbed and flowed over the past 13 years, declining in 2005 and again in 2009, then rising dramatically in 2012, as shown in **Exhibit 15**. The sharp increase of jobs in 2011 and 2012 is likely due in part to a continuation of the national recovery from the recent recession, as well as the 2011 annexation of the Kingsgate, North Juanita, and Finn Hill neighborhoods, which contain several small commercial areas and employment centers.

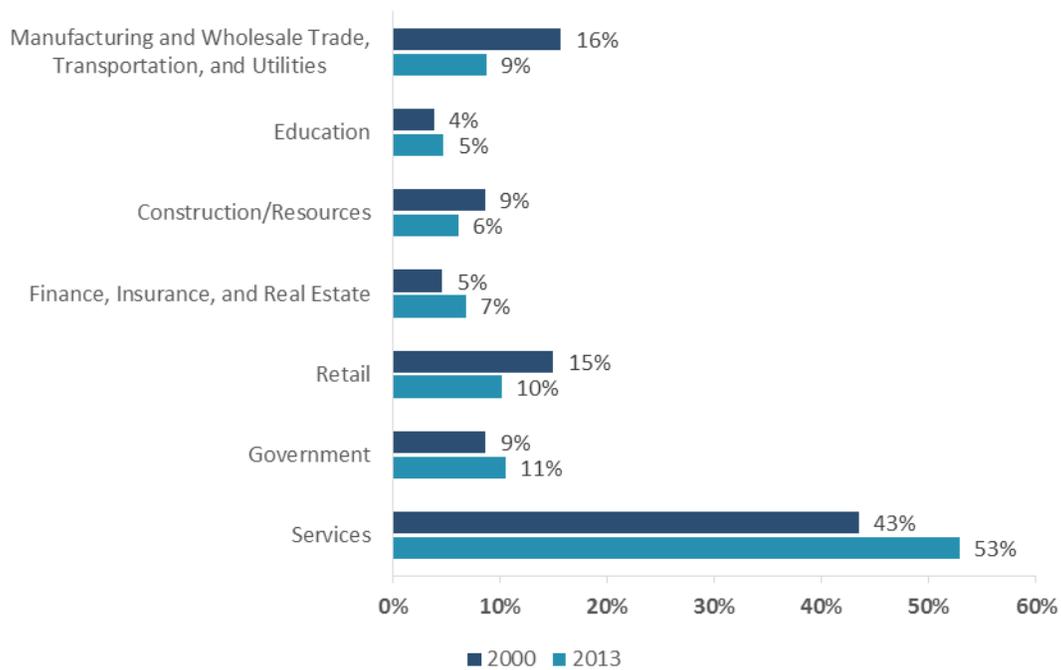
Exhibit 15. Covered Employment in Kirkland, 2000-2013



Source: (Puget Sound Regional Council, 2013)

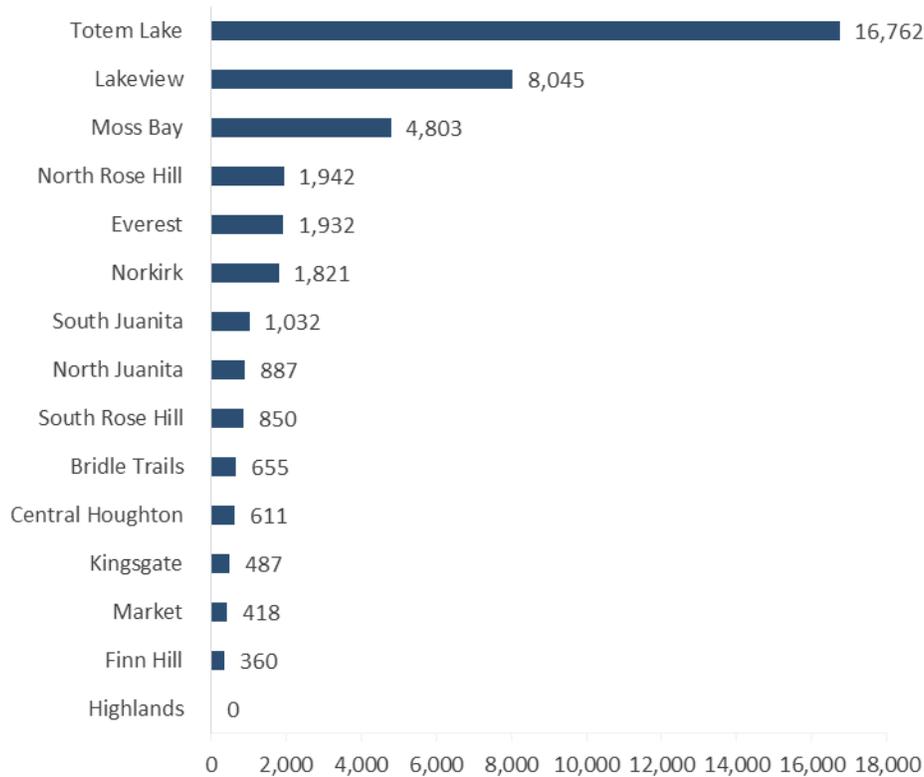
Kirkland’s economy and job base have also changed over time. The proportion of the Kirkland workforce employed in industrial and retail sectors has declined, while the proportion employed in services has increased, as shown in **Exhibit 16**.

Exhibit 16. Kirkland Employment by Sector as Proportion of Total Employment, 2000 and 2013



Source: (Puget Sound Regional Council, 2013)

Kirkland’s employment is geographically concentrated in the Totem Lake and Downtown areas, as shown in **Exhibit 17**.

Exhibit 17. Estimated Employees by Neighborhood, 2013

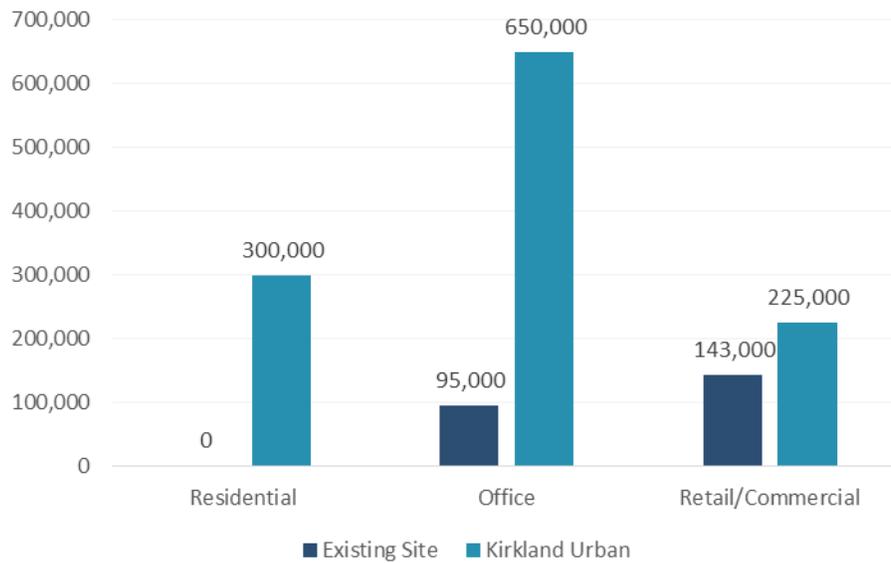
Source: (City of Kirkland, 2015, p. 81)

3.6 Development Projects that Could Impact Demand for Police Service

Kirkland is planning for the addition of over 22,000 new jobs by 2035, with the majority located in Totem Lake and Downtown (City of Kirkland, 2015).

Kirkland Urban

Kirkland Urban is a development under construction at 457 Central Way in downtown Kirkland. The site has served as a shopping center and office complex and is being redeveloped with approximately 300,000 square feet of residential, 650,000 square feet of office, and 225,000 square feet of retail/commercial space, as shown in **Exhibit 18**.

Exhibit 18. Development Uses, Existing and Proposed, at Kirkland Urban, in Square Feet

Source: (City of Kirkland, 2015)

The new development could net approximately 2,200 new office employees, 160 new retail employees, and 500 new residents (City of Kirkland, 2015).

Studies of Kirkland Urban and earlier development proposals at the site found the following potential impacts on law enforcement:

- Growth in retail and commercial establishments may result in increased shoplifting and fraud crimes at a rate similar to other retail businesses in Kirkland.
- Increases in vehicular and pedestrian traffic may result in a need for additional traffic enforcement. Total afternoon peak-hour trips generated by Kirkland Urban were estimated at 1,680.
- The new employees and residents at the site were estimated to generate between 235 and 701 new calls for service.¹ At one officer per 1,500 calls, this would require an additional 0.16 to 0.47 new police officers (City of Kirkland, 2015, pp. 35-36).

Totem Lake Mall Redevelopment

Totem Lake Mall is located on a 26-acre site within the Totem Lake Urban Center. The Totem Lake Mall Conceptual Master Plan envisions new buildings and parking structures, a redesigned public plaza, and changes to street connections. In addition to typical retail uses, office and residential use are

¹ Estimated calls for service is based on two methodologies used in earlier Parkplace studies: the Total Population method and Representative Development method. Under Total Population, a ratio of calls for police service per capita is developed based on Kirkland's total served population (residents and employees). Under that method, Kirkland Urban would generate an estimated 701 new calls for service. Under the Representative Development method, a ratio of calls per type of population is developed, including calls per office employee (.0125/year), calls per resident (.165/year), and calls per retail employee (.75/year). Under that method, Kirkland Urban would generate an estimated 235 new calls.

contemplated, and the completed Mall is expected to include up to 1,000,000 square feet. The project applicant is currently in the design review process.

Cross Kirkland Corridor

The Cross Kirkland Corridor is a 5.75-mile segment of the Eastside Rail Corridor, purchased by the City from the Port of Seattle in 2012. It traverses Kirkland from the South Kirkland Park and Ride to the city's northern boundary in the Totem Lake Business District as shown in **Exhibit 19**. If the trail is open at night, KPD will need to determine how to patrol it.

Exhibit 19. Cross Kirkland Corridor



4. REVIEW OF EXISTING CONDITIONS

4.1 Organization Mission and Values

During the third meeting of the Steering Committee, ideas for the Department’s Mission and Values were generated by members through a facilitated process. Using these ideas, the entire Department then had the opportunity to weigh in on this content through a Department-wide survey.

Strong themes for the Mission emerged through that process, including:

- Protecting the community.
- Providing a safe community, both real and perceived.
- Preventing crime.
- Serving to the community.
- Protecting individual rights.
- Providing access to resources.

In addition to the Mission, staff were asked about to list and rank values that are actionable by Department personnel on a day-to-day basis and can be used to guide behavior and frame how individuals in the Department are evaluated. The results of that survey are shown in **Exhibit 20**.

Exhibit 20: Survey Results – Value Rankings

Ranking by Number of Mentions		Ranking by Weighted Score		Ranking with "Bonus Points"	
(added by open-ended responses)		Integrity	4.56	Honor	4.31
Professionalism	41	Honor	4.50	Accountability	4.25
Service	38	Accountability	4.40	Integrity	4.24
Integrity	37	Courage	4.21	Courage	4.16
Honor	26	Professionalism	4.18	Dedication	4.11
Accountability	24	Dedication	4.14	Respect	4.09
Respect	23	Respect	4.13	Professionalism	4.07
Compassion	21	Trust	4.06	Trust	4.05
<i>Connected to</i>		Service	3.88	Service	3.95
<i>Community</i>	21	Commitment	3.80	Commitment	3.82
Trust	20	Compassion	3.60	Compassion	3.71
Work ethic	19	Worth ethic	3.38	Work ethic	3.47
Courage	19				
Dedication	18				
Commitment	17				
<i>Progressive</i>	12				
<i>Proactive</i>	9				

Note: Similar words are combined into one concept (e.g. “Professionalism” and “High Standards”; “Integrity” and “Honesty”)

“Bonus points” added when Steering Committee suggestions were called out in open-ended question

4.2 Supervisory Structure, Performance Management and Accountability

Supervisory Structure and Span of Control

The Police Chief is supported by three Captains with oversight of Operations, Administration, and Professional Standards. Six Lieutenants oversee the following:

- Patrol (2).
- Corrections.
- Administration.
- Risk Management.
- Investigations.

The current supervisory span of control appears adequate. Neither supervisors nor subordinates indicated that the number of direct reports was the root cause of any issues.

Employee performance management systems and accountability

As an accredited agency, KPD is required to do yearly performance evaluations. In speaking with Department employees, we found widespread dissatisfaction with the present performance evaluation process. Moreover, several employees stated they had not been evaluated in some time. Comments about the evaluation form included:

- It lacks meaningful performance standards.
- It is not tailored to the specific positions being evaluated.
- It does not promote constructive discussion between the evaluator and the person being evaluated.
- It fails to contribute to a Personal Performance Plan for the individual being evaluated.
- It is administered infrequently and in a subjective manner.

There is a strong desire for a more meaningful evaluation processes for both commissioned and non-commissioned employees.

KPD Administration states that all employees received an evaluation in 2015, and that a new patrol evaluation was just completed.

Performance evaluation is clearly an opportunity for improvement that will be addressed in subsequent work on this project. It will be important to consider appropriate measures, as well as the performance evaluation process itself:

- There is a widespread and deep desire for processes that capture not only simple quantitative-based performance but also recognize the qualitative performance, especially in light of how patrol officers function as both first responders and as detectives conducting follow-up investigations. Employees further believe performance should be evaluated for how the individual supports the Mission, Vision, and Core Values of the Department.
- A regular and objective process and supporting tools must be developed.
- The Department should create a process for subordinates to evaluate superiors in a way that promotes a productive critique, ensures the anonymity of the subordinate, and protects them from retaliation. This should include separating supervisor evaluations from evaluations of subordinates.

4.3 Labor/Management Relations

Comments from command staff and the guild suggest that the communication and relationships between labor and management over approximately the past 14 months have noticeably improved, as reflected in

only two grievances having been filed during this time. A change in the leadership of the bargaining unit representing officers and first line supervisors is noted as a likely reason for this improvement.

The current relationship between labor and management appears to be collaborative and professional. Most issues are worked out informally without grievances or unfair labor practice complaints.

4.4 Personnel

The “quality and professionalism” of the Department’s personnel are consistently noted as the foundation for the positive public image and relationships the Department enjoys within the community and among neighboring police organizations.

Issues related to the demographic makeup of the Department, staff retention, and recruitment are addressed in **Section 4.6**.

Due to Kirkland's recent and projected growth, the kinds and levels of service provided by the Department need to be established and will necessitate evaluating the capacity of the organization to meet community performance expectations. This is further discussed in **Section 4.7**.

Opportunities for Civilianization

Potential Benefits. Assigning civilians to functions within the department has several benefits including reduced costs and the ability to hire individuals with a specific area of expertise that will not be lost upon promotion or change in assignment.

The following possible positions may be well suited for civilians:

1. Administrative Manager (potential new position)

Role: Overseeing technology, hiring, recruiting, records, fleet, facility, relationship with NORCOM. Most of the assignments the Administrative Captain has could be handled by a civilian, except for the Corrections function.

Benefits: Less turnover in supervision, ability to hire an employee with a skills and abilities for this role, less time away from position for generalized law enforcement training.

2. Technology Champion (potential new position or dedicated role for existing KPD employee)

Role: An internal KPD employee who can help supplement and best use the resources from the central Kirkland IT Department. This person would be a super user and trainer for KPD technology systems and could help the KPD command and Kirkland IT Department evaluate new technology for the department.

Benefits: Internal subject matter expert who can work with City IT to prioritize KPD technology needs, research new technology tools, communicate with other law enforcement agencies to learn about technology tools to add efficiency and value to KPD.

3. Additional Crime Analyst

Benefits: Additional support for patrol, detectives, and public crime information.

4. Community Service Officers/Crime Prevention Officers

Role: Civilian or limited commissioned personnel can assist with duties that do not require a fully commissioned officer, such as transports, community meetings, gathering evidence, assisting with traffic direction.

Benefits: Civilian or limited commissioned personnel provide officers additional time to respond to calls and work cases. These positions generally are less expensive, require less equipment, less up-front and continuing training and can be a significant benefit to the department at a lower cost than a fully commissioned officer. These positions can call be a recruiting pool for potential law enforcement hires.

Examples: The following communities have civilian Community Service Officers or Crime Prevention Officers:

SeaTac, Shoreline, and Burien Departments and King Co. Sheriff's Office have Community Service Officers (CSO) who drive marked Community Service Officer vans. Community Service Officers are civilian employees who provide a variety of field and education services to the community and support services to police officers. Some of their duties include:

- Provide agency referral for substance abusers, indigents, juveniles, and victims of crime.
- Assist patrol with investigations of juvenile problems and child abuse and neglect.
- Take incident reports and provide information on laws and ordinances. Attempt to resolve problems or refer complaints to appropriate agencies.
- Direct traffic in emergency and accident situations.
- Conduct crime prevention activities.
- Act as a department liaison with various community organizations.
- Mediate conflict in family, neighbor, and landlord/tenant disputes.
- Provide updated information to officers and the public, including referrals for social services.

Lacey Police Department: Community Service Officers (CSOs) perform duties related to law enforcement requiring a limited commission, but do not carry firearms.

- Transports misdemeanor and felony prisoners from the field to the Lacey Police Department for processing.
- Transports Lacey prisoners from contracted city and county jails to court and back; transports to Olympia, Thurston County, and Juvenile Detention where the CSO is responsible for pre-booking process.
- Responsible for standing by with prisoners who have been transported to the hospital emergency from the field.
- Transports evidence to the Washington State Patrol Crime Lab.
- Marks and tags abandoned vehicles.
- Responsible for completing impound reports
- Will be dispatched to blocking and non-blocking disabled vehicles, for various found property and lost property calls
- Responsible for writing appropriate reports.
- Responds to traffic accidents with Patrol Officers for the purpose of traffic control, may assist with gathering various information at the scene.
- Responsible for pick-up and delivery of warrants and teletypes, victim and suspect statements, department equipment and/or vehicles
- Sets up speed radar board at various locations;
- Delivers City Council packets; conducts house checks for citizens on vacation; and assists with crime prevention programs by distributing literature and answering questions.

- Assists front office staff with phones, walk-ins, responding to inquiries, and filing and sorting, and other duties as assigned.

City of Mukilteo:

The Mukilteo Police Department has three Community Service Officers: an Animal Control Officer and Two Park Rangers. These positions are limited commissioned civilian employees reporting to the Police Commander. A Community Service Officer has three major responsibilities:

- Animal Control
- Parking Enforcement
- Assist in Support Services

City of Seattle Crime Prevention Coordinators

- Applies the principles and methods of crime prevention, communications, public relations, public information dissemination, public education, community organizing, and citizen motivation to effectively interact with citizens.
- Works with the community to decrease crime by developing, implementing, and coordinating a variety of police programs in the area of crime prevention.
- Make professional public presentations (e.g. Neighborhood Watch meetings and community safety programs) throughout the City to citizens, businesses, community leaders, and the media.
- Gather data and statistics about specific programs in order to disseminate crime statistics to residents and businesses.
- Develops brochures, posters, slides and other informational material, including layout and design.
- Organizes special Seattle Police Department functions such as Night Out, Community Clean Up, and help organize and participate in Precinct Picnics.
- Attends community block watch meetings, community crime prevention meetings, and selected city council meetings.

Opportunities for Limited Commissioned Positions

Potential Benefits. Limited commissioned officers do not need to attend a full Basic Law Enforcement or Corrections Academy. Accordingly, the initial training costs are significantly less. Continuing training is generally less time consuming and expensive – but the specifics will depend on what duties are assigned to the limited commissioned personnel. Some may have gone through citizen’s academy or reserve academy.

Limited commissioned personnel can be a potential hiring pool for law enforcement or corrections officers.

Role. Limited Commissioned personnel can:

- Direct traffic.
- Complete paperwork at the scene.
- Serve as CSOs doing community engagement.
- Conduct jail transfers.
- Package evidence.

Examples: The following communities use limited commission positions:

- King County Sheriff's Office Marshals – King County Marshals hold a special law enforcement commission that allows them to perform law enforcement duties while on duty. The Marshals do weapons screening and provide law enforcement at Courthouses. Many of the marshals are former reserve officers or retired law enforcement.
- Redmond Police Department Police Support Officers - The department's five Police Support Officers receive a limited commission from the Chief of Police which gives them the authority to detain suspects in-custody, write parking citations, and issue infractions to drivers involved in a collision. Their primary functions are transporting prisoners, handling parking complaints and investigating minor collisions. Police Support Officers are able to assist officers with booking prisoners in the holding facility. Police Support Officers assist sworn personnel at collision and crimes scenes by helping with traffic control, transports, and logging information.
- State of Washington Park Rangers: (unarmed)
Duties:
 - Limited Commissioned Park rangers are responsible for protecting, state parks, and ensuring the safety and welfare of park visitors.
 - They issue non-traffic civil infraction notices such as Discover Pass violations, boat launch violations and overnight parking violations.
 - May assist with investigations.
 - Educates the public on park rules and directs traffic. Prepares written reports. This position does not carry a firearm as part of his/her duties.
 - Gives presentations to groups of various sizes, answering questions and giving directions. Informs the local community of park changes.
 - Registers park visitors and assigns them to appropriate areas; collects and accounts for fees; answers questions and explains park policies and regulations.
 - Updates manuals; records traffic counter readings; completes law enforcement reports, vehicle and equipment usage reports, attendance reports, incident reports, cash receipt transmittals, purchasing requisitions, employee timesheets, and other reports as assigned or needed; and performs expenditure reconciliations.

4.5 Internal Communications and Culture

The functioning of any organization is as dependent on internal communications and culture as it is on having the proper people, training, equipment, and procedures. The findings related to internal communication and culture represent significant challenges for KPD that must be addressed for it to achieve its full potential.

Poor vertical and horizontal communication flow

Internal communication was frequently flagged as an area in need of improvement, including both vertical and horizontal information flow:

- Vertical communication flow should be improved to support the effective dissemination of command direction, organizational and individual performance expectations, and revisions in departmental policies and procedures. In addition, vertical communication improvements are required for

identifying and clarifying decision-making processes and promoting constructive feedback and input from employees.

- Horizontal communication flow is described as being “siloeed,” i.e., *intra*-unit information may flow well but *inter*-unit information flows poorly, creating information voids or confusion that generate inaccurate speculation, rumor, and ill will.

Cultural challenges created by the new facility

The new facility is greatly appreciated and generally perceived as functional and spacious. However, it also is viewed as having disrupted formal and informal communication flows by spreading out the workforce and compartmentalizing units, both of which result in more reliance on e-mail and phone contact rather than face-to-face conversation. It also creates physical barriers to co-workers easily encountering one another. Notably, this is in comparison to the coerced closeness of the previous facility where space was much more limited.

Many comments about KPD culture conveyed a melancholy mood engendered by a feeling of “loss.” Related comments described a loss of “the KPD family” or “KPD teamwork.” While, clearly, employees appreciate the new facility, it also appears that its size and layout have adversely affected what previously had been a stronger feeling of unity and comradery among employees. Comments suggest the additional space discourages employees from socializing and seeing one another, accentuates role or power distinctions among employees, and contributes to a sense of exclusion that discourages meaningful interactions.

In addition, walls not reaching ceiling height and the absence or insufficiency of noise-reducing materials interferes with communication and makes private conversations more difficult.

Significant challenges to employee morale and retention, and to KPD’s ability to be a high performing and learning organization

A divided culture and strong hierarchy limits innovation and organizational learning and improvement.

Operations are overly influenced by cliques within the organization. These cliques can be described as representing different perspectives between those who were in the KPD before the annexation (those who are older or more experienced) and those who arrived as a result of the increased hiring resulting from the annexation (those who are younger or less experienced) and are more comfortable with technology and “new ways of doing business.”

We found a widespread feeling among rank and file that the KPD suffers from a “vacuum of innovation,” with senior leadership holding to an “old-school mindset” where there is limited delegation of tasks. Decision-making is described as too hierarchical, restricting employee initiative and job satisfaction.

There is an expressed eagerness among many to “modernize” the Department, to evolve beyond “how we have always done things,” and to employ newer technology. There is also a desire for less top-down oriented management and a more collaborative and inclusive approach, especially given the “quality and professionalism” of Department personnel (this is the perspective employees have of themselves).

Morale could likely be enhanced by greater inclusiveness of employees in overall Department operations. Employees express a strong desire to actively participate in generating new and improved ways of doing business; enhancing their performance through personal development and challenging expectations; and receiving appreciation for their skills, competence, enthusiasm, and teamwork.

Proactive change management is needed. The residual effects of recent significant changes (annexation, staffing expansion, new facility, new patrol work shifts, and the anticipation of additional change resulting from the imminent selection of a new Chief of Police) continue to ripple through the Department, creating

concurrent feelings of loss and hopefulness among employees. There is a need for a proactive change management approach to address these issues head on.

Challenges for Non-Commissioned Employees

Several themes about internal communications and culture emerged from a meeting with Non-Commissioned employees. The input below represents what was heard at that meeting.

While non-Commissioned employees love their jobs, there is also a feeling of not being valued, known, or communicated with.

Employees feel they are treated differently than commissioned officers. They aren't asked their opinion on decisions that impact them, and they don't receive information via email that goes only to commissioned officers. This makes them feel uninformed and undervalued.

There is a feeling that supervisors do not interact with the non-commissioned employees enough, and don't understand what they do. It's a structural problem - supervisors have too much on their plate, but there is a desire to feel heard and for their concerns to be acknowledged.

Employees feel that their skills aren't recognized or acknowledged, and they aren't being used to their potential. It was stated that most non-commissioned employees do not have promotional opportunities.

Evaluation process isn't useful when supervisors don't understand an employee's role or job duties. The lack of promotional opportunities also reduces the importance of evaluations.

The impact of the new building has been particularly strong on non-commissioned employees. The layout, with small groups separated and behind locked doors, isolates employees from the patrol officers and from each other. Statements included "The sense of family is gone" and "We're grateful for the new building, but it's destroyed the comradery." This has hurt morale.

Employees feel that there is a lack of transparency for decision making on requests, such as for new equipment. Decisions take a long time, they don't know who makes the decision, the requests "get lost," and it's difficult to find out what's happening.

There is a feeling that the Department as a whole is not innovative enough, and there is a resistance to change. They would love to have leaders who are not afraid to shake things up.

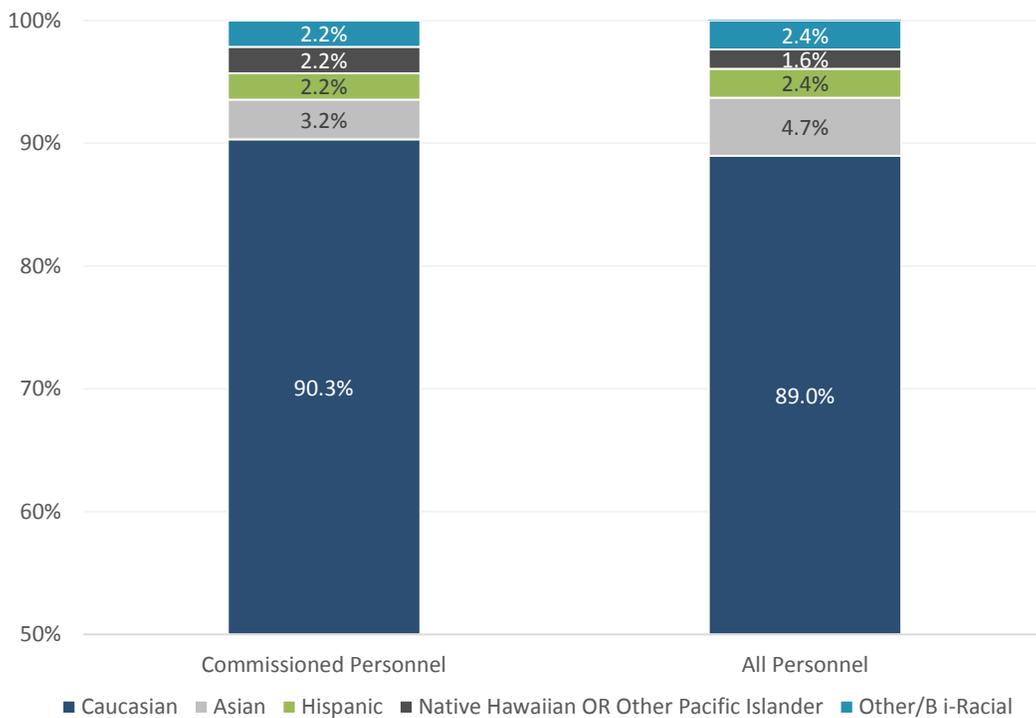
4.6 Workforce Demographics, Turnover, Recruitment, and Succession Planning

Workforce Demographics

Diversity

In 2015, the Kirkland Police Department on the whole was 89% White, 5% Asian, 2% Native Hawaiian or Other Pacific Islander residents, 2% Hispanic, and 2% Other/Bi-Racial (KPD, 2015). The racial makeup of the Department is significantly less diverse than the residents of the City of Kirkland. As discussed in **Section 3.3** in 2013, the City’s population was 77.4% White, 13.8% Asian or Pacific Islander residents, 1.4% Black, 1.7% some other race, and 5.1% two or more races. In addition, 7.3% of residents identified themselves as being of Hispanic or Latino origin (U.S. Census Bureau, 2015). When isolating commissioned personnel, the percentage of Asian employees decreases 1.5 percentage points (3.2%) and the percentage of Caucasian employees increases by 1.3 percentage points (90.3%).

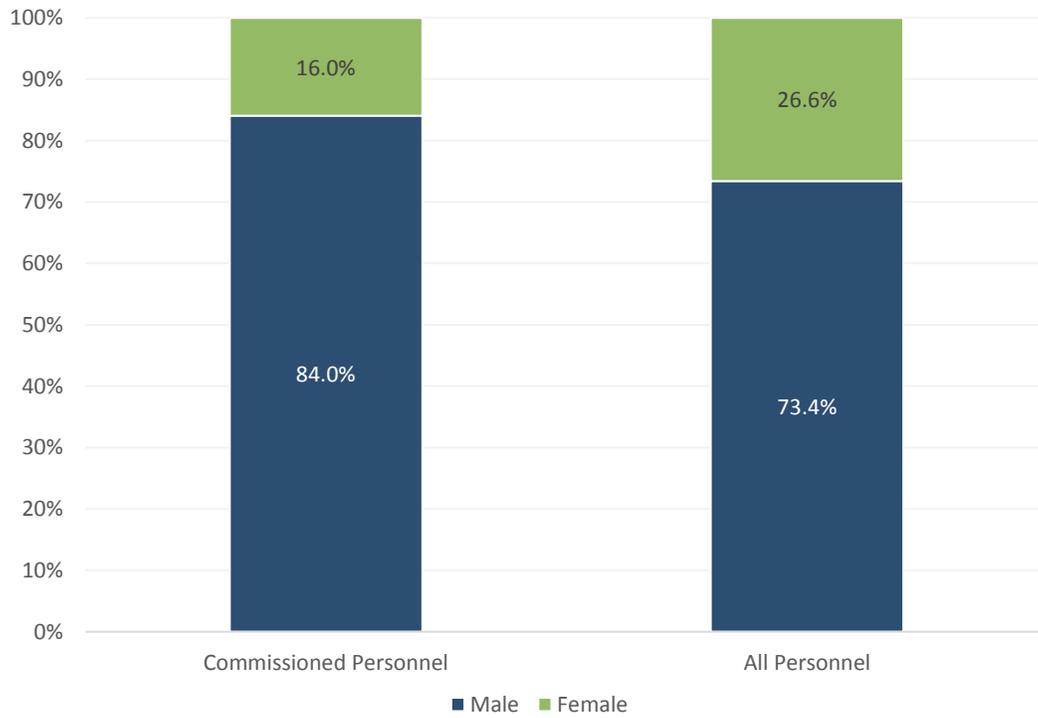
Exhibit 21: Race/Ethnicity of KPD Personnel, 2015



Source: (KPD, 2015)

In 2015, just over a quarter of Kirkland Police Department was female and 73.4% was male. When isolating commissioned personnel, the percentage of female employees decreases by 10.6 percentage points (16%).

Exhibit 22: Gender of KPD Personnel, 2015



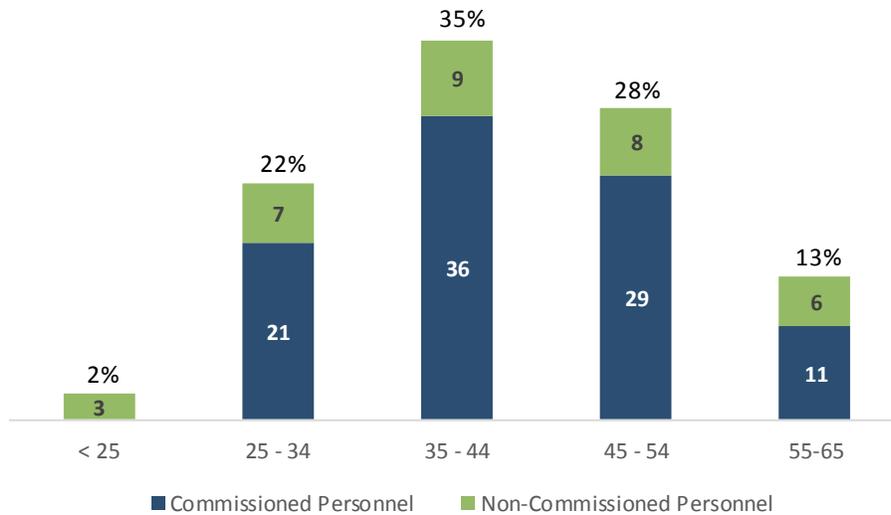
Source: (KPD, 2015)

Age, Retirements, and Employee Turnover

Age

In 2015, over 41% of the Kirkland Police Department was over the age of 45. A breakout of age by division was not available for this assessment, but since retirement eligibility for commissioned personnel starts at age 50, depending on years of service, a large proportion of the Department is anticipated to either already be eligible to retire or to become eligible to retire in the next five years.

Exhibit 23: Age Distribution of KPD Personnel

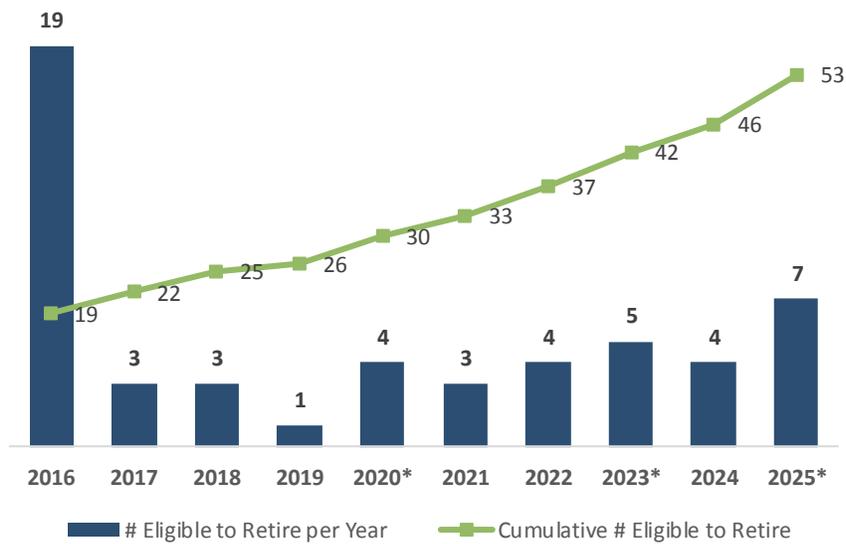


Source: (Kirkland, Longevity & Age , 2015)

Retirements

Exhibit 24 shows anticipated retirement based on years of service and age, representing commissioned personnel in the Department eligible to retire with 50 years of age and 20 years of service, 53 years of age and five years of service, or 65 years of age regardless of years of service, as well as non-commissioned personnel that will reach 65 years of age. With this basic definition, about 40% of the Kirkland Police Department will be eligible to retire within the next nine years, with an average of 5.3 employees per year, including 2016.

Exhibit 24: Personnel Eligible to Retire by Year

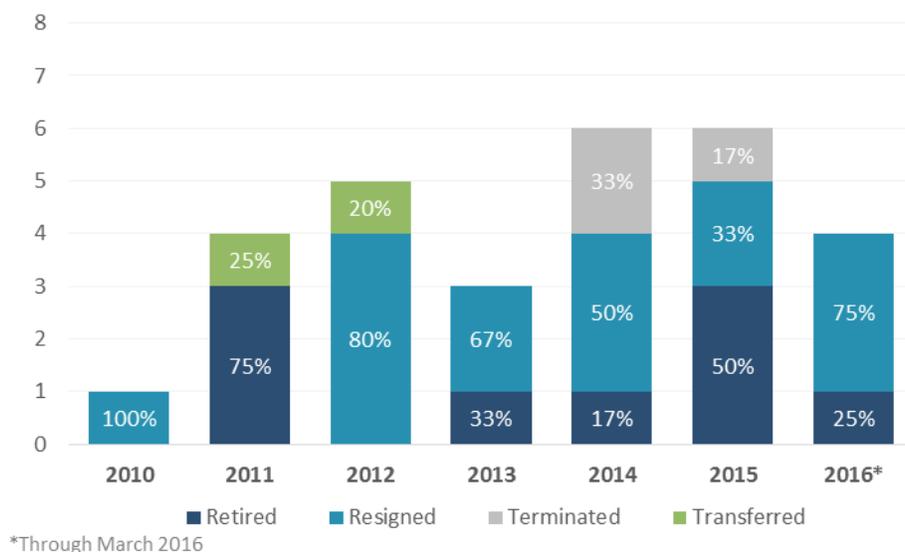


Note: Number eligible to retire calculated as commissioned staff who have either: 20 years of service *and* have reached 50 years of age, 5 years of service *and* have reached 53 years of age, *or* have reached 65 years of age regardless of years of service.
 *Years that include one to two non-commissioned personnel that have reached 65 years of age.
 Source: (Kirkland, Longevity & Age , 2015)

Employee Turnover

As shown in **Exhibit 25**, Kirkland Police Department had turnover ranging from one in 2010 to six in 2014 and 2015. Over this time Kirkland averaged a four-employee turnover per year. In almost every year, the most prevalent reason for turnover is resignations, with an average of two per year.

Exhibit 25: Employee Turnover 2010 – 2016



Source: (Kirkland, 2010 - 2016 Turnover, 2016)

Succession Planning and Recruitment

KPD pays close attention to the composition of its workforce as it relates to age, seniority, and retirement eligibility. This information is used in budget and hiring projections, and was part of a recent presentation to the Kirkland Civil Service Boards supporting a change in hiring requirements to encourage more lateral recruitment.

Additional resources could be spent on individual development plans, and a framework for all employees to be aware of the competencies required for each rank and specialty position.

Recruitment and Hiring

The Department should create a plan for recruiting and reporting hiring focused on desired competencies, and look for ways to attract more women and minorities. The City and Police Department have many positive attributes that could influence potential recruits. The Police Department facility and equipment are state of the art, salary and benefits are competitive, the financial management of the city is stable, the Department enjoys widespread support from peer agencies, the community, and the City administration, and the physical and cultural environment of the city is very appealing. The Department could increase its media presence, promoting the Department as a superior workplace at public events, and hosting trainings and other events at the new Justice Center facility.

The Department has recently announced a new recruitment plan to attract more officers and fill vacancies through lateral and new hires. The proposed strategy includes radio, mass transit advertising, attending career fairs, and updated brochures and business card handouts.

As noted by community stakeholders, partnerships with local organizations and community-based organizations could be used to raise KPD's profile and reputation with members of diverse communities.

The Department should also review all of its oral board testing, background screening, and minimum qualifications criteria to evaluate whether these standards are still relevant to its desired workforce.

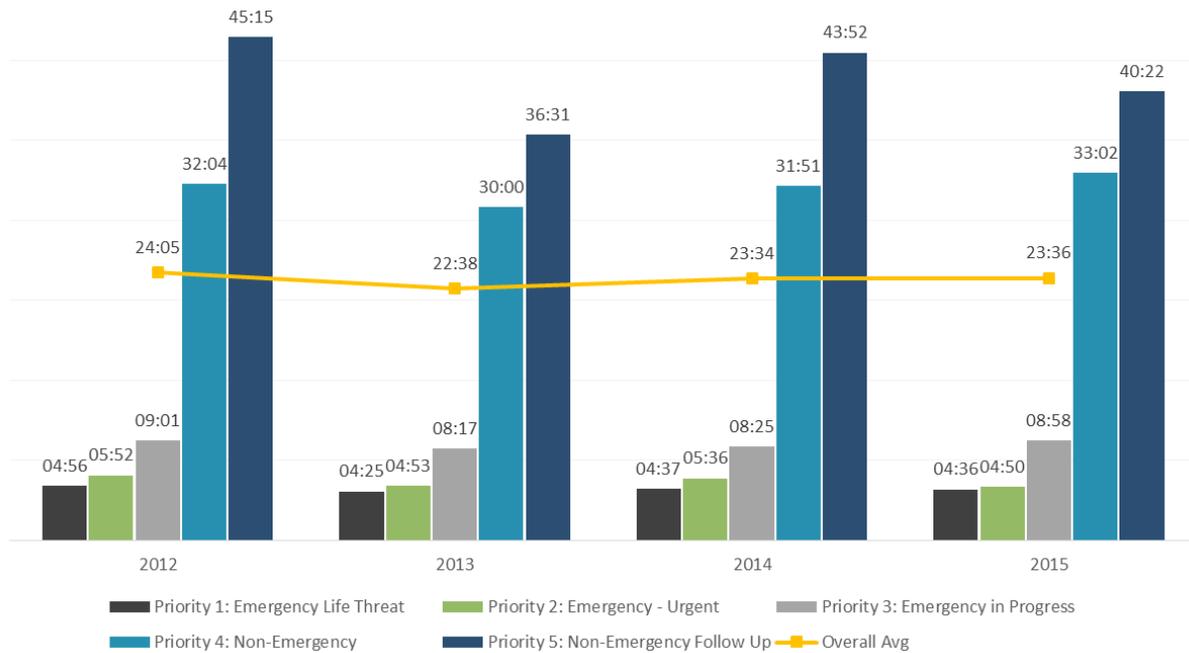
4.7 Performance, Resource Levels, and Deployment

Performance: Response Times and Case Clearance Rates

Response Times

Exhibit 26 shows Kirkland's average response times by type of call for 2012 to 2015. These response times represent the time between when an initial call is created and the arrival time of the first unit on the scene. Since response times are calculated several different ways and priority rankings vary by department, there isn't an accepted standard for response times. The best gauge of appropriate response time is citizen satisfaction. The community scores Kirkland received are very high on response times for serious crimes, where Kirkland has an average response time of 4 minutes and 28 seconds for Priority 1 calls, which include immediate threats to life and an average response time of 5 minutes and 18 seconds for Priority 2 calls, which include imminent threats to life. In 2015, Kirkland was able to decrease both its Priority 1 and Priority 2 response times. Public concerns about response time are most frequently related to low-level crimes. Kirkland's Priority 4 calls, which include non-emergency calls, have increased over the last four years, with an average response time of 31 minutes and 41 seconds. Kirkland's non-emergency follow-up response times vary from year to year, but average 41 minutes and ten seconds over the 2012 to 2015 period.

Exhibit 26. Response Times, 2012 - 2015



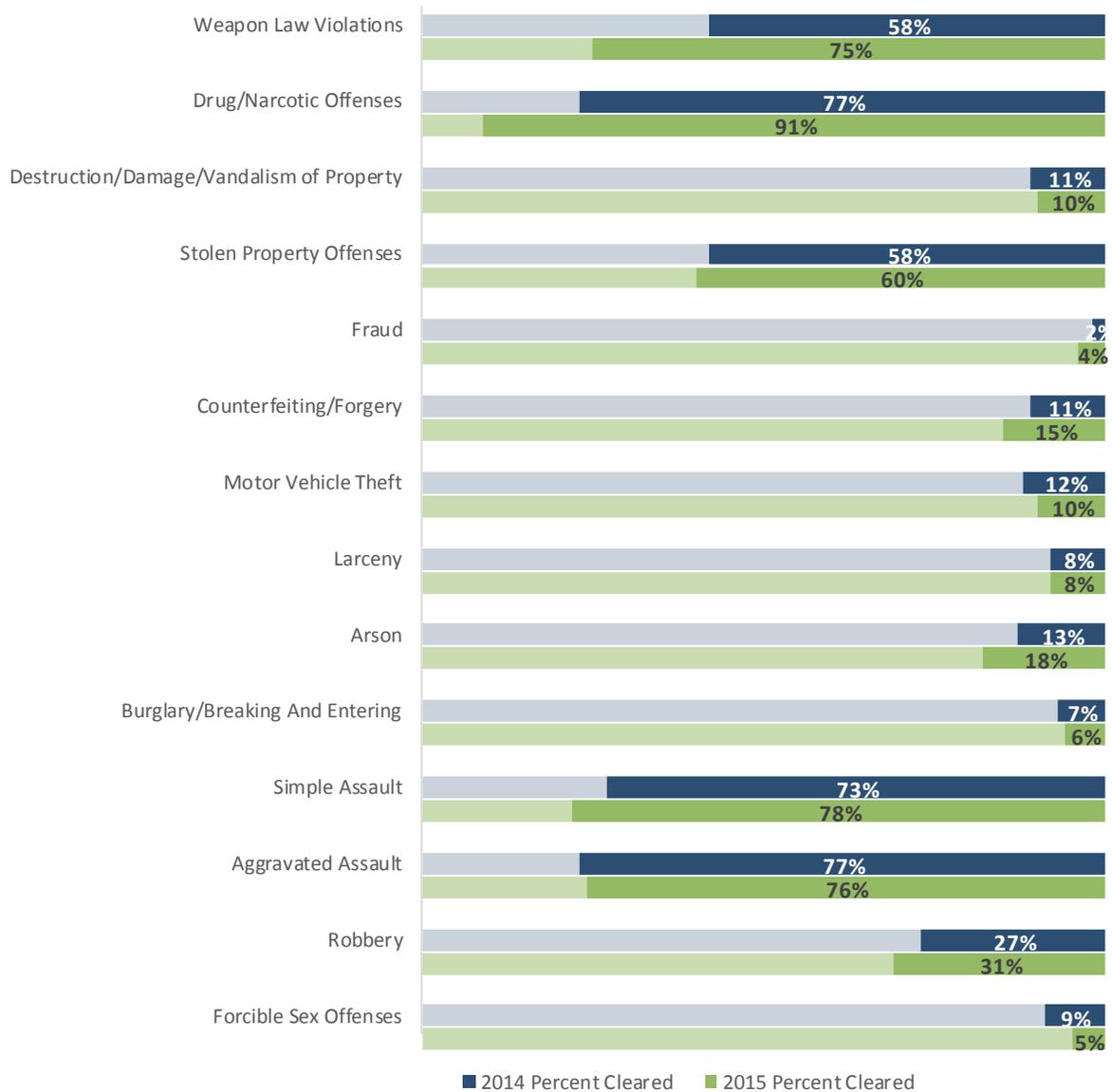
Note: The average response times were provided by KPD and have the following caveats: “Priority 1 and Priority 2 response time averages were calculated using 95% of available data. Priority 3, 4, & 5 response time averages are calculated using 98% of available data”. Response times are calculated from the time of initial call creation to the time of the arrival of the first unit on scene.

Source: (Kirkland, Response Times by Type of Call (Average), 2015)

Clearance Rates

Clearance rates are the relationship between number of crimes cleared compared to the number of crimes recorded. In general, clearance rates increased in 2015, with the most progress being found in clearance of drug and narcotic offenses as well as weapon law violations. Decrease in clearance rates were found in the crimes destruction of property, motor vehicle theft, breaking and entering, and forcible sex offenses.

Exhibit 27: 2014 and 2015 Clearance Rates by Crime Category



Source: (Kirkland, Calls for Service - Crime Stats - Clearance Rate, 2014 - 2015)

Staffing levels related to community outreach

Interviews with City of Kirkland staff noted that officer involvement in internal City meetings (for example related to special events planning and collaborating with other departments on addressing the city's growing homeless population) was valuable. Similarly, community stakeholders reported an appreciation – and desire for more – police involvement in community development and social support functions. An expansion of these roles may require more consistent, dedicated resources.

Performance-based Staffing Study of Patrol

BERK conducted a performance-based staffing study to understand the current workload of Patrol and the demand for service in Kirkland. Patrol was selected for this quantitative analysis because it represents

the largest share of personnel in the Department and patrol’s capacity is directly linked with other departmental groups, and in turn those groups’ capacity affects Patrol. In addition to determining Patrol’s current capacity, BERK assessed the resources required to create time to meet the Council goal to “provide for public safety through a community-based approach that focuses on prevention of problems and a timely response.”

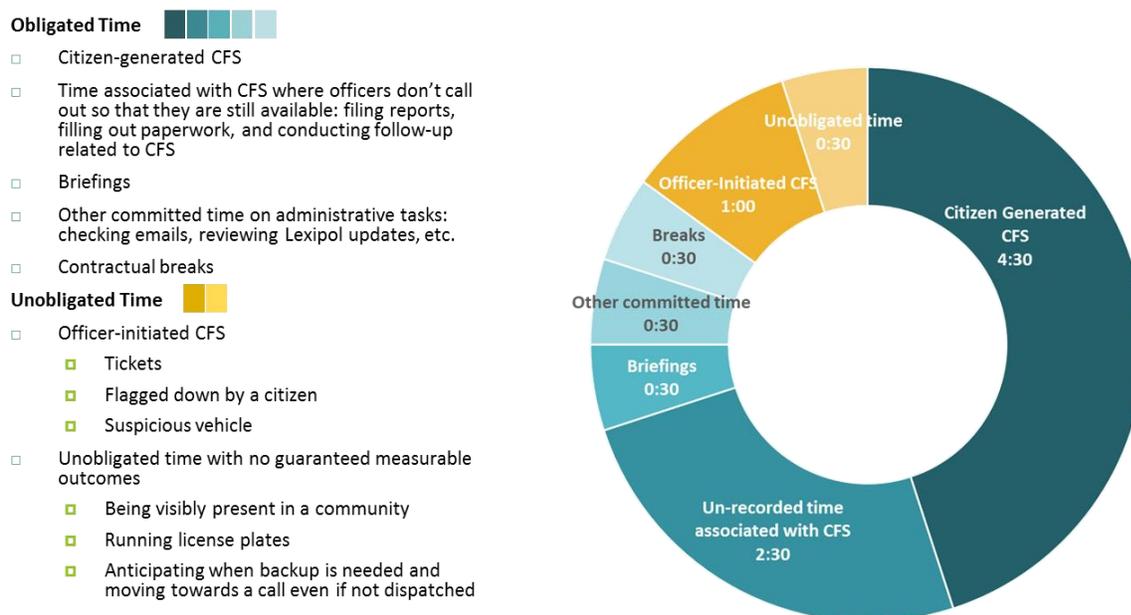
A departmental shift to community policing and a less reactive focus on crime prevention requires the involvement of many different work groups, not just patrol officers.

Typical day on Patrol – February 2016.

To understand a typical patrol shift we analyzed data for the month of February after the implementation of the new 10-hour shifts (February 4, 2016 – February 29, 2016). By matching calls for service with actual hours worked for that month, referencing the contract to determine break lengths, and interviewing patrol to understand time not spent “called-out” we saw the typical day start to take shape. The results of this analysis can be found in **Exhibit 28**.

The results show that 45% of an officer’s time is spent responding to citizen-generated calls for service. The most common types of these calls include responding to alarms, responding to calls of questionable activity, motor vehicle prowls, and traffic calls – such as accidents or items in the roadway. This percent represents a reactive model of policing, with officers running from call to call. Paired with their additional duties, such as paperwork and report-writing tied to calls-for-service, which most officers said took just as much time as the calls themselves, there is no time left in an officer’s day for proactive or directed patrol that is dedicated to preventing crimes before they start. Proactive patrol includes activities such as being present in a high car prowl area during the times that car prowls typically take place.

Exhibit 28: Typical Day on Patrol, February 2016



Source: (NORCOM, Calls-for-service data, 2015 – 2016) (Kirkland, Agreement By and Between City of Kirkland and Kirkland Police Guild Commissioned Staff, 2014 – 2016) and Interviews with Patrol

Workload-based assessment of Patrol

A current model of KPD's policing was built using the methods described in *A Performance-Based Approach to Police Staffing and Allocation* by Jeremy M. Wilson and Alexander Weiss, 2012. Using those same methods, a complementary model was created to determine what additional capacity, if any, would be required to shift the current policing style toward the community-based preventive policing that the community and Council desire. The process is outlined in **Exhibit 29** and walked through in detail below.

Exhibit 29: Workload-based Assessment Steps



Step 1: Determine Annual Citizen/Other generated CFS

- Considerations: How many units respond to each CFS

Step 2: Determine hours spent on Citizen/other-generated CFS

- Considerations: How much time does an assisting officer spend on a CFS

Step 3: Determine minimum number of officers required if working 10 hours/day, 365 days/year

Step 4: Determine & apply the Shift Relief Factor

- Considerations: How many hours per year is an officer available to work?

Step 5: Determine & Apply what percent of shift an officer spends responding to citizen/other-generated CFS

Step 1. Annual citizen-generated calls for service and officers required to answer calls for service.

The goal of this step is to determine demand for service, by isolating calls created outside of the control of individual officers. This forms the workload demand base for the analysis. Typical call-for-service production was determined using data provided by NORCOM for the year dated April 1, 2015 – March 31, 2016. The number of reactive calls, those outside the control of the Department – typically created by citizen's or other agencies, were found to represent just over 56% of all calls. These reactive calls were identified using assumptions provided by NORCOM identifying the percentage of each call type that is typically initiated by an officer versus generated outside of the Department by a citizen or other agency. Since we are specifically analyzing the patrol unit, and not the traffic or investigations unit, we also had to isolate calls that according to protocol should be handled by patrol. These assumptions were provided by KPD leadership.

Using both assumptions, we were able to determine that the citizen-generated demand on patrol service is about 27,600 calls per year.

We also found that many calls for service require a multi-officer response, such as alarm and domestic violence calls, meaning that more than one officer responds to a call. The computer aided dispatch system (CAD) reported that on average, there were 1.57 officers responding to a citizen-initiated patrol call for service. To determine the officers required to answer each call for service, we multiplied the annual citizen-initiated calls for service by the number officers responding to find that total modified calls for service to be 43,300 annual calls for service.

Step 2. Time spent on calls for service.

This step turns the number of calls for service in to the time spent by officers. The average time spent on a citizen-generated call for service is the time between when a call is dispatched to when a call is closed. In February 2016 the average time spent on a citizen-initiated call for service was 56 minutes and the average time spent on a citizen-generated call for service over the year was 54 minutes. These times are recorded in CAD and were provided by NORCOM by incident. Because calls have multiple responding units, and not all responding units spend the same amount of time on a call, through interviews with patrol and discussion with the steering committee, it was assumed that backup spends 75% of the time of the primary responder on each call requiring a multiple officer response.

Using the annual assumptions, including those for backup responses, patrol officers spend 37,000 hours on calls for service each year.

Step 3. Minimum officers required.

If an officer was available to work 10 hours a day, 365 days a year, the department would need 10.4 officers to respond to the current demand in calls for service.

Step 4. Shift Relief Factor.

Officers are not able to work every day and there are constraints on when they are available due to regular schedules (4 days on, 3 days off), vacation time, sick time, training, and regular leave such as bereavement, jury duty, military duty, etc. To take this into consideration the Agency Shift Relief Factor (SRF) was determined. The SRF represents the number of officers that need to be assigned to a shift to make sure that one is working any given shift.

Step 5. Performance Objective.

A performance objective is a framework for how the Department wants to police and it should be informed by community desires and the Department's Philosophy, Mission, Vision, and Values. In the staffing model, the performance objective assigns an officer's time to different policing activities. If more time is assigned to community policing and crime prevention, then less time would be spent by an individual officer on each call for service. But when call for service response time is fixed, additional capacity is needed to decrease this ratio.

When modeling the current workload, we found that officers spend approximately 45% of their time on citizen-generated calls for service, to determine what capacity would be required if more time were dedicated to community policing and crime prevention we applied one standard, developed by the International Association of Chiefs of Police (IACP) over three decades ago, which assumes that 33% of time should be devoted to calls for service.

As seen in **Exhibit 30**, the analysis displays the actual number of police officers working in February under the current reactive model of policing. In February this number was 54 although the authorized level was 60 officers. Then, applying the IACP standard to the annual averages, the capacity required to make time for proactive directed patrol increases to 71 officers, which is 11 officers more than currently authorized.

Agency Shift Relief Factor

$$\frac{365 \text{ days a year} \times 10\text{-hour long shifts}}{(365 \times 10 - \text{Total hours off})}$$

$$3650 / (3650 - 2,067)$$

$$2.31$$

2.31 officers need to be assigned to a shift in order for one to be present to work that shift. This is due to allowances for regular days off and other time off (vacation, sick time, military leave, etc.).

Exhibit 30: Workload Based Assessment Assumptions and Results

	Average Time Spent on CFS	Average # of units responding to a call	% of Primary's Time that Backup spends on CFS	Time an officer is available to handle calls for service if working 10 hours/day, 365 days/year	Shift Relief Factor	Performance Objective
February		0.96	1.57	75%	3,650	45%
Annual		0.94	1.57	75%	3,650	33%

	Annual Citizen-generated patrol CFS w/ Backup assumption (calls)	Time Spent on Annual Citizen-generated CFS w/ backup assumptions (hours)	Min. Officers required if available 10 hours/day, 365 days/year (officers)	Min. Officers required with Shift Relief Factor (Officers)	Minimum Officers Required to meet Performance Objective (Officers)
February	43,300	37,800	10.4	23.9	54
Future	43,300	37,000	10.1	23.4	71

Note: In February the Department was authorized for 60 officers, with 54 officers working.

Conclusions

To meet desire for community-based preventive policing, additional capacity will be required within Patrol and other supporting departments. Population and development growth will increase the need for Patrol resources over time. There are currently 0.31 citizen-generated calls per capita, projected out to 2035 population estimates from the City's comprehensive plan, Kirkland Police Department can expect an increase of 26% over today's estimate of 71 officers to meet the IACP performance objective.

The 33% performance objective is only one standard to use for policing and future goals should be focused on community desires.

Shift Schedule and Overtime Use**Benefits to new patrol schedule – and an opportunity to improve**

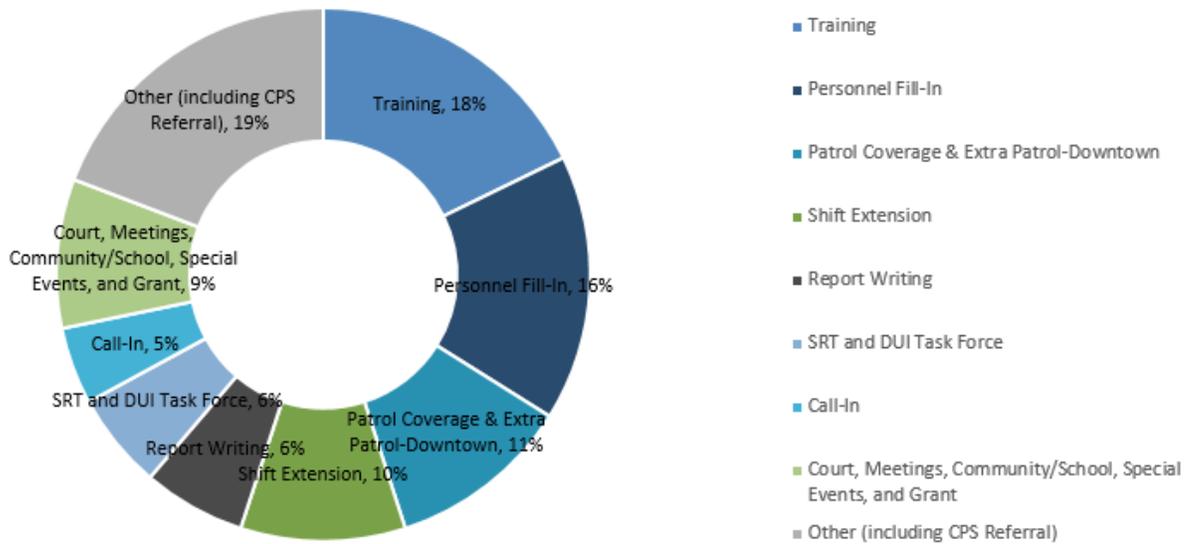
The Department recently moved to a new 4-10 patrol schedule, which has been well received by officers and supervisors and is seen as preferable to the former 12-hour rotating shift. The new schedule allows for more free time for personal activities on work days, and less fatigue at the end of a week of long shifts.

Adjustments and planning are needed to get the maximum benefit from the overlap day. On the overlap day there are fewer cars available than officers working. The overlap day also provides an opportunity to provide training or other development programs when the Department is more fully staffed.

Overtime use

Slightly over 50% of overtime use in 2015 was spent on Training, Personnel Fill-in and "Other," which in **Exhibit 31** includes CPS referrals.

Exhibit 31: Overtime Hours by Type, 2015



Source: (Kirkland, Logged Overtime Hours, 2014 - 2015)

Excessive overtime use can be an indicator of burnout, and overtime use in Kirkland peaks in May and October of each year, with 2015 overtime hours reaching close to a typical 40-hour work week. **Exhibit 32** shows similar trends in overtime use over the year when comparing 2014 and 2015, but 2015 experienced an increase in overtime use over 2014, sometimes in excess of 15 hours per month.

Exhibit 32: Overtime hours per FTE by Month, 2014 and 2015



Source: (Kirkland, Logged Overtime Hours, 2014 - 2015)

Officer Training

Employees are satisfied with the quality of training overall but would like greater input into what topics are presented. There is a desire for individual development plans, i.e., training tailored to the employee's career aspirations, and leadership training, consistent with the needs of the organization. This strategy would strengthen succession planning as well as support employee growth and retention.

Some employees stated they would like to be more involved in the development and presentation of training, believing that KPD does not fully recognize or utilize the talent of its employees. It is suggested that an appraisal be made of who possesses what particular talents in order to create an inventory of potential training and trainers.

Current Use of Data and Technology

Technology plays an increasingly important role in the daily work of law enforcement officers in the field, equipping them with enforcement and investigative tools that have the potential to make them safer, better informed, and more effective and efficient.

The City of Kirkland has a centralized IT Department that provides services to the Police Department. The IT Director has a well-developed understanding of the unique issues related to criminal justice information management. The new Justice Center facility was built with future technology in mind. The Police Department is in a good position to move forward with new technology, and the officers have indicated a desire to embrace new technologies to create efficiencies and enhance their service.

The Department makes modest use of its technology but could benefit from working closely with the IT department to create a future technology vision. Developing a technology vision takes time, and requires a deliberate process to jointly plan with IT to budget and evaluate secondary consequences of new technologies such as storage, retention, and public records disclosure management, especially as it relates to implementing new video tools. The Department does not currently have a designated internal technology subject matter expert or internal champion who has the resources or time to partner with the IT Department to explore future technology tools. In addition to considering the technical and budgetary impacts of new technology, new tools should be reviewed using the IACP Technology Policy Framework with City policymakers to discuss the appropriate use and management of the tools.

KPD has made some use of established technologies to quickly analyze, communicate, and leverage crime data for informing a strategic response. Kirkland officers have mobile data terminals in their vehicles but do not have hand-held mobile devices such as tablets or smart phones. Moving towards emerging law enforcement technology innovation and applications will likely require putting additional mobile tools in the hands of officers.

Opportunities to use real-time data to inform response and deployment and to communicate with City decision makers

- Better use of existing tools or the use of new analytical techniques and mapping tools may require additional staff support.
- **Analytical tools.** There are large amounts of information available and sifting through this data is time consuming. There are analytical tools to help sort through the information and make it usable for officers, detectives, and administrators. Predictive analytics may help agencies manage the flood of raw data and transform it into information that can help guide actions and plan deployments.
- **Mapping tools.** Increased use of GIS technology can provide geographic tools for crime prevention, investigation, and illustration.

Opportunities to better communicate with the public

- **Department website.** The City's IT Department administers the city department websites, but the Police Department has control over the content on its website. Although the site has basic information, it is not updated regularly.
- **Social media.** Tools such as Twitter and Facebook help to push out important information to the community and can be helpful communication tools. Information can be quickly disseminated to those following the Department's news feeds, which would likely include neighborhood blogs or other sites that could push the information out to a wider audience. These sites can also be valuable for reporting out awards, notable arrests, and case closures, and are helpful in recruiting new employees.

Opportunities for online crime reporting

As of the writing of this report, the Kirkland Police Department does not have online reporting that allows crime victims to report certain types of crime online, without having to wait for an officer to respond. Often, concerns about police response time are related to low-level crimes that are a low priority because they only involve collection of victim information. Online reporting is easy for the victim, eliminates some duplicate data entry, and can free up officer time to respond to other calls.

While online reporting produces some efficiency, it also lessens contact between officers and the public. Each incremental change from in-person to electronic contact needs to be evaluated as to how it changes the relationship between the Department and the public.

The Department recently announced it will be testing online reporting of crimes through CopLogic. This will allow residents to report specific property crimes and choose between a police response or an electronic report. The new system provides residents with a fast and efficient method for reporting low-level crimes and also helps KPD improve efficiencies in use of personnel.

Staffing Alternatives and Regional Partnerships

Opportunities for different staffing models in some positions

As the Department discusses methods of service delivery and service levels, it should consider which tasks require commissioned law enforcement officers, and which can be done with non-sworn staff. These discussions should include the appropriate labor representatives.

Specialty services and regional partnerships

The Department participates in some regional partnerships which provide the benefit of a large amount of expertise for emergencies with a reasonable amount of officer resource commitment. These partnerships also give officers an opportunity to develop relationships and learn other skills. Kirkland Police participate in the FBI Cybercrimes Task Force, the Washington State Internet Crimes Against Children Taskforce, North Sound Metro SWAT and until June 2016, are part of the East Side Narcotics Taskforce. More partnerships should be explored, especially related to training and firearms now that the Department has such a well-built and well-located facility.

5. ASSESSMENT OF THE CORRECTIONS UNIT

This section begins with background on the Kirkland Jail and then analyzes current operations in comparison to industry standards on the following topics:

- Management Systems
- Facility, Equipment, and Technology
- Training
- Staffing, Shift Schedules, Overtime, and Potential Staffing Alternative
- Employee Recruitment, Retention, and Morale
- Inmate Programs

5.1 Background

The Corrections Unit of the Kirkland Police Department manages the Kirkland Jail, Electronic Home Detention Program, Work Release Program, and inmate transport services.

When the Kirkland Justice Center opened in August of 2014 after an extensive remodel of a vacant Costco Home store, the new facility had significant impact on Corrections. The prior jail facility had 12 beds and an average daily population (ADP) of 11 males, with an average length of stay (ALOS) of two days. It was defined under RCW 70.48 City and County Jails Act as a “Holding Facility” for the temporary housing of inmates, not to exceed 30 days. With the move to the Justice Center, KPD Corrections Unit has transitioned and begun operating a full-service Correctional Facility with 62 beds², an ADP of 40 male or female inmates, and an ALOS of 11 days. **This is a significant change in operations and responsibility, with far greater impact than simply moving existing operations to a new facility.**

Staffing levels increased to accommodate basic operations in the new jail and the supervision of the additional inmate population. However, administrative resources to develop and implement the systems and programs necessary to operate a safe, secure and effective corrections system were not designated nor were funds allocated. These administrative functions should be identified and funded if the Corrections Unit is to be successful in reaching its goals.

² The Design Capacity of the jail (62 beds) is much higher than Operational Capacity (53 beds).

Exhibit 33: Jail Characteristics in Previous Holding Facility and New Correctional Facility

The National Institute of Corrections offers a 40-hour training for agencies moving to a new facility, but there is no training for a “startup” operation such as what Kirkland Corrections Unit has undertaken. A holding facility or transport services operation that evolves into a full-service jail facility must establish:

- New policies and procedures
- Training curriculum and protocols
- Inmate housing decisions
- Options for medical and mental health services, as well as other programs
- An inmate classification system
- A staff deployment plan
- A robust management information system

The initial 13 months of occupancy in the new jail were fraught with significant operational problems caused by a faulty electronics system. After a collaborative effort supported by the Kirkland City Attorney to insist the manufacturer make repairs, the electronic issues were addressed. Kirkland Jail Administration has made significant progress in developing foundational systems required to operate a safe and secure correctional facility.

KPD has two major advantages in its jail management:

- A commitment by the City, Police Department, and Corrections Administration to implement research-based, data-driven “best practices” programs for staff and inmates.
- The availability of contract beds at SCORE for special-needs inmates with behavioral, medical, or mental health problems. SCORE provides a ready option to reduce liability and risk to the City. SCORE is seen regionally as a cost-effective and dependable alternative to municipal jails.

5.2 Management Systems

Major Findings

Kirkland Corrections lacks current and ready access to baseline information that is typically used to inform standard management decisions.

- Data collected at intake are not available in a formal and scheduled daily, monthly, or annual report to evaluate the implications of the changing inmate profile on budget development, operations, housing, programs and staff deployment.
- No population reports are generated regularly from New World since dispatch moved to NORCOM.
- While information relative to mental health or behavioral issues of inmates may be recorded in the inmate's file in the New World System, it is not readily available for cumulative reports to analyze budget, staffing, or resource needs, nor do staff perceive that information relative to safety or security concerns is easily accessible.

These issues are important because data-driven and research-based jail management ensures the most efficient and effective corrections operation.

In addition, the jail lacks several basic management systems which are supported in the American Corrections Association Core Jail Standards:

- There is no responsive **Management Information System** which would provide Administration with standardized and routine reports and allow ad hoc queries of specific data to develop reports on an as needed basis.
- There is no **Classification System** for separating inmates based on community and institutional risk or need for services. While Corrections Administration is working on adopting SCORE's classification system, it is not validated for the KPD population and may over-classify the population. A validated classification system is important because it provides the structure for objective decision making for housing and program assignments; establishes the custody level of inmates; determines the security level of housing units; identifies special needs of inmates; reduces liability for the agency; reduces escapes, suicides, inmate on inmate assaults; allows for staff discretion; and is simple, efficient, and easy to understand.
- The jail does not have a comprehensive set of **Policies and Procedures**, although an Action Plan was developed with assignments and timelines. This is important because policies and procedures establish a solid foundation for security and efficiency of operations, ensure inmate and staff safety, guard against potential litigation, and support consistency and impartial treatment as well as access to services and programming for the inmate population.
- There is no current **Staffing Analysis** to determine the most efficient deployment of staff. This analysis should be undertaken prior to selection of a final shift schedule. The National Institute of Corrections' process for conducting a comprehensive Staffing Analysis identifies the right number of staff with the right skills, in the right place, at the right time, doing the right thing.

5.3 Facility, Equipment, and Technology

Significant Concerns

There is no outside recreation area for inmates. This may be a potential problem because use of outdoor areas for exercise is preferred in the ACA Core Jail Standards.

Radio, camera, and computer systems are problematic. The quality of radio communications is reportedly insufficient with many dead spots that interfere with communications. Administration reports

that repairs were made two months ago and this is no longer an issue. Camera quality is also a concern. The repair rate should be analyzed for number and frequency of repairs. These systems create a liability that may put personnel and the City at risk. Officers also voiced major concerns about the New World information system and computer hardware. These concerns relate to a vast amount of inmate specific information that is inputted by officers but not readily available relative to their safety and security concerns.

Additional Findings

Strengths

- Officers report that the facility operates in a safe manner. As one staff member noted, “Officers run it: it’s theirs and a good place to work.”
- Officers and supervisors are pleased with quality of equipment on their duty belt.

Challenges

- Staff expressed the opinion that facility maintenance requests that impact staff safety are not responded to in a timely way and are not a priority. Staff believe there is a delay in transmitting requests to facility staff; the facility staff are seen as responsive when they receive the requests. Cited examples of maintenance issues include lights, raising intake counters, a request for a window in the kitchen, exposed wires, open drains which could be used to hide contraband, the need for a lock on the kitchen door, and the need for steps for inmates to get to top bunks.
- There is a concern that inmate supplies are not a priority. When delays occur, officers are responsible for responding to complaints and disgruntled inmates.
- Lack of lighting outside the building results in safety concerns for staff travelling to or from work, or going on transports in the dark. [The Justice Center has a secure employee parking lot with lighting, but Corrections employees feel it is not in a convenient location for them.]

5.4 Training

Significant Concerns

KPD lacks an overall training plan and several important types of specific training that protect officer and inmate safety and help protect KPD against liability.

- There were two weeks of training in 2014, none in 2015 (due to staffing shortages), and a Lateral Vascular Neck Restraint training in 2016. This level of training is insufficient for a facility of Kirkland’s size and complexity. Training should prioritize safety and security issues, such as inmate transport, vehicle engagement, cell response, response to court incidents, mentally ill inmate management, and defensive tactics.
- The jail has no Training Plan. A Training Plan should describe the key elements of training for newly hired officers as well as in service/core annual training for all staff. Annual training is crucial to ensure safety, officer development, and protect against lawsuits. Administration has reported that 20 hours of Core Training is scheduled for October, 2016, however, specific curriculum has not been determined.
- Specific additional training requested by officers includes:
 - Officer training for medication administration and for monitoring inmates held in the Restraint Chair.
 - Firearms instruction, not just annual qualifications.
 - In-Service Annual Training in areas specific to jail operations.

- Officers have also voiced the need for law enforcement staff to undergo additional training on response to corrections incidents. A perception exists that patrol police officers are not adequately trained to provide backup to the corrections unit in situations such as large scale assaults, riots, escapes, hostage scenarios that mandate timely response with external resources. Additional training and time spent in the corrections facility by patrol officers building relationships and learning correctional procedures and processes would be well spent.

Additional Findings

Strengths

- An excellent two-week training was held in 2014 in preparation for the move to new facility.
- The new hire Corrections Officer training program is comprehensive.

5.5 Shift Schedules, Staffing Levels, and Use of Overtime

An overview of the current schedule found an opportunity to improve staff coverage and increase efficiency.

Significant Concerns

The current 4/10 schedule is inefficient, causing overlaps of officers 6 hours per day. In addition, staffing levels are uneven, with five to eight officers on duty for 33 hours each week, and only two officers on duty for 49 hours each week. The level of supervision is also uneven: there is no supervisor on duty for 35 hours each week, but there are three supervisors on duty for 15 hours each week. Felons booked in and kept overnight and over weekends results in a higher level of potential violence, when no supervisors are on duty.

Staff expressed concerns with the minimum staffing level of two officers given difficulty obtaining outside backup and response to incidents. Two-officer staffing also means there are no staff available for incident response or for outside transport requests.

There are evening shifts with no female corrections officers on duty. The Core Jail Standards state, “When a female inmate is housed in a facility, at least one female staff member is on duty at all times (1-CORE-2A-05 (Ref. 4-ALDF-2A-08)).

An in-depth Staffing Analysis using the National Institute of Corrections model is needed to determine the most efficient deployment of staff. An alternative schedule has been developed with input by staff that will improve coverage, however the findings from a formal Staffing Analysis should be reviewed prior to adopting a permanent schedule change.

Additional Findings

- Requests from probation officers, law enforcement, and judges for external transports have increased, impacting minimum staffing levels. A formal Staffing Analysis will provide information to determine staffing necessary for external transports.
- Among the total staff of 20, 4 of 14 corrections officer positions are vacant, equating to a 29% vacancy rate. The majority of overtime results from backfilling for vacant positions.
- Court transports are assigned during day shift when staffing levels are higher. Appropriate staff resources may be determined by careful documentation of the frequency and numbers of transports required.

Opportunities

- Alternative shift schedules which provide the most coverage (8 and 12 hour shifts in process).

- Corrections Officers are entering approximately 150 warrants a week. It may be more cost effective to move records and clerical responsibilities to a civilian position. This question could be addressed in the “time and motion” study portion of the NIC Staffing Analysis process.
- Create a civilian position to oversee a staffing analysis process and develop in collaboration with the union a staff deployment plan; create a budget and timeline for a three-year in-service staff training plan; and coordinate the development of a robust management information system.

5.6 Employee Recruitment, Retention, and Morale

Major Findings

Staff seem to work well together. There is reportedly strong teamwork and camaraderie, as well as a desire to get the job done. This appears to be true among line officers and newly appointed supervisors. Staff report that they work well together, that everyone pulls their own weight and pitches in to cover shifts when needed.

Many comments focused on the relationship between Corrections Officers and Administration:

- Corrections Officers perceive Administration priorities as centered on clerical and administrative duties such as entering warrants, rather than supporting safety and security in daily operations.
- Officers perceive a lack of support, interest, and empowerment from Administration.
- Officers perceive communication with Administration to be one-way: when officers report an issue or make a request, there is no response about a decision.
- Staff have requested regularly scheduled meetings with Administration.
- Officers request Corrections Administration (Lieutenant, Captain) participate occasionally in pass-down, shift information exchange; conduct unannounced walk-throughs of the facility (PREA, Core Jail Standards); increase visibility; and improve communication.
- There is a perception that Administration emphasizes police and law enforcement issues ahead of jail and corrections issues. This was less of a concern when the jail was just a “hold and transport” operation.
- Jail Administration is seen as responsive when there are staff issues with performance.
- The Interim Police Chief was viewed as interested and supportive of corrections operations.

Additional Findings

Strengths

- Officers like working for the City of Kirkland, which has a good reputation in the area.
- Officers are very positive about level of pay and benefits package. They see lots of potential, feel KPD is a great place to work, with good pay and benefits, including vacation and retirement. Officers would like the City to consider additional benefits, including an education incentive to reimburse for tuition costs and a fitness bonus.
- The hiring process is seen as working well, with good staff hired.

Challenges

- There is a low percentage (15%) of people of color in the Corrections workforce.
- Officers perceive that decisions are made without consideration of their input or recommendations.

5.7 Inmate Programs

Major Findings

Lack of Inmate Engagement Programs

The jail currently has no inmate engagement programs, such as education, commissary, religious services, or substance abuse programs. Staff are anxious to implement programs as they perceive the absence of programs contributes to idle inmates and increased safety concerns for officers.

Administration is working to develop and implement in-custody programs to engage inmates, reduce violence, improve safety, and support successful reentry of inmates back to community. Programs in various stages of development include religious services; education; commissary; haircuts; Alcoholics Anonymous, Narcotics Anonymous, and substance abuse; parenting; and mental health liaison. Administration is also planning to initiate a volunteer recruitment and training initiative to augment inmate programs.

The delay in program implementation has caused frustration among corrections officers, particularly the lack of a commissary, haircuts, law library, and religious programs. Staff seem frustrated that programs are a known best practice that are not yet implemented.

Medication Administration

Lack of coverage and consistent medication administration by contract medical services is a major concern. This is important because medication distribution by corrections officers is a liability risk if the wrong medication or dosage is provided to the inmate. Administration reported a recent problem with a contract nurse has been addressed. An increased amount and frequency of training is required to ensure that officers are confident in their delivery of medication when medical staff are not available. The detox process also requires medical oversight and consistent protocols and procedures, which are currently lacking. This is important because research identifies the first 24 hours of confinement as the most critical period for potential death of inmates as a result of drug overdose. It may be advantageous to implement tele-med capabilities for appropriate cases.

Additional Opportunities

- Jail Administration is interested in the potential to enhance and expand Electronic Home Detention (EHD). It was reported that 30% of the inmate population are held on Driving with License Suspended which may justify expansion of the EHD program.
- Cost benefit analysis of a work release program to determine the profile of the eligible population, Average Daily Population, and consideration for consolidating with EHD program
- Additional correctional options such as day jail and day reporting for eligible inmates to provide alternative sanctions and step down transition programs.
- Video Court, so hearings could be held with other jurisdictions when an inmate is in King County or other facilities to avoid travel costs and reduce security concerns.
- Assign the development and implementation of in custody inmate and correctional options programs to a civilian administrative position.

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KIRKLAND CITY COUNCIL SPECIAL MEETING

Minutes

October 4, 2016

1. CALL TO ORDER

Mayor Walen called the Special Meeting of the Kirkland City Council to order at 5:45 p.m.

2. ROLL CALL

Members present were Mayor Amy Walen, Deputy Mayor Jay Arnold, and Councilmembers Dave Asher, Shelley Kloba, Toby Nixon and Penny Sweet. Councilmember Doreen Marchione was absent/excused.

3. LIBRARY BOARD INTERVIEW

a. Kobey Chew

4. SELECTION AND APPOINTMENT OF TRANSPORTATION COMMISSION MEMBER

Councilmember Nixon moved to appoint Kobey Chew to the youth seat on the Library Board for an unexpired two year term ending 3/31/17. Councilmember Asher seconded the motion, which passed unanimously.

5. ADJOURNMENT

The October 4, 2016 Special Meeting of the Kirkland City Council was adjourned at 5:55 p.m.

City Clerk

Mayor



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
September 20, 2016

1. CALL TO ORDER

Mayor Walen called the study session to order at 6 p.m. and the Regular Meeting to order at 7:30 p.m.

2. ROLL CALL

Motion to Excuse Councilmember Marchione's absence.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

ROLL CALL:

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

Members Absent: Councilmember Doreen Marchione.

3. STUDY SESSION

a. Animal Services Discussion

Joining Councilmembers for this discussion were City Manager Kurt Triplett, King County Director of Regional Initiatives Diane Carlson, and Regional Animal Services of King County Manager Dr. Gene Mueller.

Council recessed for a break following the study session.

4. EXECUTIVE SESSION

None.

5. HONORS AND PROCLAMATIONS

a. Walk Your Child to School Week Proclamation

Robert Frost Elementary School Principal Toby Brenner together with students and parents accepted the proclamation from Mayor Walen and Councilmember Nixon.

b. 2016 Arbor Day Proclamation

Urban Forester Deb Powers and Green Kirkland Partnership Supervisor Sharon Rodman accepted the proclamation from Mayor Walen and Councilmember Sweet.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Emily Newcomer

c. Petitions

7. SPECIAL PRESENTATIONS

a. King County Solid Waste Transfer System Update

Solid Waste Programs Supervisor John MacGillivray provided a briefing on the status of King County's Solid Waste Transfer System review and the closure of the Houghton Transfer Station.

Motion to Authorize a letter from the Kirkland City Council to King County in support of the closure of Houghton Transfer Station during the demand management strategy (DMS) pilot and by 2021.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

8. CONSENT CALENDAR

a. Approval of Minutes: September 20, 2016

b. Audit of Accounts:

Payroll \$3,004,251.55

Bills \$4,101,682.09

run #1558 checks #605359 - 605500

run #1559 checks #605501 - 605521

run #1560 checks #605522 - 605700

c. General Correspondence

d. Claims

Claims received from Abbie Holand and Chris McQuillan were acknowledged via approval of the consent calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) Ordinance O-4533 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481, AS AMENDED, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM16-02078."

(2) Utility Rate Adoption

(a) Ordinance O-4534, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO WATER SYSTEM CUSTOMER RATES FOR 2017 AND 2018 AND PROVIDING FOR CHANGES IN SAID RATES."

(b) Ordinance O-4535, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO 2017 AND 2018 SEWER SYSTEM CUSTOMER RATES AND AMENDING TABLE 15.24.070 OF THE KIRKLAND MUNICIPAL CODE."

(c) Ordinance O-4536, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MONTHLY SURFACE WATER UTILITY SERVICE RATES FOR 2017 AND 2018 AND AMENDING SECTION 15.56.020 OF THE KIRKLAND MUNICIPAL CODE."

(3) Report on Procurement Activities

Motion to Approve the Consent Calendar.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

- a. Resolution R-5210, To Eliminate Cross Subsidies Between Customer Classes of the Water, Sewer, and Solid Waste Utilities No Later Than the End of the 2021-2022 Biennium.

Motion to Approve Resolution R-5210, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND TO ELIMINATE CROSS SUBSIDIES BETWEEN CUSTOMER CLASSES OF THE WATER, SEWER, AND SOLID WASTE UTILITIES NO LATER THAN THE END OF THE 2021-2022 BIENNIUM."

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Dave Asher
Vote: Motion carried 6-0

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

- b. Resolution R-5211, Approving the Cross Kirkland Corridor Art Integration Plan.

Special Projects Coordinator Phillipa Marsh reviewed the three Art related issues presented for Council consideration as items 10.b, 10.c, and 10.d and responded to Council questions and comment.

Motion to Approve Resolution R-5211, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE CROSS KIRKLAND CORRIDOR ART INTEGRATION PLAN."

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

- c. Resolution R-5212, Relating to Adding Ephemeral Art on the Cross Kirkland Corridor to the City's Public Art Policy Guidelines.

Motion to Approve Resolution R-5212, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO ADDING EPHEMERAL ART ON THE CROSS KIRKLAND CORRIDOR TO THE CITY'S PUBLIC ART POLICY GUIDELINES."

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Jay Arnold
Vote: Motion carried 6-0

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

- d. Resolution R-5213, Adopting One Percent for Public Art Policy Guidelines.

Motion to Table Resolution R-5213, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING ONE PERCENT FOR PUBLIC ART POLICY GUIDELINES."

Moved by Councilmember Dave Asher, seconded by Councilmember Toby Nixon

Vote: Motion carried 6-0

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

11. NEW BUSINESS

- a. Proposed Draft 2017 State Legislative Priorities Agenda

Intergovernmental Relations Manager Lorrie McKay provided an overview of the draft 2017 state legislative priorities agenda and received Council.

Motion to Approve the proposed Draft 2017 State Legislative Priorities Agenda with the addition of the three public records bullet points: exempt non-appointed volunteers, establish a charge for electronic records, and create a path to predictability on fines.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

- b. Resolution R-5214, Allocating the City's Portion of Community Development Block Grant (CDBG) Funds for 2017.

Human Services Coordinator Leslie Miller provided information about the Human Services Advisory Committee's recommendations for distribution of the Community Development Block Grant Funds for 2017.

Motion to Approve Resolution R-5214, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ALLOCATING THE CITY'S PORTION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR 2017."

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-0

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

c. 2017-2018 Human Services Grant Funding Recommendations

Human Services Advisory Committee Chair Kimberly Scott addressed the Council regarding the changing human services needs of the City of Kirkland. Human Services Coordinator Leslie Miller reviewed grant funding recommendations from the Human Services Advisory for the 2017-2018 biennium and received Council direction.

Council recessed for a short break.

d. Ordinance O-4532 and its Summary, Relating to Zoning, Planning, and Land Use and Amending Chapters 5 and 100 of the Kirkland Zoning Code Regarding Definitions and Regulations to Ensure Content Neutrality in Sign Regulations and Approving a Summary Ordinance for Publication, File No. CAM 16-00954.

Senior Planner Dorian Collins and Planning Commission Chair Eric Laliberte provided an overview of the proposed zoning code content neutral sign amendments and received Council feedback and direction for a subsequent, broader future study of Kirkland's sign regulations. Planning and Building Department Director Eric Shields and City Attorney Kevin Raymond also responded to Council questions.

Motion to Approve Ordinance O-4532 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING CHAPTERS 5 AND 100 OF THE KIRKLAND ZONING CODE REGARDING DEFINITIONS AND REGULATIONS TO ENSURE CONTENT NEUTRALITY IN SIGN REGULATIONS AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM16-00954 as amended."

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Penny Sweet
Vote: Motion carried 6-0

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

Motion to Amend Ordinance O-4532 so that section 100.115.30 Item 4 reads, "Permitted duration: No later than 7 days after the final election."

Moved by Councilmember Shelley Kloba, seconded by Councilmember Dave Asher

Vote: Motion carried 6-0

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

12. REPORTS

a. City Council Regional and Committee Reports

Councilmembers shared information regarding a recent Sustainability Foundation workshop on sustainable growth; the All City Dinner; the Kirkland Urban ground breaking; a Washington Cities Insurance Authority (WCIA) training on local planning; National Walk to School week events and activities; the upcoming Sound Cities Association networking dinner; an upcoming Pacifica Institute lecture on community policing; the upcoming Sound Cities Association Public Issues Committee meeting; and upcoming presentation by a local Cub Scout den on ideas for Totem Lake Park; Councilmember Asher suggested that the issue of creating a staff support Human Services Commission be discussed as part of the 2017-2018 budget discussions; a King County Regional Transit Committee discussion; a Washington Wildlife and Recreation Coalition annual breakfast; the Lifewire "Hope Starts Here" Breakfast; a teleconference with the agency hired by King County to do the evaluation of Advanced Life Support for Emergency Management Services; a Kirkland Downtown Association retreat; a Sound Cities Association Community Conversation regarding library services; and a recent meeting between A Regional Coalition for Housing (ARCH) cities.

b. City Manager Reports

City Manager Kurt Triplett updated the Council on meetings with Evergreen Health regarding future fire station siting and recent meetings of the Puget Sound Emergency Radio Network (PSERN).

(1) Calendar Update

City Manager Kurt Triplett reminded the Council about the Special Meeting on October 27 at 3:00 p.m. to discuss the 2017-2018 Budget and a potential future resolution to prioritize upcoming projects in the Totem Lake area.

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

The Kirkland City Council regular meeting of October 4, 2016 was adjourned at 10:28 p.m.

City Clerk

Mayor



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Kathi Anderson, City Clerk
Date: October 10, 2016
Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION

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

POLICY IMPLICATIONS

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

BACKGROUND DISCUSSION

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

- (1) Charina Alvarez
12621 NE 166th Court
Woodinville, WA 98072

Amount: \$2,972.89

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

- (2) Rachel Lloyd
11428 NE 97th Street
Kirkland, WA 98033

Amount: \$923.44

Nature of Claim: Claimant states damage to vehicle resulted from striking a pothole on 112th Street.

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



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: October 5, 2016
Subject: CITY OF KIRKLAND 2017 STATE LEGISLATIVE PRIORITIES AGENDA

RECOMMENDATION:

It is recommended that the City Council adopts the attached resolution adopting the 2017 State Legislative Priorities Agenda (Attachment A). As requested at Council's October 4 meeting, language in the Metropolitan Parks District priority was revised and a priority related to updates to the Public Records Act was added. By adopting the consent calendar this resolution is approved.

BACKGROUND DISCUSSION:

At its October 4, 2016 regular meeting, the City Council discussed the proposed draft 2017 State Legislative Priorities Agenda and it recommended revisions to the draft. A redline version, showing Council's requested revisions, is attached (Attachment B). It is the goal of Council's Legislative Workgroup to have the City's 2017 legislative priorities adopted by Council at its regular meeting on October 18, before it hosts its annual legislative breakfasts with the City's delegation.

The regular 2017 legislative session is a long, 105-day session. The three month session will begin on Monday, January 9 and end on Friday, April 21.

The City's annual Legislative Agenda consists of three segments: general principles; its top legislative "priorities;" and selected issues/items which the City may "support" (i.e., not priority items). This memo only addresses the proposed top legislative priorities for 2017. Staff will return to Council at a future meeting with items/issues identified for Council's consideration on its Support Items Agenda.

Summary of Revisions

General Principles: The general principles promote the Council's goals and protect the city's ability to provide basic municipal services to its residents. There are no revisions proposed to the general principles.

2017 Legislative Priorities: Council requested two revisions to the legislative priorities draft.

The first recommended revision was to the priority in support of allowing jurisdictions the option to cap a Metropolitan Park District. Councilmember Asher requested staff replace the word "cap" with "set a lower taxing limit for..." The revised priority now reads as follows:

- Kirkland supports allowing local jurisdictions the option to set a lower taxing limit for a Metropolitan Park District (MPD).

The second recommended revision was related to the discussion about potentially including proposed changes to the Public Records Act (PRA) and whether such proposals should be added to the priority agenda. At the October 4 meeting, Council considered and discussed three concepts in this regard.

1. Exempt non-appointed volunteers
2. Establish a charge for electronic records
3. Create a path to predictability on fines

Councilmember Asher expressed strong support for the importance of including an exemption from the Public Records Act for non-appointed volunteers. Councilmember Asher mentioned that Councilmember Nixon was aware that the Department of Enterprise Services is working on this issue and is already circulating a bill draft for comment. Staff will validate this and as suggested, it is likely that the City could get behind this bill.

On the remaining two proposed changes to the PRA (establish a charge for electronic records, and create a path to predictability on fines), Councilmember Asher offered that the City may be able to put an expression to these concepts, but was unaware of any draft bill language under development. As a participant in the large PRA stakeholder process being convened by Representatives McBride, Councilmember Nixon spoke to the legislative landscape of the Public Records Act and changes that are being discussed within the stakeholder group.

Councilmember Nixon was cautiously optimistic that the stakeholder group may be able to develop a consensus bill addressing the notion of a nominal charge for the base cost of processing a request and also a small per record charge for electronic records. The idea being to discourage people from making arbitrarily large requests because they're perceived as being free. The intent is to encourage people to focus their requests for public records.

With regard to the notion of creating a path to predictability on fines, Councilmember Nixon - communicated that this has been part of the stakeholder groups' discussions in the form of things like capping PRA fines and such. However, the possibility for a consensus bill to address this issue is proving difficult. The prospects of legislative success on creating a path to predictability on fines in the 2017 session are very small.

Councilmember Nixon mentioned that, should the stakeholder group reach agreement on some sort of consensus bill, it wouldn't be drafted until late November. This timing likely would not allow Council's Legislative Workgroup to discuss specifics with the City's legislative delegation. Councilmember Nixon cautioned against adopting a position that "blanket agrees" with whatever decision comes out of this stakeholder process. Rather, once agreed to concepts and draft language come out of the process, and City once staff have an opportunity to carefully review and consider the proposal, it is likely that the City will be able to support it.

Councilmember Asher suggested that Council's work on developing the City's legislative priorities is to express what the Council would like to see implemented in whatever form can ultimately be agreed to. Councilmember Asher advocated that while all three of these changes being discussed may not be ready to be circulated as bill language, they are (as expressed)

ready for inclusion on the City's legislative agenda. Upon hearing no objection, Councilmember Asher proposed a motion to add these three concepts under a Public Records Act legislative priority to the City's 2017 legislative agenda. Councilmember Sweet seconded the motion and it carried unanimously. The additional priority reads as follows:

- Kirkland supports updates to the Public Records Act that will:
 - Exempt non-appointed volunteers from records requests, except for responsive records already retained by the jurisdiction
 - Establish a nominal fee for filing records requests and a per document charge for electronic records
 - Create a path to predictability on fines for jurisdictions that make good faith efforts to comply with records requests.

Deputy Mayor Arnold requested that Council's Legislative Workgroup to take a look at potential public safety ballot measures to see if there are proactive steps that might be taken to avoid the unintended consequences that occurred around the Aquatics and Recreation Center ballot measure.

Further, Deputy Mayor Arnold requested that Council's Legislative Workgroup include a support item on the draft Legislative Support Items Agenda to be brought before Council in January. The item would be to support Pierce County's request to the legislature that its unincorporated areas be eligible to receive the Annexation Sales Tax Credit, in order to incentivize annexation.

NEXT STEPS:

2017 Legislative Priorities Agenda

With these revisions, it is recommended that the City Council adopts the attached resolution adopting the 2017 State Legislative Priorities Agenda as final. Additional changes to the agenda can be made at any time at future Council meetings as issues and events evolve.

Council's Legislative Workgroup will hold its annual legislative coffees/breakfasts with the City's state delegation in November and December.

2017 Legislative Support Items Agenda

The 2017 Support Item Agenda will be prepared for Council's consideration in January 2017, allowing the City's ally organizations time to develop their respective 2017 legislative priorities.

Attachments: A. Final 2017 Legislative Priorities Agenda
B. Redline changes to the Draft 2017 Legislative Priorities discussed Oct. 4, 2016



CITY OF KIRKLAND 2017 LEGISLATIVE AGENDA

General Principles

Kirkland supports legislation to promote the City Council's goals and protect the City's ability to provide basic municipal services to its citizens.

- Protect shared state revenue sources available to the City, including the State Annexation Sales Tax Credit, and provide new revenue options and flexibility in the use of existing revenues.
- Support long-term sustainability efforts related to City financial, environmental and transportation goals.
- Oppose unfunded mandates.
- Oppose any further shifting of costs or services from the State or counties to cities.

City of Kirkland 2017 Legislative Priorities

- Kirkland supports new funding and policy tools to address homelessness and create more affordable housing, such as:
 - Restore the Housing Trust Fund (HTF) to pre-recession levels
 - Add affordable housing to the list of eligible projects that can be funded by REET 1 and REET 2
 - Extend document recording fee for housing (eliminate sunset) and increase the fee
- Kirkland supports allowing Kingsgate Park and Ride to be used for an affordable housing Transit Oriented Development.
- Kirkland supports adequate and sustainable funding to maintain high-quality statewide training for law enforcement personnel.
- Kirkland supports allowing local jurisdictions the option to set a lower taxing limit for a Metropolitan Park District (MPD).
- Kirkland supports capital or transportation budget funding for a multimodal safety improvement project connecting the Cross Kirkland Corridor with the Redmond Central Connector.
- Kirkland supports allowing both the state and local governments the option of replacing the property tax cap, currently fixed at 1 percent, with a cap that is indexed to both population growth and inflation.
- Kirkland supports updates to the Public Records Act that will:
 - Exempt non-appointed volunteers from records requests, except for responsive records already retained by the jurisdiction
 - Establish a nominal fee for filing records requests and a per document charge for electronic records
 - Create a path to predictability on fines for jurisdictions that make good faith efforts to comply with records requests.



CITY OF KIRKLAND 2017 LEGISLATIVE AGENDA

General Principles

Kirkland supports legislation to promote the City Council's goals and protect the City's ability to provide basic municipal services to its citizens.

- Protect shared state revenue sources available to the City, including the State Annexation Sales Tax Credit, and provide new revenue options and flexibility in the use of existing revenues.
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City of Kirkland 2017 Legislative Priorities

- Kirkland supports new funding and policy tools to address homelessness and create more affordable housing, such as:
 - Restore the Housing Trust Fund (HTF) to pre-recession levels
 - Add affordable housing to the list of eligible projects that can be funded by REET 1 and REET 2
 - Extend document recording fee for housing (eliminate sunset) and increase the fee
- Kirkland supports allowing Kingsgate Park and Ride to be used for an affordable housing Transit Oriented Development.
- Kirkland supports adequate and sustainable funding to maintain high-quality statewide training for law enforcement personnel.
- Kirkland supports allowing local jurisdictions the option to ~~cap~~ set a lower taxing limit for an MPD (~~Metropolitan Park District~~) (MPD).
- Kirkland supports capital or transportation budget funding for a multimodal safety improvement project connecting the Cross Kirkland Corridor with the Redmond Central Connector.
- Kirkland supports allowing both the state and local governments the option of replacing the property tax cap, currently fixed at 1 percent, with a cap that is indexed to both population growth and inflation.
- Kirkland supports updates to the Public Records Act that will:
 - Exempt non-appointed volunteers from records requests, except for responsive records already retained by the jurisdiction
 - Establish a nominal fee for filing records requests and a per document charge for electronic records
 - Create a path to predictability on fines for jurisdictions that make good faith efforts to comply with records requests.

RESOLUTION R-5215

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A CITY OF KIRKLAND LEGISLATIVE AGENDA TO BE ADDRESSED TO THE 2017 SESSION OF THE STATE LEGISLATURE.

1 WHEREAS, actions of the State Legislature in respect to local
2 government issues, services and funding have a profound impact upon
3 the ability of local governments to provide adequate local services; and
4

5 WHEREAS, the Kirkland City Council supports legislation that
6 promotes the City Council's goals and protects the City's ability to
7 provide basic municipal services to its residents; and
8

9 WHEREAS, the City of Kirkland seeks to protect shared state
10 revenue sources available to the City, including the State Annexation
11 Sales Tax Credit, and provide new revenue options and flexibility in the
12 use of existing revenues; and
13

14 WHEREAS, the Kirkland City Council supports long-term
15 sustainability efforts related to City financial, environmental and
16 transportation goals; and
17

18 WHEREAS, the Kirkland City Council opposes the imposition of
19 unfunded mandates that draw on City resources and opposes any
20 further shifting of costs or services from the State or counties to cities;
21 and
22

23 WHEREAS, the Kirkland City Council believes it appropriate to
24 set forth its position as to issues affecting local government operations
25 coming before the State Legislature during its 2017 session, including
26 issues which the City Council requests the State Legislature to consider.
27

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

31 Section 1. The "General Principles" and "City of Kirkland 2017
32 Legislative Priorities" set forth in the "City of Kirkland 2017 Legislative
33 Agenda," attached as Exhibit A and by this reference incorporated, are
34 adopted as the City's recommendations to the State Legislature during
35 its 2017 session.
36

37 Section 2. The City administration shall transmit the 2017
38 Legislative Agenda, including any subsequent changes or updates, to
39 members of the State Legislature representing the legislative districts in
40 which Kirkland is located, together with other members of the State
41 Legislature and to the Association of Washington Cities, the Sound Cities
42 Association and other ally organizations.
43

44 Passed by majority vote of the Kirkland City Council in open
45 meeting this ____ day of _____, 2016.

46
47

Signed in authentication thereof this ____ day of _____,
2016.

MAYOR

Attest:

City Clerk



CITY OF KIRKLAND 2017 LEGISLATIVE AGENDA

General Principles

Kirkland supports legislation to promote the City Council's goals and protect the City's ability to provide basic municipal services to its citizens.

- Protect shared state revenue sources available to the City, including the State Annexation Sales Tax Credit, and provide new revenue options and flexibility in the use of existing revenues.
- Support long-term sustainability efforts related to City financial, environmental and transportation goals.
- Oppose unfunded mandates.
- Oppose any further shifting of costs or services from the State or counties to cities.

City of Kirkland 2017 Legislative Priorities

- Kirkland supports new funding and policy tools to address homelessness and create more affordable housing, such as:
 - Restore the Housing Trust Fund (HTF) to pre-recession levels
 - Add affordable housing to the list of eligible projects that can be funded by REET 1 and REET 2
 - Extend document recording fee for housing (eliminate sunset) and increase the fee
- Kirkland supports allowing Kingsgate Park and Ride to be used for an affordable housing Transit Oriented Development.
- Kirkland supports adequate and sustainable funding to maintain high-quality statewide training for law enforcement personnel.
- Kirkland supports allowing local jurisdictions the option to set a lower taxing limit for a Metropolitan Park District (MPD).
- Kirkland supports capital or transportation budget funding for a multimodal safety improvement project connecting the Cross Kirkland Corridor with the Redmond Central Connector.
- Kirkland supports allowing both the state and local governments the option of replacing the property tax cap, currently fixed at 1 percent, with a cap that is indexed to both population growth and inflation.
- Kirkland supports updates to the Public Records Act that will:
 - Exempt non-appointed volunteers from records requests, except for responsive records already retained by the jurisdiction
 - Establish a nominal fee for filing records requests and a per document charge for electronic records
 - Create a path to predictability on fines for jurisdictions that make good faith efforts to comply with records requests.



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: October 6, 2016

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF OCTOBER 18, 2016.

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 22, 2016 are as follows:

	Project	Process	Estimate/Price	Status
1.	Conference Room Furniture for City Hall	Request for Proposals	\$110,000 - \$125,000	RFP issued on 9/29 with proposals due on 10/21.
2.	2017 Aerial Mapping Services	Request for Proposals	\$200,000	RFP issued on 10/3 with proposals due on 10/31.
3.	ERP Software & Implementation	Request for Proposals	\$1,000,000 - \$2,000,000	RFP issued on 10/3 with proposals due on 11/1.

Please contact me if you have any questions regarding this report.



CITY OF KIRKLAND
Police Department
11750 NE 118th St, Kirkland, WA 425.587.3400
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett

From: Cherie Harris, Chief of Police
Michael Ursino, Administrative Captain
Lorrie McKay, Intergovernmental Relations Manager

Date: October 10, 2016

Subject: Providing Animal Services Locally

RECOMMENDATION:

It is recommended that the City council receives a briefing and either requests more information or gives direction on whether the Kirkland Police Department should provide animal services locally, effective January 1, 2018. If the Council decides to provide animal services locally, it should direct that staff bring back a letter for approval at the next Council meeting notifying King County and partner cities of Kirkland's intent to withdraw when the current regional animal services contract is concluded.

BACKGROUND DISCUSSION:

At its October 4 study session, Council received a briefing on the 2018 Successor Interlocal Agreement (ILA) for the provision of regional animal services from Diane Carlson, King County Director of Regional Initiatives and Gene Mueller, Manager of King County Regional Animal Services (RASKC). King County's presentation included information on how regional services are currently delivered, an update on the ILA's Agreement in Principle, and information on how regional animal services have been provided in Kirkland. Contracting cities are expected to confirm their non-binding interest of whether or not to participate in the 2018 Successor ILA by December 31, 2016.

The City of Kirkland has participated under contract with King County for regional animal services since July 2009. Although the regional program has been cost-neutral for Kirkland since 2012, City staff have observed that if Kirkland were to provide animal services locally, it could efficiently provide a higher level of service to its residents and do so more cost effectively. **(See Attachment A for cost comparisons)**

Animal Control and Community Policing

Animal Control is a traditional community policing function and approaching it as such can be beneficial to the residents and the City. This is in keeping with one of the goals identified in the draft Police Strategic Plan currently being reviewed by the Council. During the outreach phase of the Strategic Plan, the consultants heard a strong desire expressed by Councilmembers and community members for more proactive community engagement. Localizing the services of the Animal Control Officer (ACO) embodies community policing, allowing for better connections, better service, increased education and prevention of animal related problems. This will afford a new opportunity for partnerships between the department, residents and businesses.

Providing animal services locally to the City's residents requires the Kirkland Police Department to develop an animal services program that would include animal control, sheltering and licensing. Staff prepared a related service package request for the proposed 2017-2018 budget that includes one-time expenditures in 2017 to start-up the program, as well as ongoing expenditures. The one-time expenditures in 2017 include: \$50,000 for purchase of a vehicle; \$19,000 for software investments; \$11,000 for office set-up expenditures; and \$4,000 for personnel background investigations. While both sheltering services and licensing services would be contracted out to professional third-party service providers, the police department would provide 40 hours per week of animal control (field) service. Field services include, but would not be limited to: response to resident generated calls for service, owner-pet reunification, proactive patrol of parks and public areas to both educate and enforce, general enforcement, follow-up to license infractions, respond to requests for pet licenses, investigations, temporary sheltering, resource assistance in resolving conflicts with nuisance animals and wildlife, and community education & outreach.

Staff explored options for all three of the animal services that are currently provided by King County and have analyzed programs in other cities who employ Animal Control Officers. Of the 39 cities in King County, 14 do not participate in RASKC including the cities of Seattle, Federal Way, Renton, Auburn and Bothell. The City of Bothell separated service from RASKC in 2011. Since then, the Bothell Police Department has built a successful local program and has provided the Kirkland Police Department with an overview of its animal control services as well as its ACO policies and procedures. Further, Bothell's Police Department pledged support to Kirkland through field training.

Animal Control/Field Service

In order for the Police Department to have a fully functioning Animal Control Officer in place and ready to take over the program on January 1, 2018, the hiring process, procurement of equipment and training need to occur during 2017.

Kirkland's ACO will complete a three-month field training program that will include:

- The Washington State Animal Control Officer course offered through the Criminal Justice Training Commission.
- Field training and evaluation with Department field training officers.
- In-service cross-training with other ACO's in neighboring cities.

The initial staff proposal is that the ACO will be full-time and available 40 hours per week, Monday – Friday during regular business hours. The ACO will be the face of Animal Services in the Kirkland community and will be responsible for building relationships with regional & local animal related businesses and facilities (veterinarians, pet stores, animal rescues, etc.) to make the program a success. The ACO will work out of the Kirkland Justice Center (KJC) and would be under the supervision of the Administrative Division of the Police Department. Temporary sheltering would also be located at the KJC. In the event that the ACO is on vacation/sick, the Department is in discussions with the Bothell Police Department's ACO on formulating an ILA to respond in the case of an emergency. The program would also include a budget to contract for specialized services with public and private partners if necessary.

Animal Control/Field Services includes a myriad of tasks, including but not limited to:

- Enforcement of animal nuisance complaints and barking dogs
- Criminal Investigations to include; animal cruelty, animal bites, vicious dog complaints
- Pro-Active patrol of parks and the Cross Kirkland Corridor
- Reunification of animals with their owners and/or transport to shelter care

- Response to injured and deceased animals
- Resident education on licensing, care and animal behavior
- Resource for animal-related problems
- Response to stray animals and loose livestock
- Special hobby kennel license inspections
- Participation in City events to promote animal licensing and education

Initially, the Police Department expects to experience an increase in calls for field service over and above the 257 calls for service per year on average that King County currently responds to in the City of Kirkland. Residents generally have the expectation for a higher level of service from their local service provider, which was evident after the City's 2011 annexation and has been affirmed by Bothell's experience in providing animal services locally. Staff examined RASKC's delivery of animal services in its Control District 200, which includes the City of Kirkland, eight other cities and the northeastern portions of unincorporated King County. In the regional structure, one Animal Control Officer responds to over 1,400 calls for service per year. The City's Police Department is confident in the ability of a Kirkland ACO to respond to the anticipated increase in calls for field service. The Department intends to initially adopt King County's criteria for prioritizing calls (**Attachment B**) for service with a significantly improved response time.

High Priority (Priority 1 & 2) calls include those incidents that pose an emergent danger to the community, including:

- Emergent animal bite
- Emergent vicious marauding dog
- Emergent injured animal
- Police assist calls—(police officer on scene requesting assistance from an ACO)
- Emergent loose livestock or other loose or deceased animal that poses a potential danger to the community
- Emergent animal cruelty

Lower Priority (Priority 3, 4 & 5) calls are non-emergent requests for service that may be handled by the ACO in person or over the telephone and may include referral to other resources. Lower priority calls include, but are not limited to:

- Stray dog/cat/other confined
- Deceased animal
- Patrol request – (ACO requested to patrol a specific area due to possible code violations)
- Vicious not in progress
- Cruelty welfare check
- Animal bite
- Barking or noise complaints
- Notices of violation (leash law)
- Trespass investigations
- Illegal kennel
- Trap request
- Female animal in season

City staff analyzed RASKC's monthly ACO reports on animal control activity in Kirkland over the past three years and identified roughly 27 areas of specific ACO response (**Attachment C**). The data show that on average, four of the 27 activities generated over half of calls for field service in Kirkland. They are:

1. Stray Animal - Confined, with an average of 63 calls per year, representing 21% of the calls for service.
2. Deceased Animal (DOA) calls averaged 41 per year (14%)
3. Stray Animal – Patrol Request calls averaged 33 per year (11%)
4. Vicious Not in Progress calls averaged 29 per year (10%)

Importantly, on average 20 of the 63 stray animal - confined calls were either “cancelled by dispatch” or they were “gone on arrival.” Similarly, 22 of the 33 stray – patrol request’ calls were “gone on arrival.”

Three other activities generated more than five percent (but less than 10%) of the calls for services. They are:

1. Barking or Noise Complaint calls averaged 20 per year (7%)
2. Cruelty Welfare Check calls averaged 20 per year (7%)
3. Animal Bite calls averaged 19 per year (6%)

Animal Sheltering

Staff has reached out to both the Progressive Animal Welfare Society (PAWS) and the Everett Animal Shelter to determine if these facilities have the capacity to provide the City of Kirkland’s shelter needs. Both organizations have indicated that they are interested and can provide sheltering for additional animals. Both charge a flat rate for each animal intake. PAWS charges \$185 per animal and Everett charges \$175 per animal. PAWS also has a \$20 charge per day for animals that must stay in the shelter beyond a ten-day period due to custody and/or court cases.

Temporary kenneling is necessary for a successful animal services program. Holding and caring for an animal until an owner can respond to pick up their pet is a service that King County does not currently provide. Having the ability to offer this level of service is important for the City’s pet-owners and can reduce the cost of sheltering at a contracted facility. The City of Bothell maintains temporary kennel on-site and if needed, also has agreements in place with local facilities to temporarily house animals. Kirkland’s program would model this approach as well. Staff has included \$10,000 for contracting for specialty services in the service package request for the proposed 2017-2018 budget.

Pet Licensing

Staff has explored the potential of contracting pet license processing and renewal services with PetData, a private company that provides this service to other cities in Washington and in other states across the country. PetData’s license application and renewal process is an easy online process for pet owners. The City of Bothell’s Administrative division maintain some physical license tags at City Hall in order to serve walk-in requests for pet licenses (mostly senior residents). PetData maintains the licensing information on pets and their owners for future renewals. The company issues two renewal notices to licensed pet owners annually. PetData also provide a list of past-due license renewals to the City for additional follow-up. Follow-up contact from the City would be conducted via robo-calls as it is currently done, or by the ACO. This process, combined with implementing a robust marketing plan and continuing neighborhood pet license canvassing efforts is expected to generate enough pet license revenue to cover the program’s costs each year. PetData’s professional services eliminate the City’s need for any additional FTE’s to administer the pet license processing portion of the local program.

Marketing and Education

Since 2013, the number of pets licensed in Kirkland has increased each year, due in part to the City's implementation of its pet license marketing plan and King County's license support work through educational canvassing in the City's neighborhoods. King County's canvassing efforts have been implemented using temporary seasonal hires.

Nationally, the American Veterinary Medical Association (AVMA) estimates that 36.5% of households own dogs and 30.4% own cats. To estimate the number of pet-owning households in the City of Kirkland, the AVMA's formula multiplies the total number of households in Kirkland by the AVMA's national percentages of households that own pets. In its April 1, 2016 estimates, the Forecasting and Research Division of the Washington State Office of Financial Management estimates a total of 38,017 housing units (households) in the City of Kirkland.

Using the AVMA's formula for estimating Kirkland's pet population in Kirkland:

- Dogs: (.365) multiplied by the total number of households (38,017) = 13,876 dogs
- Cats: (.304) multiplied by the total number of households (38,017) = 11,557 cats

Of its estimated 25,433 owned dogs and cats, Kirkland has licensed 10,054 (39.5%) of this pet population. Staff recommend continuing both the marketing efforts and the neighborhood canvassing efforts so that pet license sales and renewals remain strong. To continue these efforts, the City's cost model includes \$20,000 of ongoing funding, nearly double what is currently invested through RASK.

Summary

After thoughtful consideration and analysis by the City Manager's Office and the Police Department, staff have concluded that the Police Department can provide a high the level of animal control service to the Kirkland community through a full-time City of Kirkland Animal Control Office. Further, humane shelter care service can be accomplished through reputable third-party shelter providers with low euthanasia rates. There are details still to be worked out, but should the Council choose to provide animal services locally, Kirkland staff are ready to implement the program.

Attachment A: Region and Local Program Cost Comparison

Attachment B: RASKC's Criteria for Prioritizing Calls for Field Services

Attachment C: Analysis of 2013-2014-2015 ACO Activity in Kirkland

**Regional and Local
Animal Services Cost Comparisons**
(Control, Sheltering, Licensing)

Regional: At its October 4, 2016 study session, representatives of Regional Animal Services of King County (RASKC) presented the Kirkland City Council with an estimated \$270,800 in cost for its proportional share and use of the regional animal services program in 2018 (attached). RASKC's cost allocation model is based on each jurisdiction's population (20%) and system use (80%).

RASKC's Control/Field Services costs are shared by the 3 geographic Control Districts, with 25% allocated each to Districts 200 and 220 and 50% allocated to District 500. Each Contracting Party located within a Control District is allocated a share of Control District costs based 80% on the Party's relative share of total Calls for Service within the Control District and 20% on its relative share of total population within the Control District. RASKC's Shelter Services costs are allocated among all Contracting Parties based 20% on their relative population and 80% on the total shelter intake of animals attributable to each Contracting Party, except that Cities contracting for shelter services with PAWS pay only a population-based charge. Licensing Services costs are allocated among all Contracting Parties based 20% on their relative population and 80% on the number of licenses issued to residents of each Contracting Party.

Applying an average to the past three years of regional service, RASKC estimates Kirkland's program cost in 2018 will be \$270,800.

1. Animal Control/Field – An average of 257 calls for control service per year (\$94,900)
2. Animal Sheltering – An average of 96 animal intakes per year (\$108,400)
3. Pet Licensing – An average of 9,316 pet licenses sold per year (\$67,500)

Local: For the City of Kirkland to provide animal services to its residents, staff estimates the program's ongoing costs would be \$208,538. Staff estimates \$84,000 in one-time start-up costs in 2017. The City's Police Department would provide salary and benefits for an Animal Control Officer at 40 hours per week to respond to calls for animal control and related field issues. Animal sheltering services would be contracted out to a humane service provider such as PAWS, which charges a flat rate of \$185 per animal intake. Pet license processing would also be contracted out to a professional vendor such as PetData, which charges \$4.10 per license for processing and renewal. Staff recommend the City continue to efforts to market and promote pet license sales.

1. Animal Control/Field – Salary and benefits for a full-time KPD Animal Control Officer (\$97,583)
2. Animal Sheltering – 96 animal intakes at \$185 each animal intake (\$17,760)
3. Pet Licensing – 9,316 pet licenses at \$4.10 each license (\$38,195)
4. Marketing Pet Licenses – Promotional efforts and neighborhood educational canvassing (\$20,000)
5. Vehicle O&M, Various Operating Supplies and Contracts for Specialty Services (\$35,000)

Regional and Local Animal Services Cost Comparisons

	Control/Field (257 Service Calls)	Sheltering (96 Animal Intakes)	Licensing (9,316 Licenses Sold)	Ongoing Vehicle O&M, Operating Supplies, and Contracts	Total Cost
RASKC	\$94,900 <small>\$21,900 pop \$73,000 use</small>	\$108,400 <small>\$50,100 pop \$58,300 use</small>	\$67,500 <small>\$12,000 pop \$55,500 use</small>		\$270,800
Kirkland	\$97,583 [^]	\$17,760	\$58,195*	\$35,000	\$208,538

[^] City's ACO total shown includes salary, benefits and internal services rates

* City's Licensing total shown includes \$20,000 for pet license marketing & promotions.

Projected Pet License Revenue

	License Revenue	Program Cost	Net Cost / Excess Revenue
RASKC	\$284,300	\$270,800	\$13,500
Kirkland	\$284,300	\$208,538	\$75,762

Regional Animal Services of King County 2018 Inter-local Agreement

City of Kirkland – 2018 model

Service	3 Year Average (2013-2015)	Expense/Revenue
Field		
Population	85K (22% of district)	\$21,900
Usage	257 (19% of district)	\$73,000
Shelter		
Population	85K (8.2% of total)	\$50,100
Usage	96 (2.4% of total)	\$58,300
Licensing		
Population	85K (8.2% of total)	\$12,000
Usage	9316 (9.6% of total)	\$55,500
Total		\$270,800
Pet License Revenue		\$284,300
Net cost		\$13,460 excess

Animal Control (Field) Service Priorities*

Priority 1 – Immediate: Threat to Life, Health Safety of Humans

- a. Serious animal biting
 - i. Severe bite (disfiguring or worse)
 - ii. Vicious in progress

Priority 2 – Immediate: Threat to Life Health Safety of Animals

- a. Animal Cruelty Abuse
- b. Injured Animal
- c. Vicious marauding (killing domestic animals)

Priority 3 – Urgent: Potential Threat to Life, Health and Safety of Humans or Animals

- a. Vicious not in progress
 - i. Animal posing potential threat
- b. Rescue stray confined
- c. Loose livestock
- d. Injured animal
- e. Cruelty neglect

Priority 4 – Non-emergency: Response goal 24 hours or less

- a. Animal bite – not severe
- b. Supervisor discretion call to scene
- c. DOA Large animal/livestock
- d. Stray dog or cat confined

Priority 5 – Non-emergency: Response goal 2-3 days

- a. Nuisance
 - i. Barking
 - ii. Trespass
 - iii. Leash Law Violation
 - iv. Illegal Kennel
- b. Notice and Order Inspection
- c. Service requests
 - iii. DOA small animal
 - iv. Rescue owners animal
 - v. Trap request

Priority 6 – Non-emergency information only

- a. Patrol requests – unwilling to sign complaint, limited information

-
- Priorities do change based on conditions, for example
 - Welfare checks are more important during extreme weather
 - Bite with owner present and in control of dog
 - Dog/cat in trap
 - Discretionary priority assigned by staff from contract Cities
 - Owner surrenders in certain situations (i.e. threat to life, health, safety of human)

Three-Year Analysis
RASKC ACO Activity Reports for Kirkland

Attachment C

	Category	2013 (293 calls)	2014 (309 calls)	2015 (282 calls)	Three-Year Cumulative		3-Year Average	
1	Animal Bite	14	19	23	56	6%	19	6% Animal Bite
2	Barking or Noise / BDL	39	13	9	61	7%	20	7% Barking or Noise / BDL
3	Canvass - pet license	Canvass	Canvass	Canvass	Canvass		Canvass	
4	Cruelty Abuse	4	8	6	18	2%	6	2%
5	Cruelty Neglect	18	14	10	42	5%	14	5%
6	Cruelty Welfare Check	14	25	22	61	7%	20	7% Cruelty Welfare Check
7	DOA	33	43	47	123	14%	41	14% DOA
8	Illegal Kennel	2			2	0%	1	0%
9	Info Only	7	8	6	21	2%	7	2%
10	Leash Law	2			2	0%	1	0%
11	NOV			1	1	0%	0	0%
12	Owned Animal	1	1	2	4	0%	1	0%
13	Other	1	1	2	4	0%	1	0%
14	Pet License	3	3	2	8	1%	3	1%
15	Police Impound/Assist	6	16	7	29	3%	10	3%
16	Stray - Confined	65	70	54	189	21%	63	21% Stray - Confined
17	Stray - Dumped at PETCO			1	1	0%	0	0%
18	Stray - Injured/DOA	8	11	15	34	4%	11	4%
19	Stray - Loose Livestock	1	2		3	0%	1	0%
20	Stray - Patrol Request	33	33	32	98	11%	33	11% Stray - Patrol Request
21	Stray - Trap Request		1		1	0%	0	0%
22	Transportation - Injured	1	2	3	6	1%	2	1%
23	Transportation - Owner Surrender			1	1	0%	0	0%
24	Transportation - Vet	2	(The opening of RASKC's Pet Adoption Center at Petco, exponentially increased #s in this category. Too many to count in 14 & 15)					
25	Tresspass	5	10	8	23	3%	8	3%
26	Vicious Mairading	1	2	2	5	1%	2	1%
27	Vicious Not In Progress	32	27	29	88	10%	29	10% Vicious Not In Progress
Totals		292	309	282	881	100%	294	100%

Green = More than 5%, but less than 10%

Orange = More than 10%

Three-Year Analysis
 RASKC ACO Activity Reports for Kirkland

	2013 (293 calls)	2014 (309 calls)	2015 (282 calls)	3-Yr Cumulative	3-yr Avr
> Number of "stray confined" that were cancelled by dispatch?	11	18	9		13
> Number of "stray confined" that were gone on arrival?	10	7	4		7
Number of "stray patrol requests" that were gone on arrival?	25	25	17		22
Number of "stray patrol requests" that were cancelled by dispatch?	4	2	2		3
	50	52	32	134	

Blue = Number of dispatches cancelled or gone on arrival

The total calls do not reflect follow-up call sequences.

Nine Of the 28 activity categories analyzed require ACO investigations. They are:

1. Animal Bite
2. Barking or Noise Complaints
3. Cruelty Abuse
4. Cruelty Neglect
5. Cruelty Welfare Check
6. Illegal Kennel
7. Trespass
8. Vicious Mirauding
9. Vicious Not In Progress

**CITY OF KIRKLAND****City Manager's Office****123 Fifth Avenue, Kirkland, WA 98033 425.587.3007****www.kirklandwa.gov**

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Deputy City Manager
Chris Dodd, Facilities Services Manager

Date: October 6, 2016

Subject: City Hall Renovation Project – Update and Discussion

RECOMMENDATION:

City Council receives an update on the City Hall renovation project and provide direction for future enhancements.

PROJECT UPDATE

On September 23, 2016, the project met a major milestone by completing a majority of the upper floor and attention has now shifted to Phase 6 of the lower floor. While the upper floor is fully occupied, finish work, installation of art glass, and punch list items will to continue for next few months.

Now that the flex space is no longer needed, that area (the former police space) is being renovated to accommodate the City's IT Department, who are expected to move into their new space in late October. The final phases include creation of a new Peter Kirk Room and renovating spaces for Human Resources and Parks Administration.

The construction contract the City entered into with Bayley Construction had a substantial completion date of October 31, 2016. Due to unforeseen conditions, owner initiated changes, a union strike and long lead times, this date will need to be revised. As of the date of this memo, the City and Bayley Construction are negotiating the updated contract date that is agreeable to both parties.

APPROVED AND ADDITIONAL CHANGES UPDATE

During the June 7, 2016 Council Meeting, a list of potential owner initiated changes was presented to the City Council for their consideration. At the meeting, the following items were authorized:

- Upgrading the men's and women's locker rooms. Council directed staff to move forward with replacing the tile in the restrooms and showers and change out the partitions and counter tops to match the new renovated public restrooms at a cost of \$98,000. During demolition, it was uncovered that the sub-floor in the showers was originally constructed of sub-standard materials and needed to be removed and replaced. This unforeseen condition will result in a Change Order in the amount of approximately \$28,000. This work will need to be done to warranty the waterproofing and tile work in the showers.

This change can be funded by the balance in the Medical Self-Insurance Fund for wellness activities or the project contingency. There are sufficient funds in the wellness balance to fund this unexpected condition.

- New conference room furnishings. The Council had approved \$120,000 for the purchase and installation of new conference room furnishings to match the renovated Council Chamber and the New Peter Kirk Room. The RFP for these furnishings was released on September 29, 2016. New conference furnishings are scheduled to be in place by the end of 2016.
- Window coverings. The City Council directed staff to replace the window coverings at a cost of approximately \$23,000. Staff had identified the window covering style and are awaiting submittals from the contractor. These window coverings are scheduled to be in place by the end of 2016.

The June 7 briefing identified up to \$1 million in project funds available for potential changes to the project scope. The actions above committed approximately \$150,000 of those funds, leaving \$850,000 that could be used for additional items described below, be placed in reserves, or be put toward other facilities projects. Note that the locker room upgrade does not count toward the total since it is funded from the wellness reserve.

Additional information was requested for the remaining items as follows:

- Additional solar panels. To double the project funded system would cost approximately \$160,000. At the moment, the designed system is to handle up to 75KW. At this time, anything above 75KW would be considered a generating station, resulting in lower the incentives and credits, and additional regulation and administration. Staff has met with the Washington State Department of Commerce and their contractor, Ameresco, to evaluate possibilities for additional solar installations and opportunities to qualify for state grants. Their initial feedback was that:
 - The City cannot use the amount invested in the current solar array being installed on City Hall as a match for the State grants.
 - To maximize our grant eligibility and probability of success, we would likely need to pursue a larger scale project with new match dollars.
 - Ameresco can undertake a preliminary audit for solar feasibility on all city owned facilities (at the City's expense, no obligation) that the City could evaluate to determine what capital investment level might work for us. Staff is looking for direction on whether to proceed with the preliminary audit.
- Building solar monitoring system. The Photovoltaic (PV) system submittal has only been recently received by the project architect for review. Staff and consultants are weighing what compatible options that exist for a solar monitoring system. As indicated at the June 7, 2016 Council Meeting, this additional change might entail adding a monitor, computer and software, which might range in cost from \$3,500 - \$11,000. Further information based on the architects review will be provided at the October 18 briefing.
- Additional vehicle charging stations. Fleet Manager Tim Llewellyn estimates that installing quick charging stations (15 minutes) would cost approximately \$60,000 each and/or installing additional slower charging stations (2 hours) would cost approximately \$13,000 each. Staff is seeking direction on which option and how many stations should be installed.

- Enhanced landscaping. Currently, there are no plans for replacing, adding or refreshing the City Hall landscaping. At the June 7, 2016 meeting, City Council directed staff to return with landscaping options. Through the project architecture firm ARC, JKLA Landscape Architects were selected to provide options and pricing for the City Council to consider. Attachment A outlines a phased approach as well as associated costs including design, installation and sales tax.

Once that direction is received on these remaining options, an update of the project budget and timeline will be developed for the next project update.



KIRKLAND CITY HALL

2016 SITE IMPROVEMENTS STUDY



a|r|c
ARCHITECTS

JKLA
landscape architects, pllc

kpff



Project Goals

Cohesive Design

Inherent in this study is the recognition that buildings and the site together contribute to defining the landscape; the story line begins at the site approach. Your first impression. At the same time the project must address the needs of a variety of user groups, fit specific program and maintenance requirements, as well as responding and complementing the existing, successful components that are to remain in a clear and cohesive way.

Native & Drought Tolerant Plantings

Native plants bring benefits to Northwest land and water resources, wildlife and people. Well-established native plants control erosion by holding the soil with their roots. They reduce flooding by slowing runoff. Trees, shrubs and groundcovers clean water by filtering out sediment and pollutants before they reach lakes and streams. Once established, native plants in the right place require little maintenance.

Accessibility & Safety

When you commit to accessibility, you ensure that your project is enjoyed by people with a wide range of abilities. As a result, potential barriers to access are not only removed, but you avoid creating them in the first place. This study assesses existing site features and provides solutions where the design could be improved in regards to accessibility or safety.

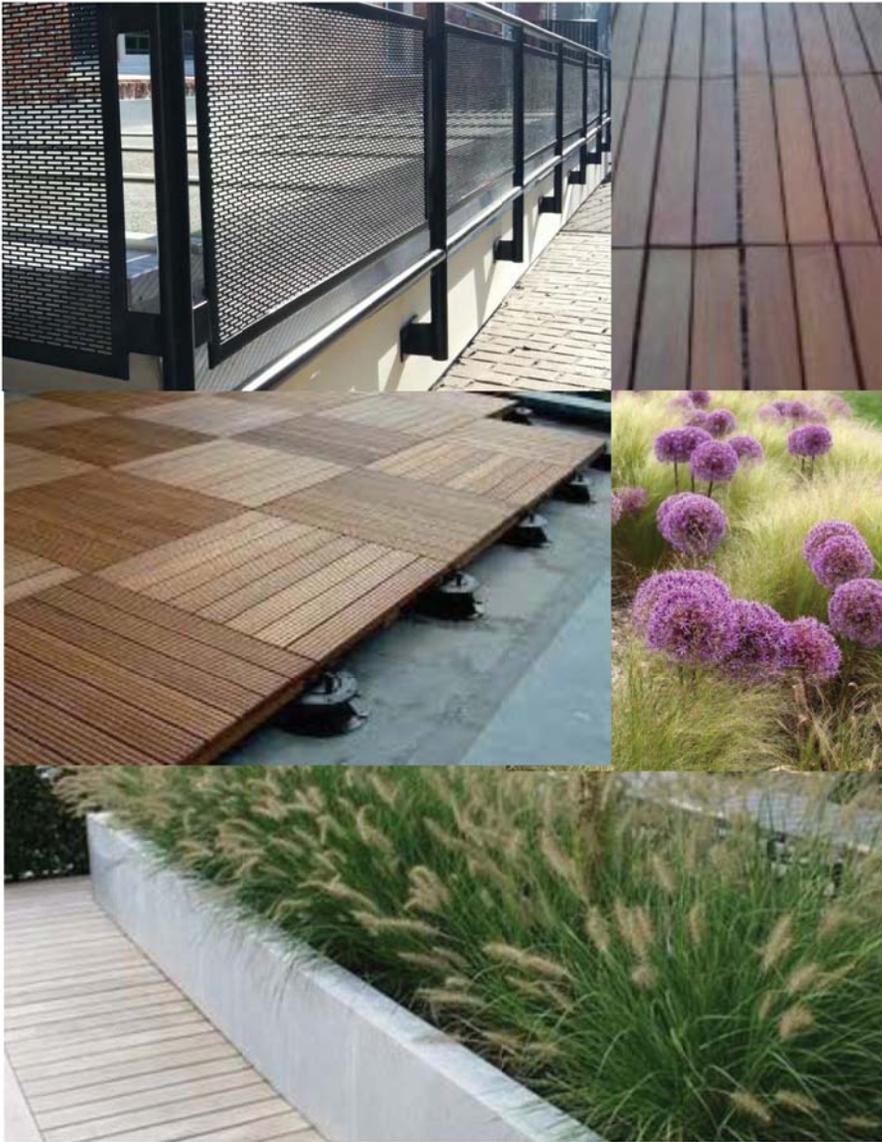
Public Awareness and Education

A signage program built into the building's spaces to educate the occupants and visitors of the benefits of green buildings. Opportunities include calling attention to water-conserving landscape features and sustainable site and building features.



KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY
OVERVIEW - PROJECT AREAS + GOALS
 2016.10.18





IPE DECKING AND RAIL



RAINGARDENS



KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY

PRECEDENT IMAGES

2016.10.18





SHADE PLANTING



VACCINIUM, GRASSES AND LAVENDER

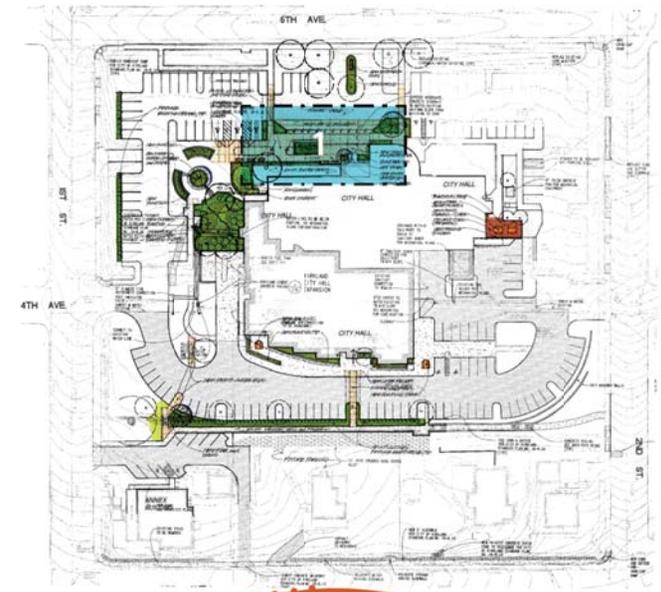
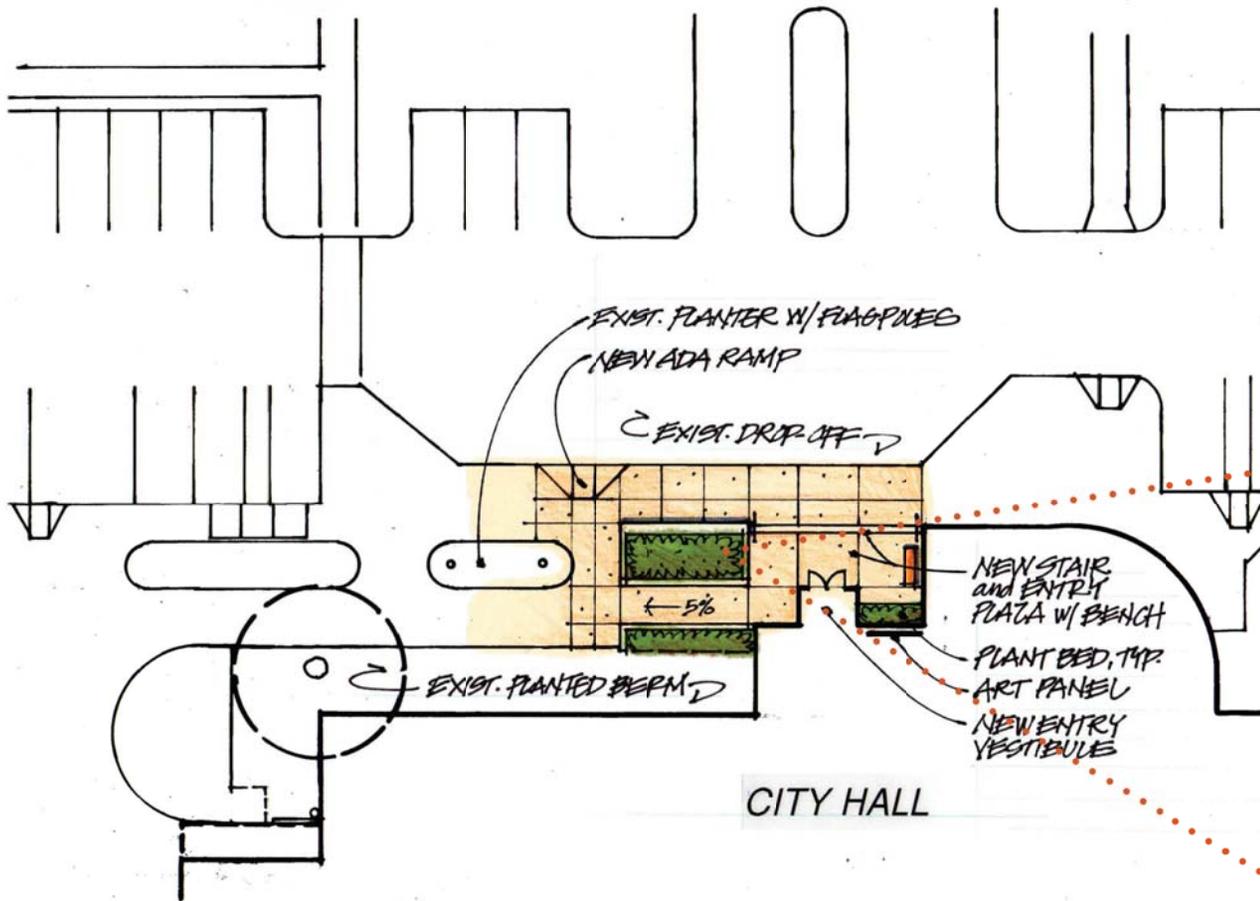


KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY

PRECEDENT IMAGES

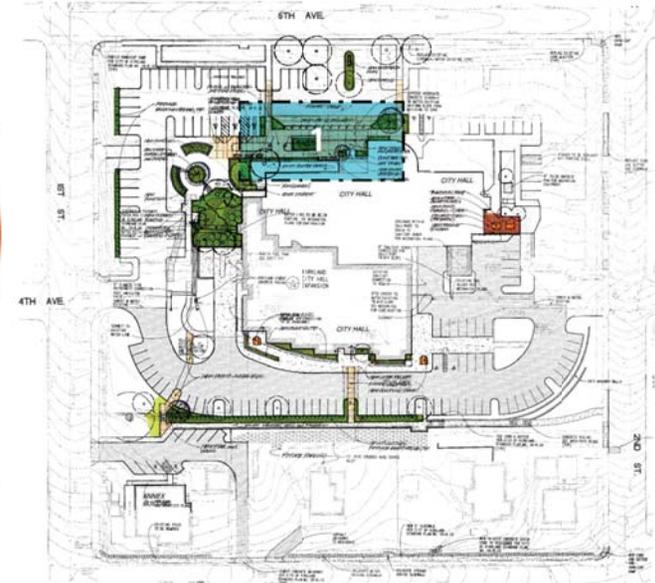
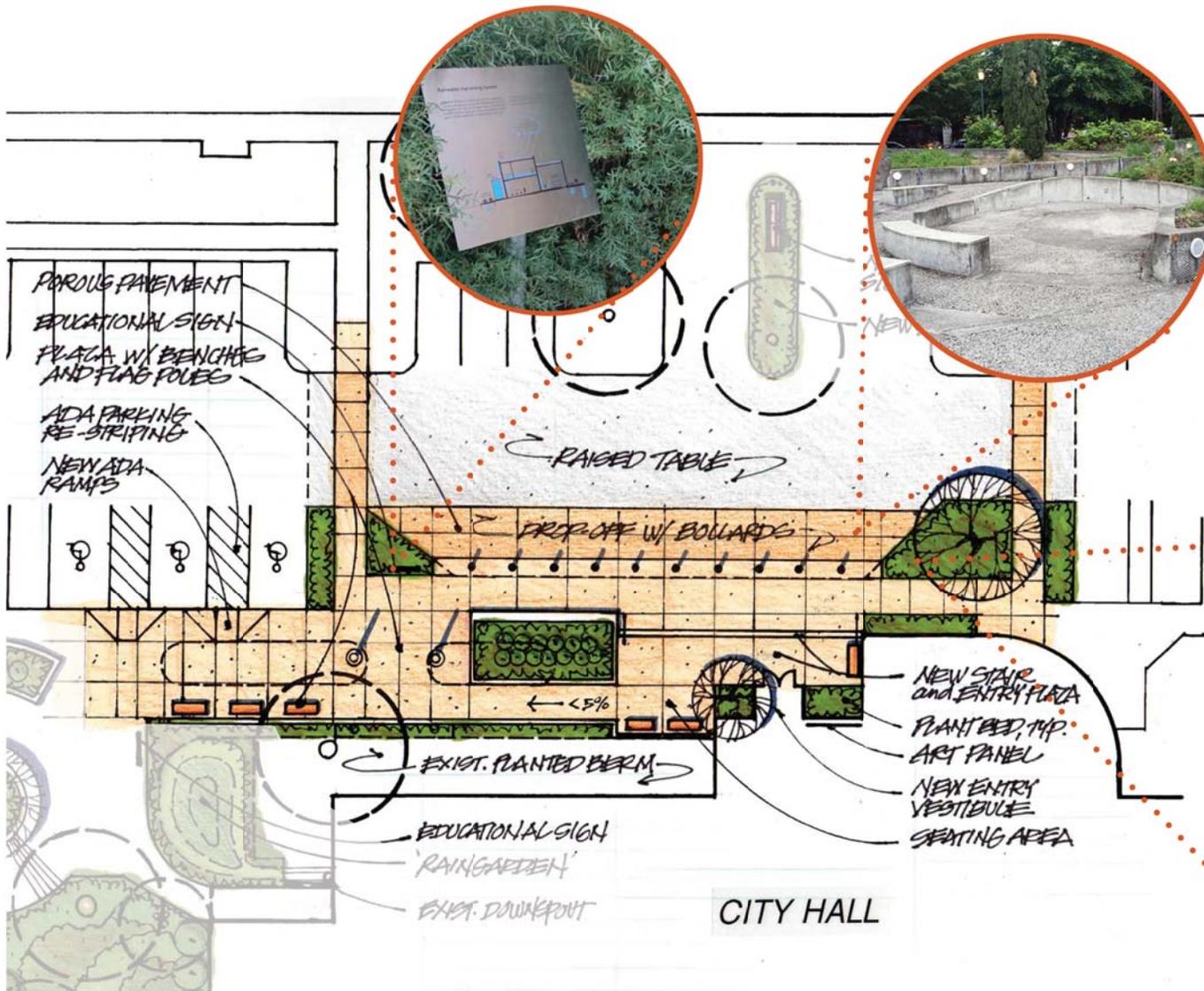
2016.10.18





KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY
AREA 1 - MAIN ENTRANCE COURTYARD (MIN)
2016.10.18

a|r|c ARCHITECTS JKLA landscape architects, pllc kpff



KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY

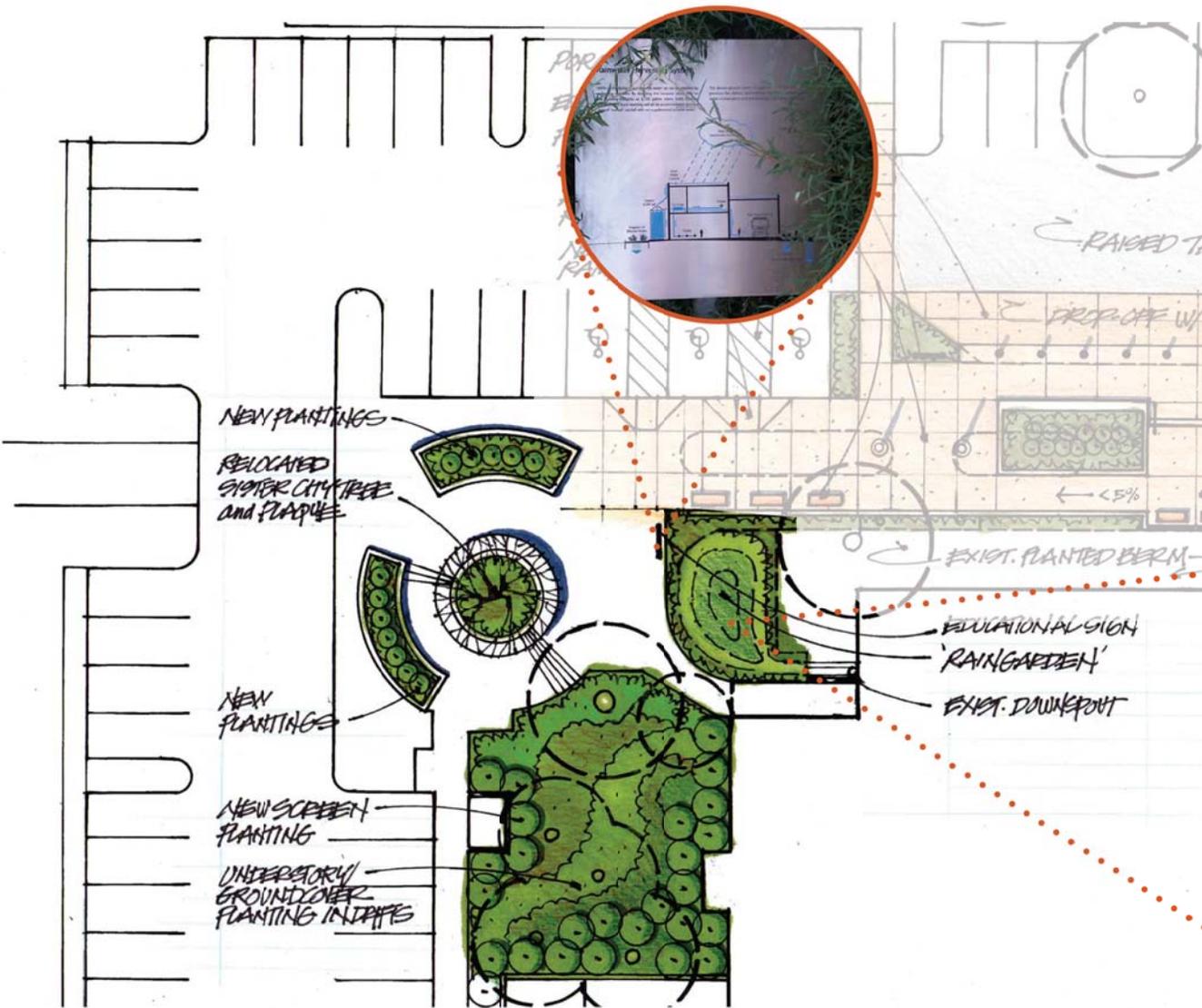
AREA 1 - MAIN ENTRANCE COURTYARD (MAX)

2016.10.18

a|r|c
ARCHITECTS

JKLA
landscape architects, pllc

kpff

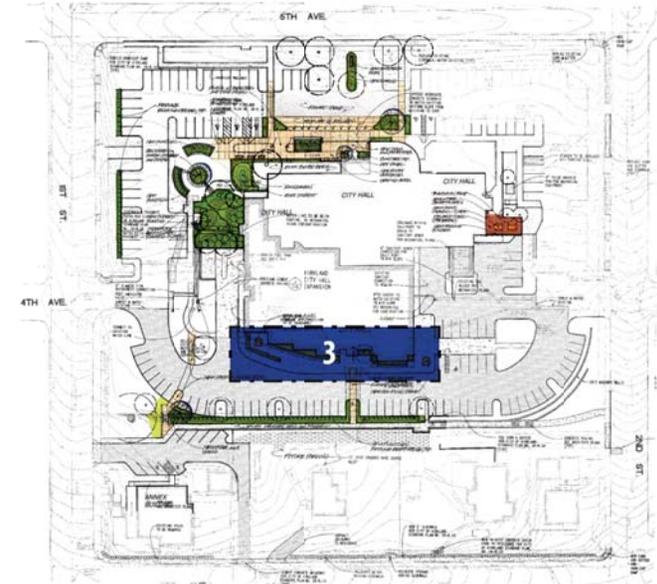
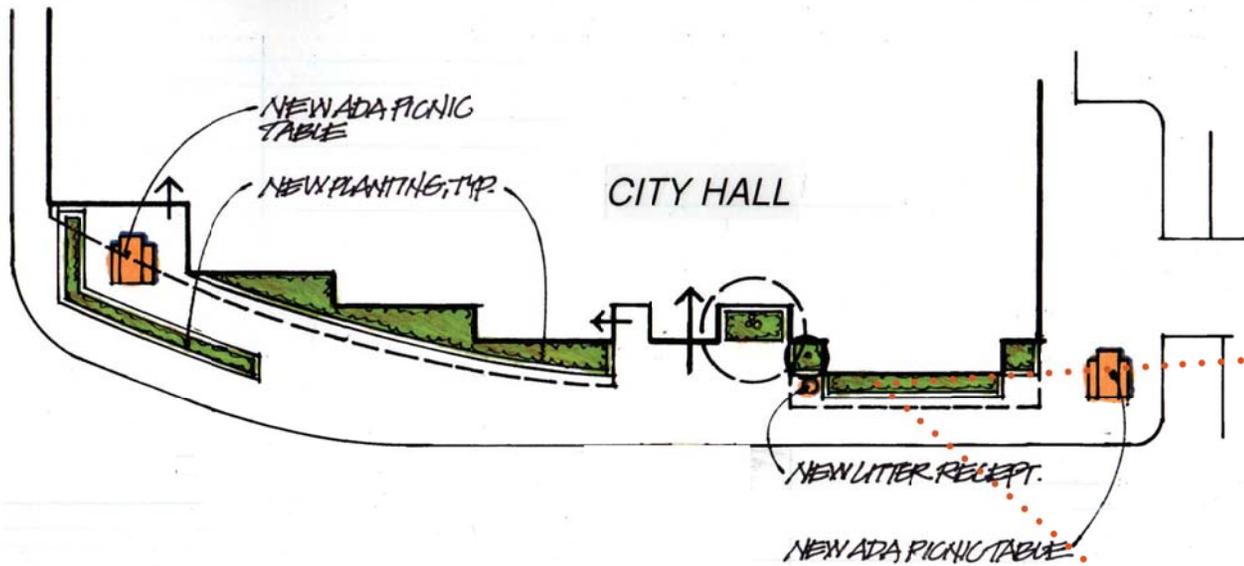


KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY
AREA 2 - NORTHWEST CORNER
2016.10.18

a|r|c
ARCHITECTS

JKLA
landscape architects, pllc

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KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY

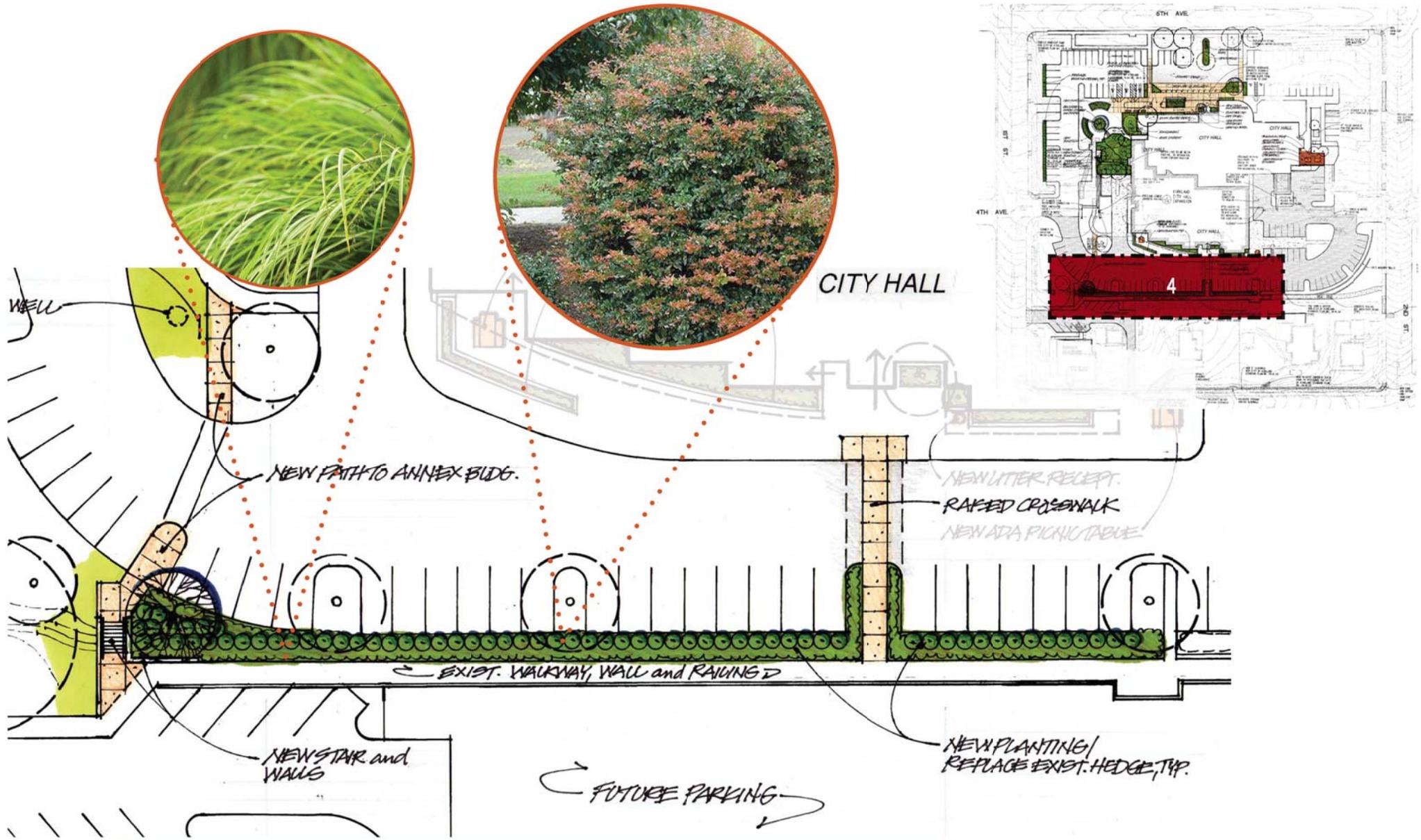
AREA 3 - SOUTH ENTRANCE AND PATIO

2016.10.18

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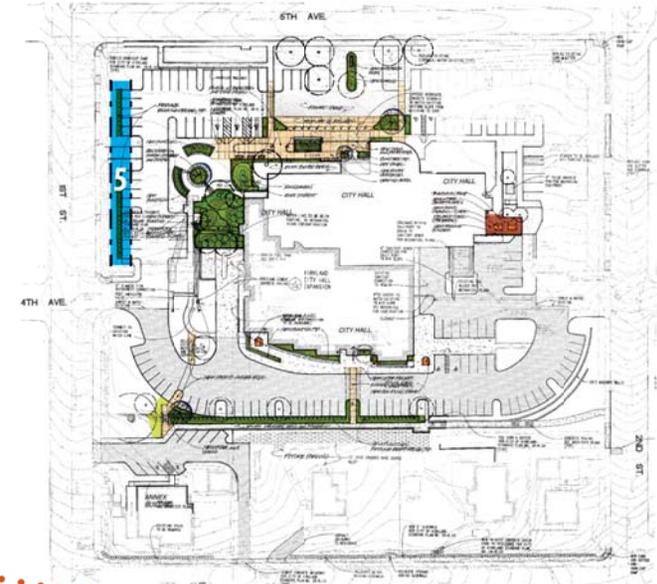
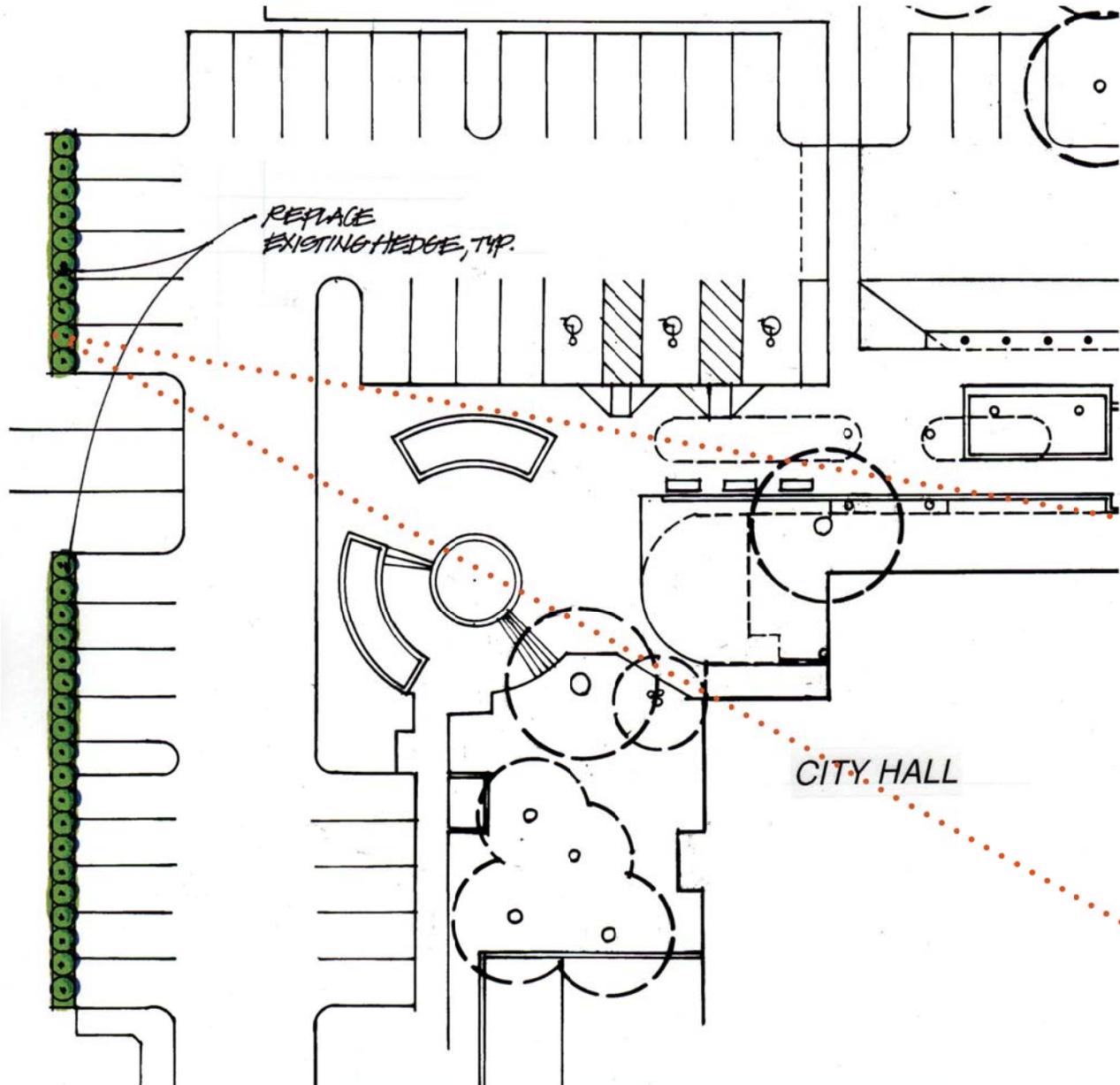
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landscape architects, pllc

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KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY
AREA 4 - PEDESTRIAN CORRIDOR
 2016.10.18





KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY

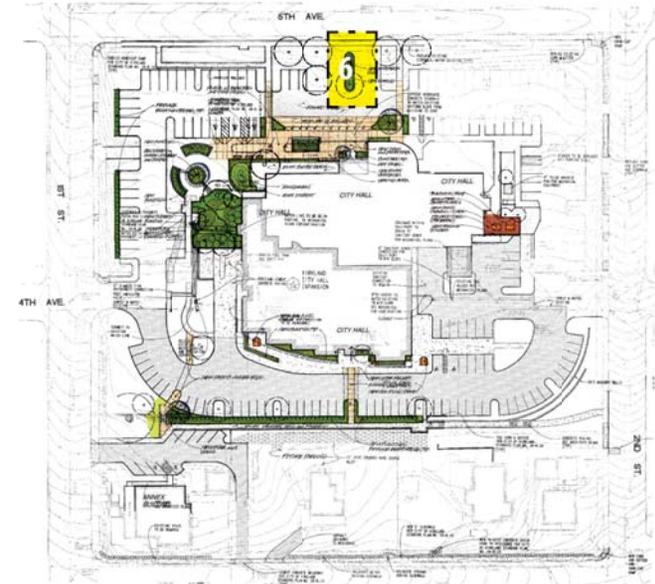
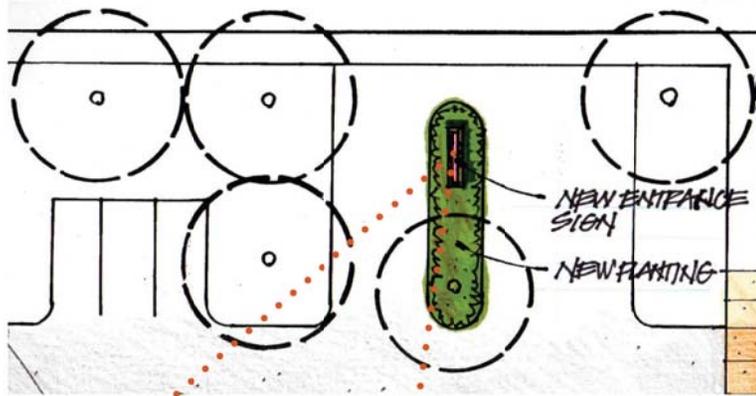
AREA 5 - WEST PARKING EDGE

2016.10.18

a|r|c
ARCHITECTS

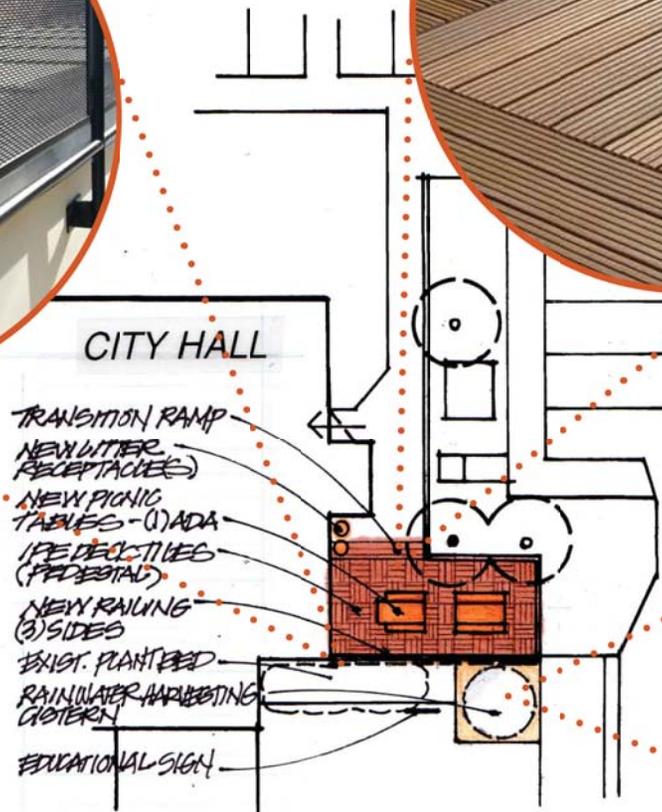
JKLA
landscape architects, pllc

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KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY
AREA 6 - NORTH BUILDING ENTRY
2016.10.18





KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY

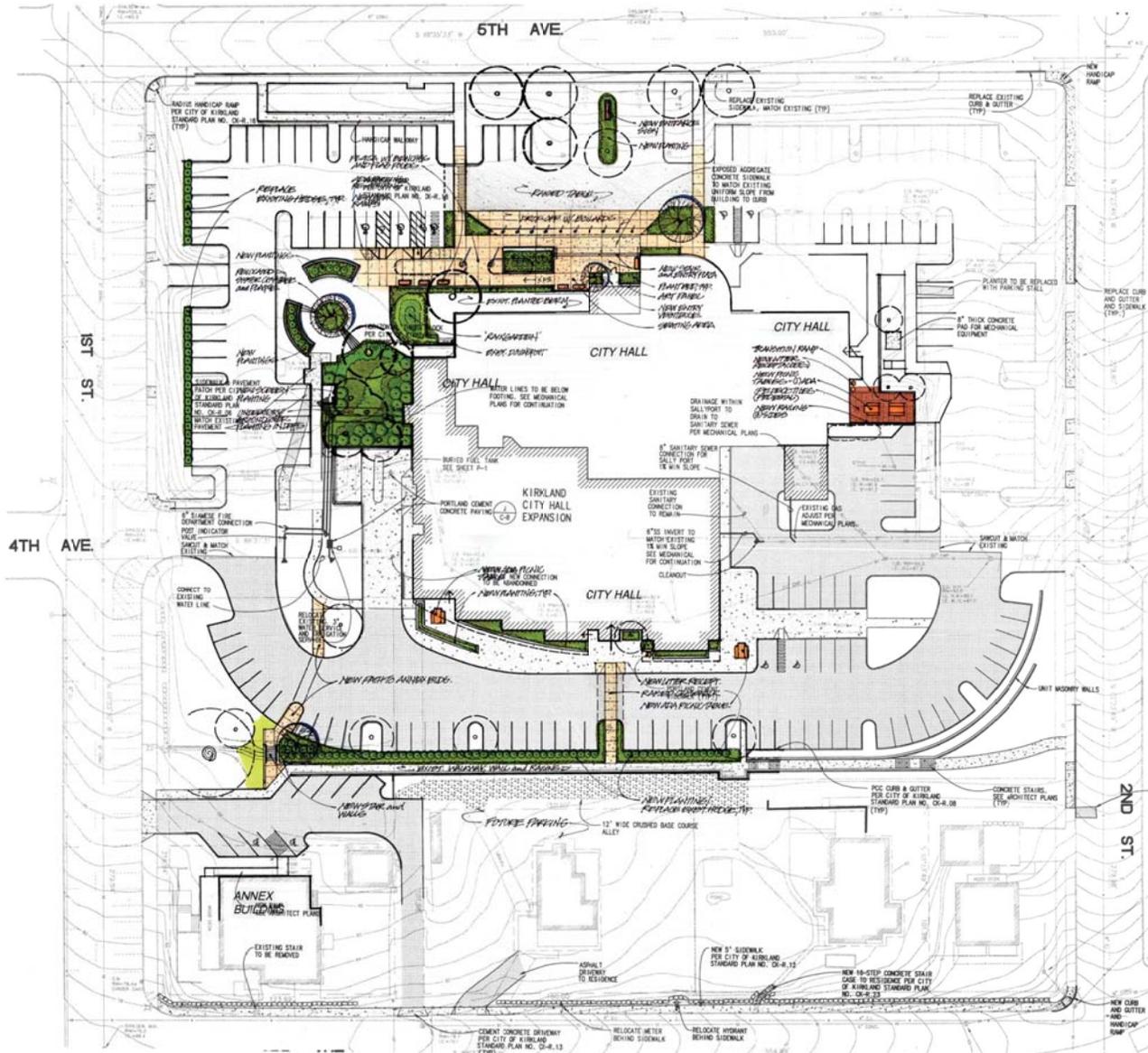
AREA 7 - EAST PATIO

2016.10.18

a|r|c
ARCHITECTS

JKLA
landscape architects, pllc

kpff



SITE IMPROVEMENT AREAS ROM COST*

AREA 1 (MIN / MAX)

MAIN COURTYARD (MIN)	\$60,300
MAIN COURTYARD (MAX)	\$376,600

AREA 2

NORTHWEST CORNER	\$104,500
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AREA 3

SOUTH ENTRANCE AND PATIO	\$18,700
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AREA 4 (MIN / MAX)

PEDESTRIAN CORRIDOR (MIN)	\$84,400
PEDESTRIAN CORRIDOR (MAX)	\$110,900

AREA 5

WEST PARKING EDGE	\$9,800
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AREA 6

NORTH BUILDING ENTRY	\$33,500
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AREA 7 (MIN / MAX)

EAST PATIO (MIN)	\$89,300
EAST PATIO (MAX)	\$167,100

TOTAL COSTS AREAS 1-7 MIN: \$400,500

TOTAL COSTS AREAS 1-7MAX: \$821,100

* preliminary ROM pricing includes construction costs, sales tax (9.5%) and design fees (17.5%). Any other soft costs are excluded.



KIRKLAND CITY HALL - 2016 SITE IMPROVEMENTS STUDY

OVERVIEW - PROJECT AREAS

2016.10.18



**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: Kathy Brown, Public Works Director
John MacGillivray, Solid Waste Programs Supervisor
Jenna McInnis, Recycling Programs Coordinator

Date: October 6, 2016

Subject: 2017-2018 Solid Waste Rates

RECOMMENDATION

It is recommended that the City Council receive a presentation of the proposed 2017/2018 Solid Waste rates, consider alternatives for funding multifamily recycling program assistance, and adopt a final solid waste rates ordinance. The ordinance included in the packet is the "base rates" ordinance that was presented to the Council in September 20. This memo identifies three additional options to the base rates that would be assessed to multifamily rate payers to provide additional resources to improve the multifamily recycling rate. These options include:

Base Rates + .50 FTE Multifamily Education and Outreach Specialist (1% MF rate increase)
Base Rates + 1.0 FTE Multifamily Education and Outreach Specialist (2% MF rate increase)
Base Rates + \$40,000 for Multifamily Consultant Services (.7% MF rate increase)

Amendments for each of the options will be provided at the Council meeting and the Council should adopt either the base rates ordinance or amend it to include one of the three options.

BACKGROUND

At its September 20, 2016 meeting, the City Council received a presentation on the proposed 2017/2018 Water, Sewer, Surface Water and Solid Waste rates. The adoption of the proposed Solid Waste rates were delayed until the second City Council meeting in October due to the Metropolitan King County Council's (MKCC) delay in adopting a waste disposal fee for the 2017/2018 biennium. On September 26, 2016, the MKCC adopted a rate of \$134.59/ton, an 11.99% increase from the current \$120.17/ton.

MULTIFAMILY DISCUSSION

At its September 20th meeting, the City Council asked staff to define the "average" multifamily solid waste customer, as is the practice with single family residential customers, so the impact of any rate increase could be better evaluated. City Council also expressed an interest in hearing alternatives for adding Solid Waste staff funded out of the multifamily/commercial sector and dedicated to working on reducing waste and increasing recycling diversion at multifamily properties.

Definition of an Average Multifamily Customer

The multifamily sector comprises approximately 43% of the available housing units in Kirkland and accounts for 23% of all solid waste (trash, recycling, and organics) landfilled, recycled, or composted in Kirkland. The number of units per property range from two up to over 400. The service levels available to multifamily properties include four sizes of garbage carts, seven sizes of dumpsters, and six sizes of roll-off containers. Service may be provided to multifamily containers up to six times per week. Additionally, many properties have more than one trash enclosure and the size of the containers are dependent upon the number of residents using the container. Accordingly, it's challenging to define the "average" multifamily customer and calculate an average bill.

For the purposes of answering this question, staff broke the multifamily sector in three distinct property sizes: small, medium, and large. To define the average size of a multifamily property within each subgroup, staff calculated a weighted average of the number of units available on each property. After having defined the weighted average number of units for each subgroup, a typical level of solid waste service for each property size was determined and used to calculate the average monthly multifamily bill.

Property Size	Weighted Average	Average Trash Service Level
Small (2-20 units)	7 units	1- 1.5 cy ³ serviced 1x/week or 3 – 96 gallon carts serviced 1x/week
Medium (21-99 units)	46 units	1- 4 yd ³ serviced 3x/week
Large (100+ units)	188 units	5 – 6 yd ³ serviced 1x/week

Multifamily Recycling Introduction

Cities in King County and around the United States struggle to improve multifamily recycling rates. The barriers to increased multifamily recycling are very different than those in single family environments. A lack of monetary incentives, high resident turnover, and infrastructure limitations are just a few of the challenges faced.

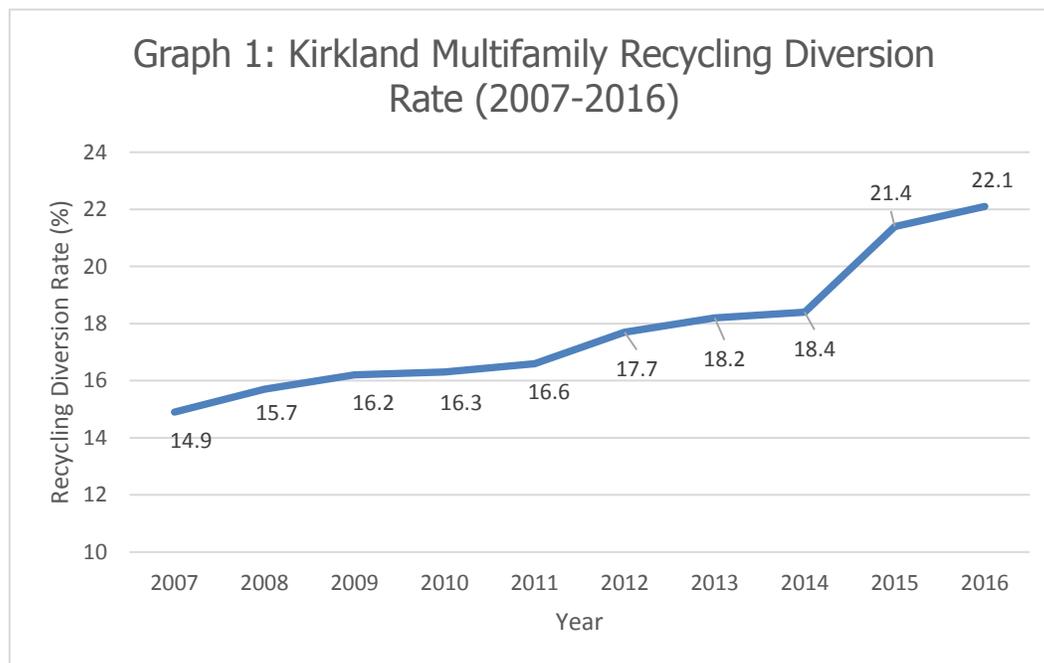
In order to improve the multifamily recycling rate, best practices indicate that reaching tenants individually and repeating the messages of education is necessary. This type of outreach and education is time intensive, and requires more effort than for single family residents. Each property requires a different approach and plan, so the resources needed for each are comparably more substantial. For more information on the challenges faced in the multifamily, please review [Attachment 1: Multifamily Recycling Staff Memo 1-5-16](#) and [Attachment 2: Washington State Recycling Association Multifamily Report](#).

Performance of Kirkland's Multifamily Recycling Program

City of Kirkland Solid Waste staff has focused more resources on its multifamily program over the past few years, leading to significant improvements in multifamily recycling. As shown in *Graph 1*, since 2014, the multifamily recycling rate has increased from 18% to over 22%. In previous years, there were minimal increases in the diversion rate. However, when compared to the single family recycling diversion rate without yard waste (42%), multifamily (22%) still lags

behind by approximately 20 percentage points, which demonstrates the need for more resources dedicated toward closing the gap.

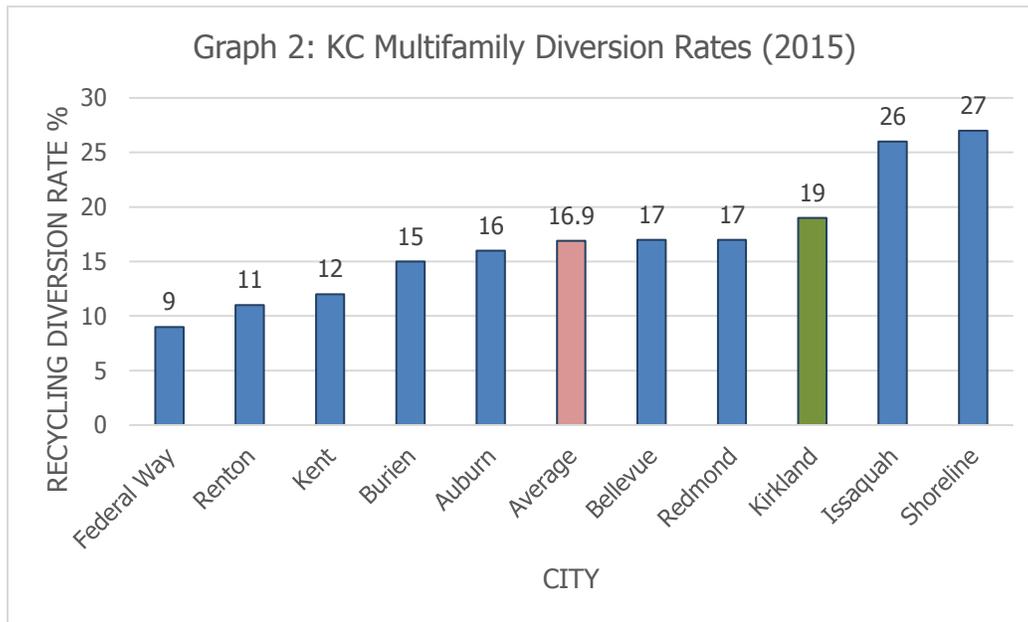
City staff has worked to ensure that all multifamily properties in Kirkland have recycling, setting up new recycling programs in 2015 at seven properties that did not have any recycling. Kirkland Solid Waste staff created the [multifamily recycling toolkit](#) in 2015 to assemble a suite of resources specifically directed toward multifamily properties and property managers, enabling staff to customize tools. Further, the multifamily recycling ordinance amendment passed by City Council in 2016 requires that multifamily properties offer equal amounts of recycling and trash service. This variety of resources allows staff to continue to work with and improve multifamily recycling throughout Kirkland.



Graph 1: Data provided by Waste Management tonnage reports.

Over the past couple of years, the staff has worked with over 35 property managers, providing over 500 individual recycling containers and guides, as well as posters and improved signage on dumpsters, presentations, and door-to-door resident outreach. Actively engaging and working with property managers and tenants requires a significant investment of staff time and resources, but the benefits have proven to outweigh the cost as the recycling diversion rate has climbed.

King County reports adjusted diversion rates by removing the estimated weight of contaminants culled from processed recyclables. In King County, Kirkland multifamily recycling diversion rate ranks 10th among 35 cities reporting 2015 data. However, many of those cities have small multifamily populations or define townhouses with single family services as multifamily, which can make it more challenging to provide meaningful comparisons of diversion rates between cities. As shown in *Graph 2*, among ten cities with significant multifamily populations of a comparable size to Kirkland, Kirkland's recycling diversion rate ranks third, behind Shoreline and Issaquah but slightly ahead of Bellevue and Redmond.



Graph 2: King County rates are adjusted so as to remove the estimated weight of contaminants in organics and recycling containers, and add the weight to disposal so the KC diversion rates are slightly lower than those reported by Waste Management.

Best Management Practices to Address Barriers

Kirkland has adopted a number of proven best management practices to improve multifamily recycling. These strategies address a variety of barriers to successful recycling in multifamily environments. City staff offer personalized visits and customized programs to meet the needs of properties. Some of the tools used by staff include the following:

- Recycling baskets/bags
- Education and outreach materials
- Signage
- Organics collection
- Presentations to tenants
- Door-to-door education
- Waste audits
- Recycling dumpsters to replace carts
- Unlimited recycling service from Waste Management
- Standard development plans (require space at new or remodeled properties)
- Partnerships with property managers

- Partnerships with low income housing programs (King County Housing Authority)
- Multifamily residential recycling service requirements (KMC 16.08.012 (G))

Multifamily Staffing Levels

Kirkland's Solid Waste program is currently staffed with a 1.0 FTE Solid Waste Programs Supervisor, a 1.0 FTE Recycling Programs Coordinator, and a .50 FTE Environmental Education and Outreach Specialist (EOS). Two part-time interns are also hired in the spring and summer months to provide support for existing recycling programs and special events. The current EOS position is augmented with an additional .25 FTE through the use of grant funding, to bring the total staffing level to 2.75 FTEs (excluding interns). Responsibility for work on multifamily recycling generally falls to the Recycling Coordinator and EOS positions with a limited level of support from the Supervisor. Historically, the Recycling Coordinator and EOS, on average, dedicate the equivalent of a .50 FTE to multifamily recycling efforts, depending upon the demand for services from tenants and property managers and the scope of planned education and outreach efforts.

As shown in *Table 2*, staff has identified general tasks and additional hours that could be provided over and above the current level of service if new staff or a consultant were hired to assist staff in an effort to increase multifamily recycling diversion. If a new position or equivalent funding for a consultant were provided, the total FTEs dedicated to working solely on multifamily recycling would approximate a 1.0 FTE. In its evaluation, staff determined that a .50 FTE position or equivalent number of consultant hours would be the most ideal and effective at increasing multifamily recycling diversion and that there would not be enough one-time and ongoing work if a 1.0 FTE were added. The addition of a .50 FTE or equivalent funding for a consultant would allow staff to double its level of education and outreach to multifamily property managers and tenants without reaching the point of diminishing returns. In multifamily outreach, over-staffing does not translate into a proportionate increase in performance as success depends primarily upon the cooperation of property managers and owners, some of who can be resistant to help.

Table 2: Tasks for New Position or Consultant	Hours per week
Evening presentations	2
Outreach to property managers (calls, emails, stop by property) at lowest diversion properties (less than 25%), to increase ratio of existing services	5
Conduct waste audits	3
Door-to-door tenant outreach distributing containers and information, and follow up visits with feedback flyer.	5
Update materials in Multifamily Toolkit	1
Site visit follow ups to check contamination	2
New development plan review	2
Proposed Additional FTE Dedicated to Multifamily	.50
Current FTE Dedicated to Multifamily	.50
Total FTE Dedicated to Multifamily	1.0

PROPOSED SOLID WASTE RATES

Solid Waste Rate Assumptions

The following factors and drivers were influential in drafting the proposed 2017-2018 solid waste rates:

- **King County Solid Waste Division Disposal Fee Increase**

On July 21, the King County Executive transmitted its proposed 2017/2018 disposal fee and budget to the MKCC. The proposal included a 14.6% increase in the disposal fee from \$120.17/ton to \$137.75/ton. On September 26, 2016 the MKCC adopted its final rate of \$134.59/ton, an 11.99% increase. King County has not increased its disposal fee since 2013. The drivers in the adopted rate included:

 - Debt service on bonds issued for the construction of the new Factoria Transfer Station in Bellevue
 - Inflationary increases in cost centers (wages, taxes, insurance, rent)
 - Equipment replacement and maintenance (Capital Equipment Recovery Program)
 - Maintenance of post-closure landfill maintenance fund
 - Improvements in service reliability (Landfill area development, regulatory compliance, operational changes)
 - A \$2 million transfer station demand management study for the Northeast County. (It should be noted that the City of Kirkland, and other MSWAC cities, are requesting that the scope of this study include the entire County, rather than just the northeast portion.)
- **Consumer Price Index Rate Adjustment to WMI.**

The City is contractually required to grant WMI an annual CPI adjustment to the collection/service component of its wholesale rates paid by the City by 100% of the Seattle-Tacoma-Bremerton Metropolitan Area for Urban Wage Earners and Clerical Workers (CPI-W 1982-1984) in the period ending in June of each year. The allowed rate adjustment for 2017 is 1.99%. The rate model conservatively forecasts a 2018 CPI increase of 2.46%.
- **Maintain the cash reserve.**

One of the goals in the 2015-2016 solid waste rates was to replenish the depleted solid waste cash reserve back to \$1,300,000. The cash reserve was drawn down to under \$508,000 in 2012 from a high in 2009 of approximately \$1,800,000. As the Solid Waste Utility pays WMI monthly, but bills its customers every two months, maintaining a sensible cash reserve allows the City to pay WMI monthly and bill its customers in arrears. Currently, the Solid Waste Utility cash reserve stands at approximately \$1,338,200 and has been replenished at a slightly higher rate than expected due to the strong economy. Completing the cash reserve replenishment helps absorb the local cost increase in 2017-2018.
- **A steady but stable rate of downsizing.**

As has been discussed, Kirkland experienced an abnormally high rate of downsizing once linear rates were established in 2009 and for a two year period after annexation between June 2011 and 2013. Downsizing becomes an important factor when customers choose to change their service level from a larger service level (96/64 gallon) to a smaller service offering (35/20/10 gallon) where the City's retail rates are lower than the

wholesale rates paid to Waste Management. The downsizing drew down the solid waste cash reserve to a dangerous level in 2012. Over the course of 2014-2016, the rate of downsizing has stabilized to predictable, pre-annexation levels so the rate can once again be forecasted in the rate modeling at 3/10 of one percent per month for the 2017-2018 biennium.

- **Maintain or reduce the commercial to single family cross subsidy.**
Multifamily/commercial to single family residential cross subsidies are not uncommon in utility rates. However, the cross subsidy has been gradually reduced; the proposed solid waste rates further reduce the annual cross subsidy to approximately \$267,000 per year from \$290,000 per year in 2015-2016 and \$390,000 per year in 2013-2014. Per City Council Resolution R-5210, the cross subsidy will be reduced to zero by 2022 unless there are significant changes to the economy or regional rates.
- **Maintain the “nearly linear” rate structure to encourage waste reduction and recycling.**
In 2009, the City Council adopted a linear rate structure in which the cost per gallon in Kirkland’s retail rates were equalized amongst all service offerings. This rate structure naturally encourages downsizing since customers do not receive a discount for having a larger cart size as is the case in a pure cost-of-service model. Linear rates encourage customers to reduce their waste and to recycle more, which has been foundational in *maintaining or marginally increasing* Kirkland’s high annual single family recycling diversion rate, particularly after annexation when Kirkland added 10,000 previously serviced under cost-of-service rate structure. Kirkland’s linear rate structure is but one tool in a suite of tools used to reduce waste and increase recycling diversion and, historically, linear rates have served to reduce waste and increase diversion incrementally rather than acutely. Since 2012, the single family recycling diversion rate has increased by 1.5 percentage points from 67.9% to 69.3%; garbage tonnage has been reduced by 1.8%; and recycling tonnage collected and diverted has remained flat. In the multifamily sector, linear rates tend to be less effective, as property managers tend to be hesitant at lowering service levels for fear of overflowing dumpsters and illegal dumping. Pricing signals also tend to be less effective with multifamily as property managers and tenants don’t receive any benefits or recognition of reducing disposal costs.
- **Multifamily Recycling Assistance**
Additional rate model scenarios were run to show the impact of adding additional staff or equivalent consulting support to improve multifamily recycling diversion. The costs for the additional assistance were allocated entirely to the multifamily/commercial rates.

Base Rates: No Additional Multifamily Staff

As noted previously, staff currently spends the equivalent of a .50 FTE working on multifamily recycling projects. Under this alternative, staff would reprioritize other single family residential, commercial, and special projects and focus more attention on multifamily recycling, raising the level of staff focused on multifamily to a .75 FTE. Other resources such as intern staff and grant funding would be used as backfill to ensure maintenance of current service levels. **The Base Rates do not include an average rate increase to multifamily/commercial in 2017 or 2018. The overall average combined rate increase would be 2.5% in 2017 and 1.7% in 2018.**

Alternative 1: .50 FTE Multifamily Education and Outreach Specialist

In this alternative, Solid Waste would add a .50 FTE Education and Outreach Specialist dedicated to working on multifamily tasks and projects as outlined in *Table 2*. The total cost for this position would be approximately \$126,142 over the biennium. Costs include wages, benefits, annual IT support, and one-time office start-up. Staff expects to have challenges filling a part-time position with an individual with multifamily experience. **This alternative would result in an 1.0% increase in 2017 and 0% increase in 2018 to the multifamily/commercial sector only. The overall average combined rate increase would be 3.0% in 2017 and 1.7% in 2018.**

Alternative 2: 1.0 FTE Multifamily Education and Outreach Specialist

In this alternative, Solid Waste would add a 1.0 FTE Education and Outreach Specialist dedicated to working on multifamily tasks and projects as outlined in *Table 2*. This position would cost \$236,283 over the biennium and **result in a 2.0% increase in 2017 and 0% increase in 2018 to the multifamily/commercial sector only. The average combined increase would be 3.4% in 2017 and 1.7% in 2018.**

Alternative 3: Consultant Funding

This alternative would build \$40,000 per year into the multifamily/commercial rates over the biennium for a total of \$80,000 to be used to hire a consultant with experience working on multifamily recycling programs to support existing City staff. Before annexation, Kirkland contracted successfully with a consulting firm to help with multifamily recycling. This option is the least expensive of the two alternatives as it avoids benefit costs and would likely be the most impactful due to the initial expertise of the consultant. \$40,000 would provide the equivalent hours of a City-employed .50 FTE. **This alternative would result in an 0.7% increase in 2017 and 0% in 2018 to the multifamily/commercial sector only. The overall average rate increase would be 2.8% in 2017 and 1.7% in 2018.**

Proposed Solid Waste Base Rates

As shown in *Table 3*, a two-year, solid waste rate is being proposed, with an overall average increase of 2.5% in 2017 and 1.6% in 2018. The rates are "front loaded" in 2017, as the MKCC passed a stable two-year rate with no increase in 2018. In order to maintain or slightly improve the subsidization of the single family residential sector by the multifamily/commercial sector, the rate increases are unequal with proposed 2017 and 2018 increases for single family of 4.6% and 2.9%, respectively. No increase is proposed for the multifamily/commercial sector in either 2017 or 2018. The proposed rates for the roll-off sector (containers >10 yd³ in capacity) are cost of service with no cross subsidies.

Sector	Base Rates		Alt 1: .50 MF FTE		Alt 2: 1.0 MF FTE		Alt 3: MF Consultant	
	2017	2018	2017	2018	2017	2018	2017	2018
Single Family	4.6%	2.9%	4.6%	2.9%	4.6%	2.9%	4.6%	2.9%
MF/Commercial	0.0%	0.0%	1.0%	0.0%	2.0%	0.0%	0.7%	0.0%
Roll-off	2.0%	2.3%	2.0%	2.3%	2.0%	2.3%	2.0%	2.3%
Average	2.5%	1.7%	3.0%	1.7%	3.4%	1.7%	2.8%	1.7%

The average residential customer would pay \$2.02 per month more than in 2016 by the end of 2018 or an average of about \$1.01 per month over the 2017-2018 biennium, as shown in *Table 4*. The 35 gallon garbage cart is used as the benchmark of the typical customer as 55% of Kirkland's residents subscribe to the 35 gallon weekly service level. The table below illustrates the total customer cost billed to the customer including the base rate, the effective utility tax rate of 10.5%, and the hazardous waste fees collected and remitted to the Local Hazardous Waste Management Program of King County.

	2016	2017	2018	End 2018
35 gallon/weekly	\$23.73	\$24.83	\$25.56	
10.5% Utility Tax	\$2.49	\$2.61	\$2.68	
KC Haz Waste Fee	\$1.46	\$1.46	\$1.46	
Total	\$27.68	\$28.90	\$29.70	
Increase/month		\$1.22	\$0.80	\$2.02
Increase/year		\$14.64	\$9.60	\$24.24

Monthly Rate Impact to Average Multifamily Customer

As shown in *Table 5*, the monthly impacts to the average multifamily customer vary by service type and service level. The rates for customers with cart-based services would increase while the rates for customers with dumpster-based services would decrease. However, the overall average rate increase still balances to 0%. This is due to Council direction given for the 2013/2014 biennium in which staff was directed to ensure that the cost for cart services were the same for single family and multifamily/commercial customers. The policy was carried forward in the 2015/2016 rates and is observed in the proposed 2017/2018 rates. The wholesale cost of cart-based service is substantially lower than for single family cart-based service so the multifamily/commercial cart retail rates are higher than they normally would be if the multifamily/commercial rate was not hardwired to the single family rate. Consequently, as the cost of the multifamily/commercial carts are disproportionately increased, the prices of dumpster services must be decreased to achieve an overall average 0% increase. The differences between the cart and dumpster rates are similar in Alternatives 1, 2, and 3.

Customer	Service Type	Service Level	2016	2017	2018	End 2018
Small	Carts	3 – 96 gal 1x/week	\$222.15	\$230.06	\$236.70	\$14.55
Small	Dumpster	1 – 1.5 cy 1x/week	\$145.12	\$144.44	\$143.97	(\$1.15)
Medium	Dumpster	1 – 4 cy 3x/week	\$782.78	\$778.91	\$776.16	(\$6.62)
Large	Dumpster	5 – 6 yd ³ serviced 1x/week	\$1,916.56	\$1,907.11	\$1,900.48	(\$16.08)

*Prices include Local Hazardous Waste Management Program Fee of \$1.46 per cart and \$12.01 per dumpster and 10.5% City utility tax.

Average Rate Impact of Multifamily Assistance to Multifamily Customers

As discussed above, there are three alternatives to providing multifamily recycling assistance. The least expensive option is to provide \$40,000 per year to fund consulting services which would increase multifamily rates by 0.7% in 2017 and 0% in 2018. The second least expensive option would be to authorize the addition of a .50 FTE Education and Outreach Specialist. This alternative would increase multifamily rate by 1.0% in 2017 and 0% in 2018. The most expensive alternative would be to add a 1.0 FTE Education and Outreach Specialist. Under this

option, the multifamily rates would increase by 2% in 2017 and 0% in 2018. Under all the alternatives to the Base Rates, there is no rate increase in 2018 so as to not exacerbate the commercial/multifamily to single family cross subsidy.

Council Action Needed

State law requires that the Solid Waste Rates be adopted by the end of October in order to provide public notification of any rate increases by January 1, 2017. The Council can adopt the attached "Base Rates" ordinance, or amend it with any of the three options discussed in the memo.

Recycling staff have achieved substantial progress towards increasing the multifamily recycling diversion rate over the past two years with current staffing levels. However, there still remains a significant gap between the single family (42%) and multifamily (22%) sectors and there is ample room for improvement. Staff is confident that current staffing levels can continue to improve on the multifamily recycling rate if the Council preference is to keep the base rates to minimize impacts on Solid Waste rates. If Council wishes to increase resources to multifamily recycling diversion, the most flexible and least costly of the three alternatives is to appropriate \$40,000 in consultant services to assist existing staff, followed by adding the .5 FTE.



CITY OF KIRKLAND
Department of Public Works
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Jenna Higgins, Recycling Programs Coordinator
Tracy Durnell, Environmental Education and Outreach Specialist
John MacGillivray, Solid Waste Programs Lead
Kathy Brown, Public Works Director

Date: December 14, 2015

Subject: Multifamily Recycling Municipal Code Revision

RECOMMENDATION

Staff recommends that City Council receive a staff presentation on multifamily recycling and adopt the recommended revisions to *Kirkland Municipal Code 16.08.12 (G) Waste Reduction Plan, Multifamily Residential Recycling* to ensure the adequate provision of recycling capacity to multifamily residents.

BACKGROUND

Improving recycling diversion at multifamily properties is an ongoing challenge for local solid waste management jurisdictions throughout the United States. Many jurisdictions, including the City of Kirkland, are striving to improve multifamily recycling and are pursuing this goal using a variety of tools.

On September 2 and October 7, 2015, Solid Waste staff provided the Public Works, Parks, and Human Services Committee (the Committee) with presentations on the successes achieved and challenges faced by staff when endeavoring to increase recycling diversion at Kirkland's 500+ condominium and apartment properties. Staff also presented potential tools to improve this effort. There are two major challenges: first, ensuring each property has recycling service on-site; and, second, making sure that each property has enough recycling capacity to contain all of the recyclables produced by residents. The materials provided to the Committee are included for reference as *Attachments 1, 2, and 3*.

Recycling Capacity Rate

Solid Waste has adopted an unwritten standard for existing multifamily properties which recommends that each property have at least a 1:1 ratio of recycling capacity to garbage capacity, or a 50% recycling capacity rate (RCR). The RCR represents the potential recycling diversion rate that could be achieved if all recycling container(s) were full every time they were

picked up. For example, a property with a 4-yard garbage service and a 6-yard recycling service would have a RCR of 60% (6yd recycling/(4yd garbage + 6yd recycling) = 60%).

WAC 51-50-009 of the State Building Code requires local jurisdictions to require all new buildings to provide sufficient space for storage of recyclable materials and solid waste, and for some jurisdictions this means at least 50% of the capacity is for recyclable and compostable materials. Kirkland's current Pre-approved Plan standard, which requires an equal amount of space for recycling for new multifamily and commercial developments, is included in *Attachment 1, Policy G-9*.

Kirkland's approach is to help all multifamily properties achieve an RCR of 50%. As shown in *Table 1*, currently less than half (48%) of Kirkland multifamily properties meet the 50% recycling capacity standard. The average RCR for all properties combined is 40%.

Percentile	Number of Properties
0-%	3
1-25%	42
26-49%	223
50%+	253

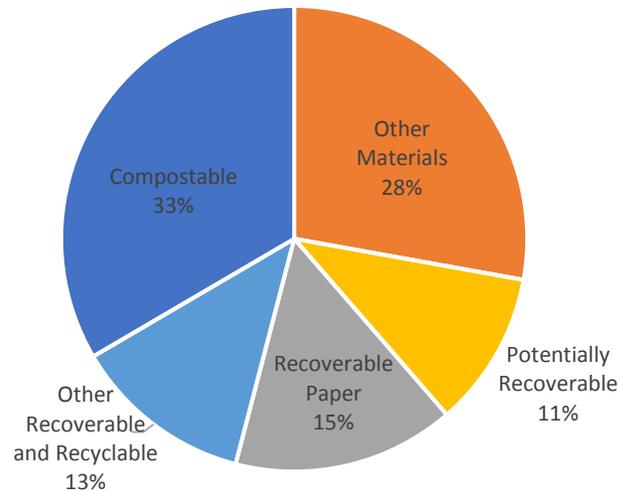
Compared to the RCR which represents *potential* diversion, the Recycling Diversion Rate (RDR) represents the *actual* diversion of recyclable materials from the landfill. The goal is to make the RDR equal to the RCR. This 50% RCR standard is just one of a variety of tools used by Solid Waste staff to try to bridge the gap between the lofty single family recycling diversion rate (without yard waste included) of 44% versus the incrementally-improving-but-still-underperforming multifamily recycling diversion rate of 20%.

Multifamily Waste Stream Characterization

Waste stream characterizations can help to understand the percentage of recyclable and compostable materials that are currently landfilled. Waste stream characterization studies only look at the items disposed of in the trash. While Kirkland has not completed its own waste characterization study, the data from the [2011 King County Waste Characterization Study](#) suffice to approximate Kirkland's own multifamily waste stream.

Chart 1 below shows the aggregate composition of King County's multifamily waste stream. About 72% of the waste collected from multifamily properties could be recovered for recycling (39%) or composting (33%). If extrapolated to Kirkland's 2014 multifamily waste stream and converted to annual tonnage, **8,300 tons** of Kirkland's multifamily waste stream could be recycled or composted but is being landfilled instead. In terms of regular recyclables such as paper, plastic, glass, and metal, about **4,500 tons** could be recovered each year from Kirkland's multifamily properties. Currently, only 2,500 tons of Kirkland's multifamily recyclables and 160 tons of compostable materials are actually diverted from the landfill each year.

Chart 1: King County Multifamily Waste Stream (2011)*



*2011 King County Waste Characterization and Customer Survey Report

Recoverable Paper – Paper materials for which recycling technologies, programs, and markets are well developed, readily available, and currently utilized. An example of Recoverable Paper is newspaper and cardboard.

Other Recoverable – Other, non-paper materials (plastic, metal, and glass) for which recycling technologies, programs, and markets are well developed, readily available, and currently utilized. An example an Other Recoverable is PET (plastic) bottles.

Compostable/Potentially Compostable – Organic materials typically accepted for use in commercial compost or digestion systems. An example is unpackaged/scrap vegetative food.

Potentially Recoverable – Materials for which recycling technologies, programs, and markets exist, but are either not well developed or not currently utilized. Examples include used oil filters, paint, expanded polystyrene, or mattresses.

Other Materials – Materials that are not readily recyclable or face other market-related barriers. An example problem material is used plastic trash bags.

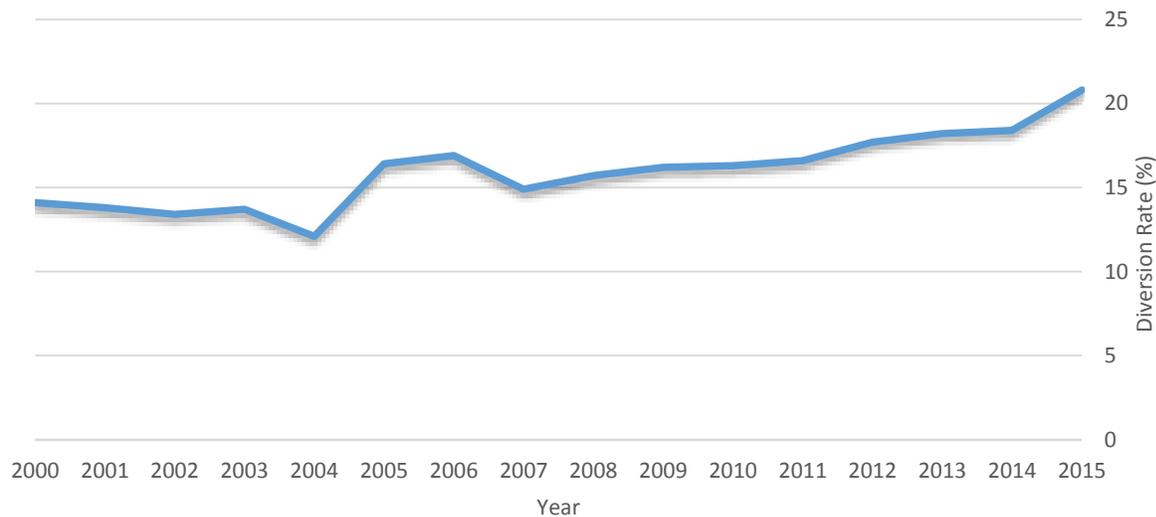
While it is not an exact science converting tonnage (weight) to cubic yards (volume), Kirkland has enough recycling volume in place to achieve only a 40% multifamily recycling diversion rate, while King County has a goal of achieving a combined (single family, multifamily, commercial, and self-haul) diversion rate of 70% by 2020. While both single family and multifamily customers have access to unlimited recycling, multifamily property managers infrequently take full advantage of this service. This reinforces the need to not only increase Kirkland's multifamily recycling capacity but to also continue to provide intensive education and

outreach to property managers and residents to help them fully utilize their increased recycling capacity.

KIRKLAND'S PROGRAMS AND SUCCESSES

Since 2007, excluding internal staff labor, Kirkland Solid Waste has expended over \$130,000 in State and County grant funding toward improving its multifamily recycling diversion rate, which has resulted in an incremental increase in recycling at multifamily properties, from 15% in 2007 to 20% in 2015. Additional assistance has been provided through the City's advantageous contract with Waste Management (WM), where WM provides, upon request, unlimited recycling capacity at no additional cost to multifamily properties and is required to provide assistance with education and outreach through annual mailings and contacts with multifamily residents and property managers.

Figure 1: Multifamily Recycling Diversion Rate (2000-2015)



Kirkland's Multifamily Recycling Program Goals

There are three fundamental goals for Kirkland's multifamily recycling program:

1. To ensure all multifamily properties have on-site recycling;
2. To ensure property managers and tenants have enough recycling capacity for their recyclable materials; and,
3. To provide comprehensive education and outreach to remove barriers and encourage managers and tenants to fully utilize their recycling capacity.

Best Management Practices to Address Barriers

Kirkland has adopted a number of proven best management practices to improve multifamily recycling. These strategies address a variety of barriers to successful recycling in multifamily

environments. City staff offer personalized visits and customized programs to meet the needs of properties. Tools used by staff can include the following:

- Recycling baskets/bags
- Education and outreach materials
- Signage
- Organics collection
- Presentations to tenants
- Door-to-door education
- Waste audits
- Recycling dumpsters to replace carts
- Unlimited recycling service from WM
- Standard development plans (require space at new or remodeled properties)
- Partnerships with Property Managers
- Partnerships with low income housing programs (King County Housing Authority)

Multifamily Recycling Successes

The City of Kirkland has focused considerable effort on working with multifamily property representatives over the past few years. Specifically in the last year, the City developed its [Multifamily Recycling Toolkit](#), a set of resources to share with property managers and tenants to help improve and increase recycling. This toolkit of resources is available through property site visits and online. Managers are able to print their own materials from the website or order them for free through the City.

Over the past nine months, the City has worked with over 20 properties, providing over 350 individual recycling containers and guides, as well as posters and improved signage on dumpsters, presentations, and door-to-door resident outreach. Actively engaging and working with property managers and tenants requires a significant investment of staff time and resources, but the benefits have proven to outweigh the costs.

- At Kirkland Heights, a 180-unit property in Kingsgate, the City worked with Waste Management and property management staff to develop a brand new recycling program. Recycling dumpsters were added throughout the property, adding 54 cubic yards of recycling capacity where there used to be none. The property's RCR went from 0% to 40%, and the changes helped them save \$1,600 per month – almost \$20,000 per year. Residents attended a recycling kickoff party, where kids played recycling games and each household could take home a recycling guide and container for their home after making a recycling pledge.



- Staff also worked closely with the property management team at Cambridge Place/Village at Juanita, a 130-unit condo and apartment complex, to increase recycling capacity and add compost service while increasing resident education. The property added additional recycling carts to each enclosure area; reduced garbage service; added City-provided composting service; and provided recycling starter kits and education to residents coming into the office. Through this program, the property is now saving over \$800 per month, and has increased their RCR from 14% to 34%. Because of the success of the program, property management is considering rebuilding the enclosures to accommodate recycling dumpsters, to meet the increased demand for recycling space.
- Small properties can benefit from recycling programs too. Brookside Park, a 16-unit condo complex in Moss Bay implemented recycling this year. After adding recycling service, they found they could decrease their garbage service. The City provided recycling containers, guides, and posters to all residents, and helped the property go from a 0% recycling capacity rate to 48%, while also saving almost \$100 per month on their bill.

Kirkland's current multifamily program has been largely successful at making incremental improvements to the recycling diversion rate. Using the combination of tools directed at changing behavior is and will continue to be effective, yet certain access and convenience standards are needed to further advance multifamily recycling success. Staff believes new heights in multifamily recycling diversion can be reached through City Council legislation that requires all existing and new properties to have recycling on site, and to have a minimum ratio of recycling service to garbage service.

STAFF RECOMMENDATION

Kirkland's current KMC 16.08.12 (G) only "urges" multifamily properties "... to choose to participate in placement for collection for recycling the following materials: newspapers, mixed papers, and recyclable bottles, cans and plastic containers ..." but does not require multifamily properties to have recycling service or have enough recycling capacity for residents.

As shown below, staff is proposing a modest revision to KMC 16.08.12 (G) that would require all multifamily properties to offer recycling service to its residents and offer at least a 1:1 ratio of recycling capacity to garbage capacity. The proposed revision also encourages properties to use recycling dumpsters versus carts when space is available. The airspace in dumpsters is more amenable to accommodating larger recyclables, such as unbroken-down cardboard boxes. In addition, it is suggested that when possible, recycling and garbage should be co-located to improve access and diversion. Further, the code revision provides property owners with the



ability to request a variance, and provides staff with some discretion in enforcing the code where a property is already close to the 50% recycling rate requirement or does not have enough space to accommodate the mandated increase in capacity.

Proposed KMC Revision

KMC 16.08.012 (G) Multifamily Residential Recycling. Multifamily residential customers ~~may choose and by the city are urged to choose to~~ **shall** participate in placement for collection for recycling, **at a minimum**, the following materials: newspapers, mixed papers, and recyclable bottles, cans and plastic containers. Recyclable materials will be collected on the same pickup schedule as solid waste collections. Recyclable materials shall be placed in **properly-labeled recycling Detachable Containers or recycling** carts distributed by the city's solid waste collection contractor. **Where space is available, Detachable Containers shall be used in lieu of carts. All multifamily properties shall provide to residents a minimum total weekly volume of recycling capacity equal to or greater than the total weekly volume of garbage capacity. To the greatest extent possible, garbage, recycling, and compost containers should be co-located. Multifamily residential customers using containers will receive two or more recycling carts as determined by the size of the solid waste container: The Public Works Director or designee may vary the requirements of this subsection at his or her discretion or upon the request of the property owner if, in the opinion of the Director, the variance is necessary or reasonable. The variance must be in writing and may be revoked by the Director at any time if the necessity for the variance ceases to exist or for any other reason determined by the Director or designee, which determination shall not be made unreasonably. The revocations will be effective on a date or time selected by the Director, which may be immediately if circumstances so require.**

Container Size	No. Recycling Carts
2 or fewer yards	2
3 or 4 yards	3
6 yards	5
8 yards	6
10 yards	8
20 yards	15
25 yards	19
30 yards	23
40 yards	30

EDUCATION AND OUTREACH PLAN

The education and outreach plan will be integrated into the larger multifamily recycling effort in which staff has targeted and offered assistance to properties based upon their recycling capacity rate ranking by percentile. Properties will be notified via an informational postcard mailing in groups with the lowest recycling capacity rates (0-10%) contacted first, followed by 11-25%, 26-35%, and finally the 36-49% group. Staff will follow up with properties most in

need of assistance to help get them to or close to the updated code requirement. To prevent confusion and pre-empt calls and emails, properties already in compliance with the new code will not be contacted.



Sorting It Out:

The State of Multifamily Recycling in Washington State

Washington State Recycling Association
Washington Multifamily Recycling Study Group (WAMRS)
July 3, 2014



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Executive Summary

This report is the culmination of two years of effort by recycling and solid waste professionals to understand and improve multifamily recycling in Washington State. In the spring of 2012, the Washington State Recycling Association (WSRA) convened more than 30 recycling professionals from all around Washington to design and implement a study of multifamily recycling. These and other stakeholders formed the Washington Multifamily Recycling Study Group (WAMRS), and agreed to participate in several committees to accomplish four objectives:



- **Characterize Washington multifamily recycling programs.**
- **Draw greater attention to multifamily recycling in Washington.**
- **Identify best practices in Washington multifamily recycling and food waste composting programs.**
- **Make recommendations for next steps.**

This resulting report briefly contextualizes multifamily recycling in Washington, explains findings and makes recommendations, and is based on the compilation of three research activities:

1. A survey of Washington governmental jurisdictions, primarily cities and counties (“Agency Survey Report”)
2. A survey of property managers and owners of multifamily properties in Washington, including executive interviews with property managers (Survey of Property Managers—Multifamily Recycling Survey Report 2013 by Elway Research and Full Circle Environmental)
3. A review of multifamily recycling programs from across the United States and Canada (“Review of Multifamily Recycling Programs in the United States and Canada”)

The reports developed for each of the three research activities can be found at:

<http://www.wsra.net/?page=WAMRS>

Preliminary findings were presented at the WSRA Washington Recycles Every Day (WRED) special event in June 2013 titled “Sorting it Out: The State of Multifamily Recycling in Washington.” Almost 100 industry professionals and property managers attended. In the preliminary findings, the committee concluded the following:

- ⊕ *In most cities and counties across Washington, there is minimal or no targeted focus on multifamily recycling.*
- ⊕ *Substantially varying perspectives about multifamily challenges and barriers exist, with a wide assortment of attempts to achieve results.*
- ⊕ *Statewide there is a lack of reliable data regarding recycling rates and tonnages specific to multifamily recycling. This prevents adequate documentation of measures to quantify “success.”*

As this work progressed, the WAMRS team further discerned that multifamily recycling success is not found in one strategy, but depends upon three components being simultaneously

employed. This effort did not identify which component had a greater impact on successful recycling programs (i.e. causality). The three components are:

1. Collection logistics
2. Policies and regulations
3. Education and outreach

The key takeaways from each of these components are detailed below.

1. COLLECTION LOGISTICS:

Successful programs incorporate effective logistics into program design, including:

- Cart placement for convenience, access, and ease of use
- Space needs for containers both inside units and outside buildings
- Collection, storage and transport of recyclables and organics from housing units to collection points
- Container color coding
- Truck accessibility

Appropriate placement of collection containers and placement and design of waste enclosures may help with participation, reduction of contamination and prevention of illegal dumping. Some local governmental solid waste and recycling agencies in Washington provide in-unit and counter top collection baskets or bags for residents to use to collect and transport materials from housing units to outdoor containers.

Color-coded collection containers for recycle, organics and garbage, and the placement of recycling and food waste containers near garbage containers make it more convenient for residents to participate in material diversion programs.

Finally, clear signage, labels, and posters clarify what is and is not accepted in containers. Cameras, lights, barriers, or other mechanisms to prevent illegal dumping may also be helpful.

2. POLICY AND REGULATION:

Policy solutions exist to address issues such as contamination and illegal dumping through ordinance and contract specifications. Examples of policy and regulations influencing multifamily recycling programs in Washington include:

- Service level ordinances (including mandating recycling programs)
- Jurisdictional contracts (including embedded rates for recycling)
- Building code requirements (solid waste and recycling enclosure standards)
- Funding for waste reduction and recycling (Department of Ecology and county grants)
- The Washington Utilities and Transportation Commission (WUTC) (State regulation of service providers regarding rates, territories, transportation, etc.)

The most influential regulations affecting multifamily recycling and food waste composting programs occur at the city and county levels. Popular examples of underutilized strategies include design standards for waste enclosures that provide necessary space for solid waste, recycling and food waste composting containers; rate structures that incentivize recycling and composting programs and encourage reduction of waste; and service level ordinances requiring recycling or banning recyclables from the garbage.

Significant opportunity exists to utilize these tools to benefit multifamily recycling and food waste composting in Washington.

3. EDUCATION AND OUTREACH:

Most educational strategies used by property managers and recycling professionals are passive in application such as websites, flyers, brochures, container labels, newsletter articles and posters. Several jurisdictions in Washington have demonstrated that multifamily recycling and food waste collection benefit from more active education methods such as resident orientations upon move-in, door-to-door outreach, and property manager trainings.

With changing demographics in Washington, it is important to address non-English speaking communities about recycling and food waste collection through translated materials, interpreters at events and trainings, and outreach designed for cultural relevance.

Education, employed wisely with smart logistics and policy, is crucial to material diversion.

Recommendations

The following next steps are proposed for consideration for continued efforts to improve multifamily recycling in Washington:

- Convene stakeholders to determine how to more successfully measure state-wide multifamily tonnages and recycling rates
- Provide a forum to discuss effective outreach tools and strategies, and how to build more active multifamily recycling outreach in Washington.
- Compile and publish evaluated best practices for multifamily recycling logistics, education and policy
- Address illegal dumping
- Better engage recyclers/haulers in future studies

Current State of Multifamily Recycling in Washington

The 1989 “Waste Not Washington Act” formalized the waste reduction and recycling efforts already building in Washington by establishing a hierarchy for solid waste. The top priority was defined as waste prevention, commonly including reduction up front plus repair and reuse.

Recycling was declared the second priority, followed by proper garbage disposal in legal landfills. The Washington State Department of Ecology was authorized to provide grants and support for solid waste programs targeting waste reduction and recycling and has been a significant partner in the efforts of local government. These efforts “caught fire,” resulting in many substantial projects and accomplishments, and a strong recycling rate when compared to other states.

While Washington is nationally recognized as a leader in recycling and composting efforts, there are notable differences across the state. Recycling services, costs, programs and policies vary from city to city and county to county. These variations are affected by many factors, including rural/urban location, proximity to materials recovery facilities (MRFs), jurisdiction budgets dedicated to recycling activities, the density of multifamily properties, and political will.

Washington does not have segregated multifamily recycling reporting within the [Annual Solid Waste Status Report](#). This is partly due to some jurisdictions collecting multifamily recyclables in the same loads with residential single family recyclables. In other places, recyclables are collected in dumpsters (and occasionally in drop boxes or compactors), and serviced on the recycling haulers “commercial” routes.

Each of these configurations depends on a number of factors including how a city contracts with service providers, minimum service levels for county-regulated areas, and service provider preferences and routing efficiencies. Because multifamily refuse and recycling is not segregated from residential or commercial routes, the quantities are mingled with residential and commercial tonnage data, resulting in no concrete (or measurable) breakout for multifamily quantities.

This lack of accurate, identifiable tonnage data along with inconsistency in the methodologies used to estimate multifamily refuse and recycling make it nearly impossible to determine a state wide multifamily recycling participation rate or calculate tonnage of recyclable materials collected from this sector.

There is limited data for identifying how many multifamily properties in Washington have access to recycling service. Data from the Washington State Department of Ecology indicates that 87 percent of Washington residents have access to curbside recycling.¹ All King County cities, which represent approximately 29% of the state’s population², have converted to commingled recycling over the last 10 years. Additionally, twenty-nine percent of multifamily properties responding to the survey reported having single material (otherwise known as source separated) recycling collection, such as cardboard, paper, aluminum or glass. Seventy percent of respondents said they have “all-in-one” containers for recycling.

¹ http://www.ecy.wa.gov/beyondwaste/bwprog_swCurbsideRecycling.html

² <http://quickfacts.census.gov/qfd/states/53/53033.html>

Forty percent of responding property managers statewide indicated that food waste collection is set up at their properties, while 90% stated that their properties recycle. Seventy-two percent of responding Seattle properties reported food waste collection service for residents, while 26% of properties located in King County outside the City of Seattle reported providing composting³.

Less than 25% of properties across the rest of the state offer food waste composting:

- Eastern Washington: 25%
- Far west/Olympic Peninsula: 22%
- North Sound: 19%
- Pierce/Kitsap County: 16%

In Eastern Washington, just 23% of reporting properties provide *both* recycling and food waste composting collection.

Varying perspectives about Barriers and Challenges

The views of local government staff and property managers differ regarding primary recycling and composting challenges at multifamily properties. Recycling professionals view contamination and space as the top two challenges, while property managers cite culture and habits of residents, and illegal dumping as their top two challenges.

Survey responses--Perceived "Top" Multifamily Recycling Challenges		
Ranking	Agency Representatives ⁴	Multifamily Property Managers ⁵
1	Contamination	Culture & habits of residents
2	Space	Illegal dumping by non-residents
3	Lack of manager support	Lack of resident willingness
4	Resident or manager turnover	No consequences for not recycling
5	Resident knowledge	Resident knowledge
6	Residents won't participate	Contamination
7	Multicultural and language challenges	Space

United States recycling professionals perceive resident turnover as a major challenge to conducting recycling education in multifamily developments⁶.

Similarly, nearly 80% of Washington local government agency respondents reported that resident turnover is a key challenge. This challenge ranked fourth of 13 possible challenges⁷.

³ Note: As of 2013, Seattle reports a 96% subscription rate among multifamily properties for food waste collection.

⁴ "Agency Survey Report"

⁵ Survey of Property Managers, p. 19

⁶ "Review of Multifamily Recycling Programs..."

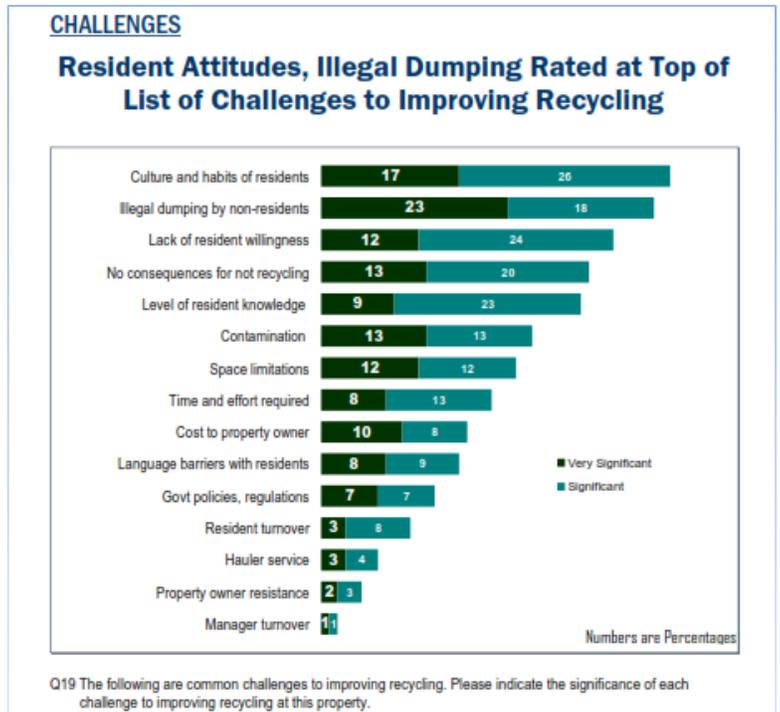
⁷ "Agency Survey Report" p.15

Interestingly, *property managers* do not view resident turnover as a primary challenge. For them, turnover ranked 12th of 15 challenges. Managers ranked illegal dumping as the second most prevalent challenge. Managers also said that assistance to reduce illegal dumping was the third best strategy for *improving* recycling at their properties.⁸

In addition to illegal dumping, the other top challenges for property managers are each related to the *behaviors* of multifamily residents associated with their knowledge, choices and habits.

Eight out of ten managers said they were willing to do more to encourage recycling, including one in four who were willing to do “much more.”⁹

In addition, property managers reported that the size of the building affected organics collection¹⁰



Property Size and Organics Collection	
# units	% with composting service
1-20	55%
21-100	42%
100+	27%

⁸ Survey of Property Managers p. 20

⁹ Survey of Property Managers p. 21

¹⁰ Survey of Property Managers p.9

Collection Logistics

Collection logistics are integral to the success of multifamily recycling. How much material is captured and diverted depends upon which materials are accepted in recycling containers, and how those materials get to the bins. Service, container placement, and convenience are all critical factors to consider for multifamily properties.



Multifamily recycling and solid waste collection logistics are impacted by a number of factors in Washington, including the crucial role recycling service plays. Because of the variety of recycling service providers, markets for recyclable materials, and policies which influence recycling logistics, recycling is not the same in every city or county in Washington. These logistics significantly impact how much a given multifamily property can recycle. Notable factors include:

1. The space *inside* of buildings for recycling collection and/or consolidation.
2. The space *outside* of buildings for recycling carts or dumpsters that are serviced by haulers.
3. Availability of recycling collection services: (*Which recyclables are collected, and what are the sorting requirements?*)
 - a. Commingled recycling — cans, bottles, paper, cardboard collected in one bin
 - b. Source-separated recycling — single materials like paper or glass in separate bins
 - c. Food waste and/or organics collection
 - d. Bulky and re-usable items collection

Convenience Makes a BIG Difference

Convenience was rated as paramount by property managers when asked about the difference between “properties where recycling works well and properties where recycling does not work well.”¹¹ Specifically, sixty percent of respondents rated “recycle containers near garbage containers” in the top five most successful things they have done for recycling/composting. Twenty-five percent rank it number one. Location of bins was most important, followed by passive information such as signs, and direct efforts like incentives and talks.

When local jurisdictions were asked about the recycling challenges particular to their jurisdiction, they responded¹²:

- Space constraints for recycling containers (70%)
- Hard for residents to access containers (34%)
- Recycling capacity was less than garbage capacity (40%)

Tips from the field...

“It needs to be as convenient as possible. People will not walk out of their way. The location of bins is important, and if possible, the property should provide a usable recyclable container/bag/can for residents to put recycling in their units.”

--Property Manager Interviewee #3.

Property managers surveyed also made specific suggestions for convenience in multi-level complexes including:

- recycling chutes,
- in-unit containers or compost bins,
- centralized waste areas, co-located bins,
- and bins on every floor

¹¹ Survey of Property Managers p. 7

¹² “Agency Survey Report”

Additionally, ten of 13 property manager interviewed¹³ made various statements that accessibility and convenience were important. Comments included:

- "...put recycling bins in the laundry rooms on each floor with posters." –*Property Manager Interviewee #7*
- "...multiple areas throughout the property, with garbage and recycling dumpsters always located together." –*Property Manager Interviewee #6*
- "...having access to several different bins. Recycling area is big, and trash looks small so it draws people to recycling." –*Property Manager Interviewee #4*

Tips from the field...

"While the common wisdom is for containers to be located together, sometimes I find that the level of contamination requires more separation. Setting up one area for garbage and another for recycling and food waste can help reduce that problem."

–Jack Harris, Blue Marble Environmental

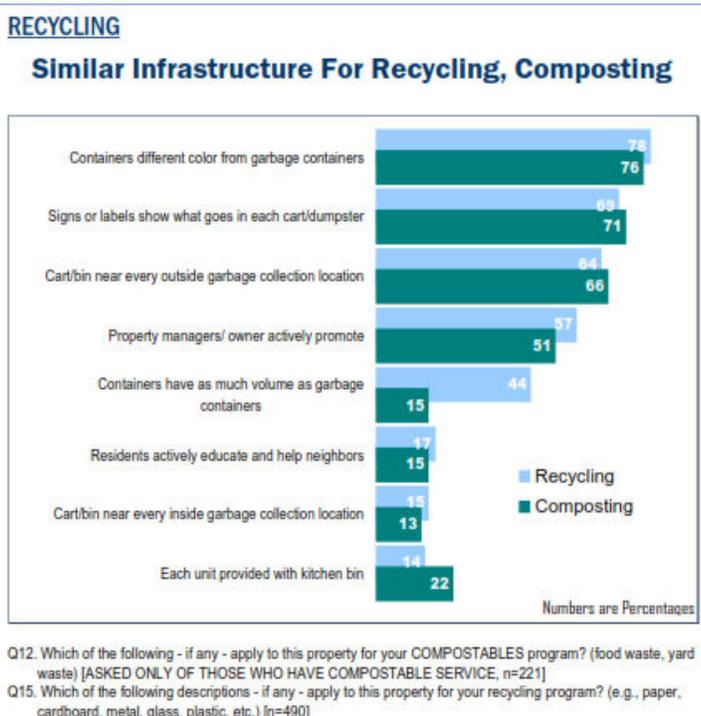
Another solution reported by a property manager of a high-rise property included locating agency-provided small organics carts on each floor of the building, and having staff transport the material to the outdoor container. The manager expressed appreciation for the agency-provided in-unit kitchen compost buckets, which have made food waste collection more convenient for residents.

The Container Matters

All the education in the world won't help if there isn't a place to put that bottle or can.

When asked which factors make the most difference between sites that recycle well and those that recycle poorly, managers rated bin convenience, container size, and signage over educational strategies.¹⁴ Logistics were also cited by interviewed agency representatives from across the country as a significant issue for multifamily recycling. Active promotion by managers of recycling/composting programs ranked fifth, below locating recycling and composting containers near garbage containers, posting signs at collection points, providing recycling information to all residents, and utilizing different-colored containers.¹⁵

Having enough space for recyclables in the recycling container impacts the amount of recycling collected. Interestingly, in



¹³ Survey of Property Managers appendix p. 10-25

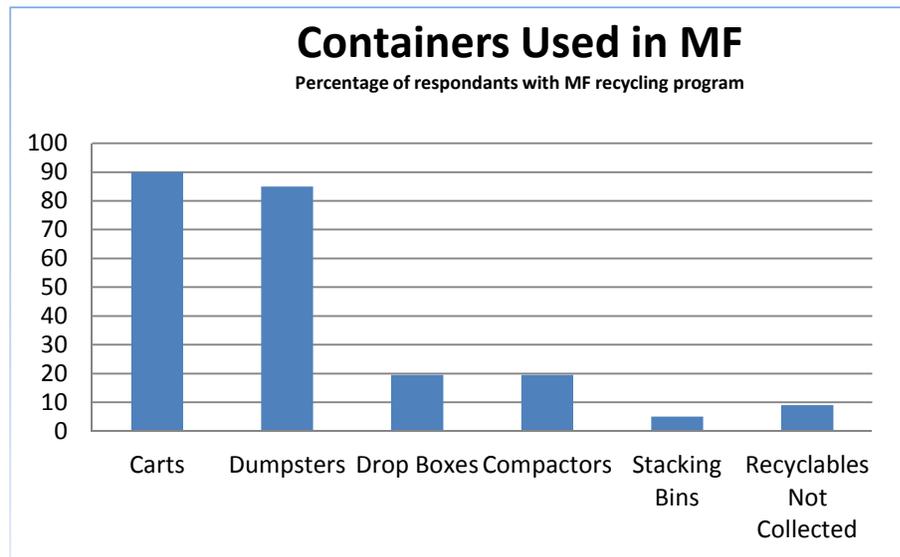
¹⁴ Survey of Property Managers p. 22

¹⁵ Survey of Property Managers p. 17

Washington, garbage capacity is as still reportedly more than recycling capacity at a significant percentage of multifamily properties. Only forty-four percent of property manager respondents reported “[recycling] containers have as much volume as garbage containers.”¹⁶

Since 56% of properties have less recycling capacity than garbage, even if multifamily residents are motivated to recycle, they may not have the container space to do so.

Agency survey respondents identified carts and dumpsters as the primary collection containers used and most reported using more than one type.¹⁷



Potential Logistics Solutions to Identified Challenges

Agency staff and recycling service providers have an opportunity to enhance multifamily recycling by improving container logistics for both indoor and outdoor collection points. Whether this is through providing indoor containers for floors of high rises, providing counsel upon set up of indoor containers in common areas, or through grouping containers outdoors where residents have easy access, these partners play an important role in creating the logistical foundation that can enhance a program.

During the Survey of Property Managers interviews several challenges were expressed related to the logistics of recycling collection. While anecdotal, property managers and recycling professionals offered the following potential solutions to some of the identified challenges in multifamily properties:

INDOOR COLLECTION CHALLENGES:

- Each unit in a multifamily building may not have been built with space for a recycling or composting container in the same location as the garbage bin (i.e. under the kitchen sink).
 - ✓ Consider providing a compact recycling bin or bag for collection for each unit.
- Larger buildings may have trash chutes or trash rooms on each floor which may not have sufficient space for recycling or food waste collection.
 - ✓ Consider providing “porter” service daily for recyclables collected on each floor.
 - ✓ Consider additional signage at trash chutes that discourage recycling in the garbage, such as: “No recyclables in trash chutes please. Recycling is located at X.”

¹⁶ Survey of Property Managers p. 15

¹⁷ “Agency Survey Report” p. 9

OUTDOOR COLLECTION CHALLENGES:

- Carts or dumpsters need to be large enough and located with successful recycling in mind.
 - ✓ Consider increasing the volume of recycling capacity available and potentially reducing garbage capacity.
- Property managers and recycling service providers decide where and how to place bins and residents have little input in these decisions.
 - ✓ Consider how to make recycling most convenient for residents while also attending to space and truck access constraints.

Conclusion

It is important to ensure that collection logistics are thoughtfully employed when setting up or working to improve a multifamily recycling system at a given property. Convenience factors and the types of containers are also critical to consider when planning local government recycling programs. The types of containers, how materials are sorted, and even the color of bins can have a significant impact on recycling efforts, as logistics play a key role for successful multifamily recycling.

Policy & Regulation Influences

Appropriate policy and regulation contribute significantly to the success of multifamily recycling and food waste composting programs. Currently in Washington, regulations affecting multifamily recycling programs exist primarily locally, at the city and county level. With the exception that curbside collection programs must exist in urban areas, little policy governing multifamily recycling exists at the state level in Washington. However, several regulatory policies and mandates at the county and city levels impact multifamily recycling in Washington:



Service level Ordinances—Including Mandatory recycling

Service level ordinances and contracts which require “embedding” recycling service costs within solid waste rates are increasingly common at the city and county levels, and significantly help increase multifamily property participation in recycling. City ordinances in Marysville and Seattle mandate that all multifamily properties must have recycling containers on site (with reasonable exemptions for hardship or lack of space). In 2011, Seattle mandated food waste cart subscriptions for all multifamily properties.

Jurisdictional Contracts

In Washington, incorporated cities have the authority to set rates and collect solid waste from residents and businesses. This work can either be carried out by the city or contracted out to a private collection company. Cities enjoy a unique position, as they can set rates to support their solid waste programs. Recycling is incentivized by folding its cost into the garbage rate. Moreover, the garbage rates can be set on a Pay As You Throw (PAYT) basis, where the larger volume containers cost significantly more. This method further incentivizes recycling by encouraging residents to think about the amount of material disposed.

Just one of the responding 48 agencies within Washington reported a rate structure in which recycling collection is more expensive than garbage collection. In addition, over half of agency respondents noted that the fee for collecting recyclables is embedded in the garbage rate. Therefore, the customer has no choice to pay additional for recycling, and is in fact incentivized to recycle. Many communities have increased their multifamily recycling participation rate from the low twentieth percentile to the seventies, eighties and nineties as a result of an embedded rate for recycling services, along with targeted multifamily outreach and education programs (see box).

Since the majority of multifamily complexes fall within incorporated city limits, cities have a tremendous amount of

Tips from the field...

Embedded rate policies established in jurisdictions such as Snohomish County and the cities of Everett, Arlington, Marysville, Edmonds and Lynnwood, coupled with promotional outreach and education programs, have increased recycling participation rates from 20% to 80-90%.

The City of Olympia has compulsory (mandatory) garbage for all customers. In 1994 Olympia made the decision to provide recycling to multifamily residents at no additional fee. This resulted in over 95% of properties including recycling service on site.

influence on the success of multifamily recycling programs through their rate-setting authority.

Cities can leverage their influence when negotiating contracts with private hauling companies. Requirements such as education programs, quality assurance of the recycling stream, and performance measures for overall system performance can all be incorporated into contract terms. If a city elects to provide its own collection service, program costs can be integrated into their operations through customers' rates. The city can also set program outcome targets, and staff can track and enforce them.

In cases where cities opt to contract out their collection services, performance measures can also be included in the contract, such as:

- Contamination rate studies
- Education for chronically poor-performing accounts
- Outcome-based targets (vs. output based), i.e. contamination thresholds
- Providing on-site assistance for multifamily accounts

Building Code Requirements for Recycling Container Enclosure Standards

Some jurisdictions, such as Olympia and Kitsap County, have implemented policies requiring adequate space for recycling and food waste composting containers in remodeled and new multifamily solid waste enclosures which make on-site recycling more feasible and functional.

Funding for Waste Reduction and Recycling Efforts

The model for funding recycling programs in Washington is fairly universal – a combination of tipping fee revenues and state-provided grant funding. The most consistent and significant source of supplemental funding to local governments in Washington is the Coordinated Prevention Grant (CPG) Program. This program is funded through the Model Toxics Control Account (MTCA) – a tax on petroleum and other toxic products sold in Washington. In the 2013-2015 biennium, this program will distribute \$28.24M to local government solid waste programs and health departments, based on population.

The revenues from these sources are split among high priority programs in most cases, such as moderate risk waste (MRW) facility operations, disposal system operations, or broader recycling outreach. In many cases, multifamily recycling falls to the bottom of the recycling funding priorities, behind commercial and single-family residential sectors. This was evident in the agency survey, where less than half of jurisdictions under 100,000 in population allocated funding for multifamily recycling outreach.¹⁸

Another tool local governments and waste collection companies can employ to implement more robust recycling education programs are revenue-sharing agreements. These agreements are used in unincorporated areas where tariffs are governed by the Washington Utilities and Transportation Commission (WUTC). Recent changes to solid waste transportation regulations allow solid waste collection companies to retain up to 50% of the revenues from recyclables collected, if that additional funding is used for programs that are consistent with the solid waste management plan in that particular county, and if the company has an agreed-upon plan with

¹⁸ "Agency Survey Report" p. 2

county government to institute programs to increase recycling. Currently King and Snohomish counties have implemented such agreements with their certificated companies. The agreements in those counties have significantly enhanced the focus on multifamily recycling education programs, including pilot projects to increase diversion during the fall of 2013.

State Regulation of solid waste and recycling service: WUTC

A relatively unique collection system occurs in the unincorporated parts of Washington. Collection companies are issued exclusive rights to collect garbage and residential recyclables in a given territory. Rates are set by the WUTC, based on a cost of service plus reasonable profit model. The purpose of this system is to provide universal service to all customers within a given boundary, regardless of how geographically remote the customer is. Since multifamily complexes are often classified as residential accounts, their recycling often falls within a WUTC certificated area, and its established rates.

In these WUTC areas, access to curbside recycling is limited to areas that are designated as urban in the county solid waste management plan, unless a specific service level ordinance has been enacted by the county to expand that boundary. If a service level ordinance is passed by the county, the collection company can incorporate the expanded boundary or mandatory collection of recyclables into their tariff with the WUTC, pursuant to the local ordinance. Snohomish, King, Pierce, and Kitsap Counties are good examples of such ordinances. A few cities such as Everett, Edmonds and Lynnwood are WUTC regulated.

Since the rates established under this system reflect actual cost of service, plus a set profit margin, the cost of recycling can only be incentivized to a limited extent. In some cases, downsizing a garbage container and adding recycling service can be cost neutral, or even cost the rate-payer more. The cost of recycling cannot be “embedded” into the cost of garbage or appear as “free” on the rate-payer’s bill, nor can the cost for garbage collection be inflated to offset the cost of recycling.

By implementing a service level ordinance, county governments can influence the access rate-payers have to recycling collection services. If access areas are expanded, and service is optional, low subscribership could result in rate increases due to efficiency losses on collection routes. These problems can be somewhat mitigated by including mandatory recycling service in the ordinance.

To learn more about the regulated solid waste system in Washington, visit the Washington Utilities and Transportation Website at www.utc.wa.gov

Barriers and Their Potential Policy Solutions

A number of policy solutions exist to address issues such as contamination and illegal dumping which agency and property managers stated were high priorities.

Several challenges were consistently cited by property managers as barriers to implementing successful recycling and food waste composting programs.

CONTAMINATION: Contaminated recycling is frequently cited by recycling professionals as a significant problem. Interestingly, just one in four Washington multifamily property managers indicated ever being charged a contamination fee by their collection company.¹⁹ The overwhelming majority of these managers reported receiving fees “a few times,” and just 3% of all managers said they were charged for contamination “often.”

While not well quantified in most jurisdictions, the hands-on and anecdotal experience of collectors, agency staff, consultants and other recycling professionals indicates that multifamily contamination is a significant issue in Washington.

Cities contracting with waste collection companies, or self-hauling, might add and enforce contract language to reduce contamination, including establishing maximum allowable contamination percentages, providing effective education, prescribing material composition studies, assessing fines for accounts that repeatedly fail to meet contamination standards, requiring collection companies to identify contaminated bins, and ensuring agency enforcement of established contamination thresholds, among others.

ILLEGAL DUMPING: Illegal dumping was rated by Washington property managers as the second most significant challenge to improving recycling at multifamily properties (only “culture and habits of residents” ranked higher). Forty-one percent of managers stated that it was either a “very significant” or “significant” challenge.²⁰ Similarly, when property managers were asked what strategies would help them improve recycling at their properties, they ranked “help with stopping illegal dumping” at number 3, with 33% of managers selecting that option. No single solution exists to curb illegal dumping, but many strategies are commonly recommended for multifamily properties. Many cities and counties in Washington have established illegal dumping policies, coupled with enforcement through Health Districts and law enforcement agencies.

Data from the solid waste agency survey revealed that just 51% of jurisdictions mandate on-site garbage service. In the executive interview portion of the property manager

¹⁹ [Survey of Property Managers p. 14](#)

²⁰ [Survey of Property Managers p. 19](#)

Tips from the field...

The Oregon Department of Environmental Quality provides these suggestions to property managers:

“Illegal dumping at businesses, apartment buildings and other private property is a serious problem. Some dumpers are individuals or businesses that dump in your dumpster to avoid paying for garbage service. Others haul junk for a small fee and then dump the loads illegally.

Illegal dumpers often use the same sites over and over. If you've been a victim of illegal dumping, take the following measures:

- **Clean up.** Any site with an old tire or a bag of trash tends to act as a magnet for additional trash. Keep sites such as parking lots and areas around dumpsters neat and clean.
- **Post signs.** Install signs to let potential dumpers know that unauthorized dumping is a violation of local and state ordinances and that they risk being identified and prosecuted.
- **Install lights.** Most dumping occurs at night when dumpers are least likely to be seen. Installing motion sensor lighting around waste containers and in parking lots will eliminate the factor dumpers depend on the most to avoid detection—darkness.
- **Use vehicle barriers.** In some cases, it may be feasible to place waste containers behind a barrier (such as a steel post) that prevents vehicles from driving up to the containers. The barrier is removed only for scheduled pickup by your waste hauler.
- **Lock up.** Lock your dumpster lid or secure it behind an enclosure to deter small-scale dumpers looking for an accessible container.

survey, a property manager observed that mandating residential and commercial garbage collection could curb illegal dumping in multifamily complexes. Minimizing self-haul garbage customers could potentially reduce the need for some to illegally dump in the large, open containers often found in apartment complexes.

By making legal disposal of materials convenient and illegal disposal inconvenient, the local costs of preventing illegal disposal can be reduced. Solid waste codes, ordinances, and permits are all effective tools in preventing illegal dumping. They can require permits for waste management activities, establish mandatory refuse collection programs, set fines for illegal disposal offenses, require fencing of vacant properties, and provide administrative abatement, settlement, and citation authority to local government.

TRACKING MULTIFAMILY RECYCLING SUCCESS/MEASUREMENT

As the WAMRS team conducted its survey of local governments across Washington, it became very clear that one of the major underlying problems facing multifamily recycling is that many governments have little or no data to describe recycling in the multifamily sector. All but a handful of jurisdictions replied to the survey with little to no data on their multifamily tonnages, and some that replied had concerns about the quality of their data. Multifamily accounts often get rolled into a commercial or residential route, depending on the collection mechanism, resulting in an inability to segregate accurate multifamily recycling data. The lack of collected data and uncertainty of reported data make it nearly impossible to determine a state wide recycling rate for the multifamily sector.

This might be the most complex and fundamental problem to overcome. In order for local governments and the state to establish goals, there needs to be a baseline to work from. Additionally, gauging the success of programs is extremely difficult when there is no way to measure effectiveness. To make a statewide change, a statute revision would likely be necessary to ensure that sector-specific data is collected universally. This process is often challenging, at best. Local governments can assert more influence through implementing data collection parameters in city contracts, revenue sharing agreements, and service level ordinances. These requirements can go a long way in influencing collection companies to segregate the multifamily sector and provide good multifamily data.

Tips from the field...

The City of Olympia goes to great lengths to understand its multifamily recycling rate. The city calculates the entire volume of commercial garbage, carefully subtracting out multifamily garbage tonnage using a conversion factor determined from a city study of its tonnage. The city also collects multifamily recycling via a separate truck which allows for determination of actual recycling tonnage. This approach allows the city to confidently determine a recycling rate for its multifamily sector.

Conclusion

Multifamily policy and regulation through state, county or city laws, ordinances and contracts can significantly increase recycling participation and material tonnage diversion from the landfill, and curb illegal dumping and contamination occurrences – particularly when coupled with thoughtful collection logistics and education and outreach programs.

Education and Outreach



Education, in partnership with appropriate service levels and effective site logistics, will improve recycling and reduce contamination.

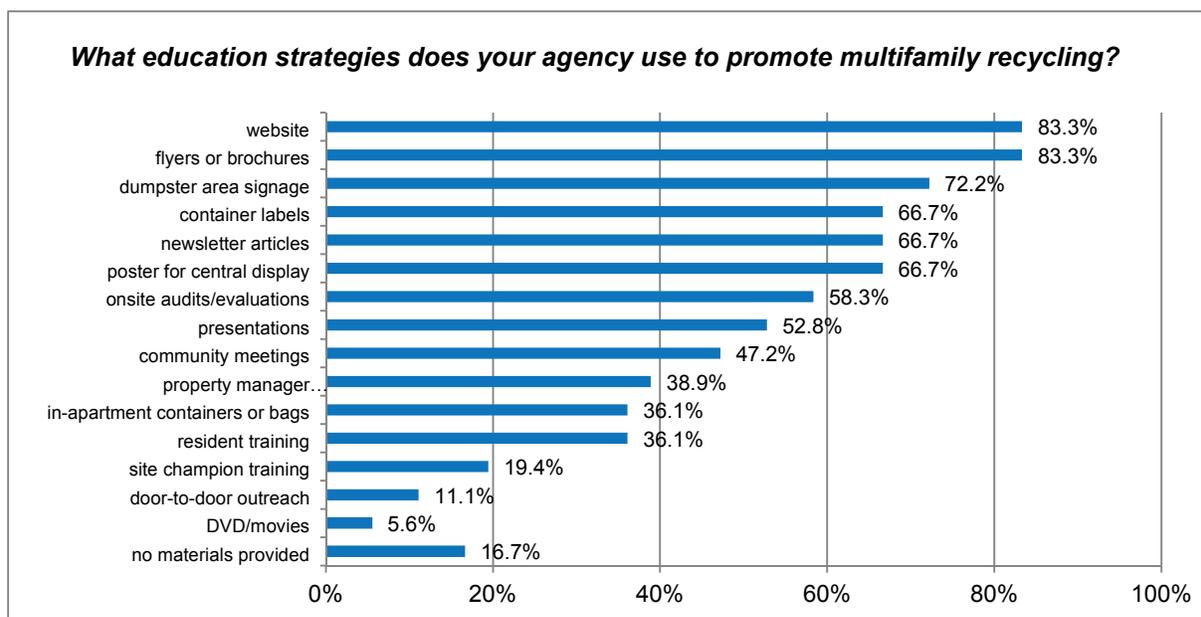
Unfortunately, despite common distribution of recycling information by agencies *and* property managers, and a belief by managers that these materials work, contamination and low participation rates remain prevalent at multifamily properties. While providing recycling information is necessary and useful, community-based social marketing findings demonstrate that more is required to effectively improve recycling behavior.

Providing tools like prompts, pledges, person to person contact, feedback, and starting with small actions actually motivate behavior change.²¹

Current Educational Strategies

A wide variety of strategies are used for both educating multifamily residents about recycling and composting, and for effecting behavior change.

Washington agencies and property managers more frequently report the use of passive outreach tools such as websites and distribution of recycling information to residents than strategies proven to affect behavior change.²² Only 35% of reporting agencies in Washington provide recycling education to the multifamily sector, with strategies typically focused on traditional, passive methods such as websites, flyers, labels and signage.²³ Many respondents commented that the same materials are used for all recycling customers, and are not specific to or customized for multifamily communities.



²¹ Community-Based Social Marketing, www.cbsm.com

²² "Agency Survey Report" p. 1

²³ "Agency Survey Report" p. 1

While programs vary across the state, similar educational strategies are often used to capture both recyclables and food waste. Significant opportunities exist to improve both education and diversion at multifamily properties.

Some agencies and managers also use person-to-person methods and door-to-door outreach to educate about recycling and composting, but at a significantly lower rate than passive methods.

Education Practices Seen As Most Successful

There are significant differences of opinion between managers and agency representatives regarding the major challenges and best strategies to address them. While agency respondents perceive resident turnover as a primary challenge, property managers are far more concerned by illegal dumping. Managers of large and small properties rank the usefulness of recycling education strategies differently:

- Thirty-eight percent of managers of smaller properties (<100 units) ranked education and outreach among the top three strategies that make a difference between sites that recycle well and those that recycle poorly.
- In contrast, just 26% of managers of sites with over 100 units ranked education and outreach in the top three.

However, both agree that flyers, labels and posters for residents are fundamentally needed, to clarify the “rules” for sorting materials. Recycling information handouts were overall rated as the number one way to *improve recycling* in general (39%)²⁴

According to property managers, displaying posters or signs in collection areas is the second most successful strategy for multifamily collection, with container positioning ranked first.²⁵ According to the surveys, both agencies and property managers use recycling handouts as a primary method for educating residents. And, they each believe that these materials help:

- Thirty-nine percent of responding managers said that handouts from agencies would *improve* recycling.
- Twenty-four percent believe that signs/flyers in multiple languages would improve recycling at their sites²⁶.

²⁴ [Survey of Property Managers](#) p. 20

²⁵ [Survey of Property Managers](#) p. 17

²⁶ [Survey of Property Managers](#) p. 20

Tips from the field...

“A vital part of the evolving outreach strategies has been the increasing coordination and use of color so the public associates certain colors with certain collection options. Over the years, blue has become increasingly recognized by the public as the color for a recycling bin. Using these colors across your outreach methods – from the carts on the curb to the colors on your website and brochures – will serve as visual reminders to your residents, and be one more way to reduce confusion and the resulting contamination of recyclables (and organics).”

- Public Outreach for Your Residential Commingled Recycling Collection Program: A best management practices guide for governments – *Washington State Department of Ecology, SW Commingled Report*

Tips from the field...

Translating materials into languages other than English is important in many communities.

According to the 2010 Census, 17.8% of representatives of Washington state households report that a language besides English is spoken at home, and 12.8 % report being born in a different country.

Property managers ranked the following as the most successful educational *practices* at multifamily properties for both compost and recycling.²⁷

- Post signs at collection site
- Provide recycling information to all residents

Further, the following educational features were ranked in the same order and used with the same frequency for both recycling and food waste collection by property managers.²⁸

- Signs or labels on the containers
- Active promotion by property manager

USING PROMPTS: SIGNS, FLYERS AND LABELS

Recycling professionals across the United States emphasized the use of photos over text; translating all written materials; and using a variety of promotional tools, such as door hangers, magnets, and campaign signs. Respondents also said that these materials should be distributed frequently, and displayed in multiple locations within a multifamily property. In addition, coordinating colors on educational materials with sorting containers provides quick selection as well as equitable access to people who can't read the text.

From these responses, flyers seem to be an important tool for managers and agencies to provide the basic rules for what is accepted in the containers. However, logistics are also key and person-to-person communications are significant. While useful, a flyer is not enough to make a program successful. It is only part of a toolkit to address a variety of influential factors, from infrastructure to the population of the property. This is particularly important in light of Washington's growing population of immigrants for whom English is not a first language.

In several executive interviews, property managers expressed the desire for hand-outs in multiple languages. In one executive interview, a property manager's request for assistance from a local organization or government included: "Web site availability to download flyers in different languages." More research is needed to understand how or whether this resource could more effectively serve property managers or residents. Efforts to connect with immigrant community organizations as well as provide translation and interpretation may help improve programs at these properties. Currently, local governments reported:

- 62.5% of agencies provide printed materials in other languages.
- 35% of agencies report supplying printed materials only in English²⁹

Tips from the field...

"A prompt is a visual or auditory aid which reminds us to carry out an activity that we might otherwise forget. The purpose of a prompt is not to change attitudes or increase motivation, but simply to remind us to engage in an action that we are already predisposed to do..."

-- *Fostering Sustainable Behavior* by
Doug McKenzie-Mohr and William
Smith

²⁷ *Survey of Property Managers* p. 17

²⁸ *Survey of Property Managers* p. 15

²⁹ "Agency Survey Report" p. 14

Twenty-eight percent of managers also said that posters were key to improving recycling.³⁰ This shows again the basic need for the “rules” to be available for residents to use, but cannot be the only strategy for success.

While agency recycling professionals were not asked to rank education strategies based on success rates, they reported the *frequency* with which different signage methods are utilized³¹

Labels & Signage as Outreach Methods – Washington Agencies		
Method	Organics	Recycle
Flyers or brochures	85%	83%
Poster for central display	77%	67%
Signage for collection areas	61%	72%
Container labels	85%	67%

“PERSON-TO-PERSON” COMMUNICATION

During phone interviews, recycling professionals across the United States repeated three educational themes: direct relationships with managers, direct relationships with residents, and the need for continuous outreach. Practices included assigning agency staff to communicate with and assist property managers and residents, and using resident volunteers to educate their neighbors.³²

City and county agencies in Washington with multifamily recycling programs appear to provide only a moderate level of in-person communication methods such as on-site audits, presentations, community meetings, and resident trainings, while “Site Champion Trainings” are even less frequently employed.

During executive interviews with property managers, several mentioned that move-in orientations with new residents are valuable. According to both the property manager survey and agency survey, direct outreach methods are much less widely implemented than passive measures like flyers and brochures. It is important to consider that hands-on strategies may rank lower than standard strategies for improving recycling because fewer managers have had exposure to them. While 70% of property managers rate recycling information handouts as the top way to improve recycling, only 21% rate training or educational presentations for residents as useful.³³

Tips from the field...

A senior facility of 268 units reported that technical assistance and the City of Seattle mandate helped them improve recycling and start food waste collection, saving \$1,250/month. The facility manager stated:

“If you have any sense of what is happening to the planet, you will want to do it.”

³⁰ Survey of Property Managers p. 20

³¹ “Agency Survey Report” p. 13

³² “Review of Multifamily Recycling...”

³³ Survey of Property Managers p. 20

In the executive interviews with property managers, specific comments included: “The Assistant Manager is a recycling champion who is constantly promoting it. If you don’t have staff promoting it, it won’t work.” And “Once-a-year trainings, door to door visits” was recommended as a strategy for agencies to help improve the program.

Most education strategies addressed in this study are used at a higher frequency for food waste collection programs than for recycling programs.³⁴ Person-to-person outreach is an example of this variance:

Person-to Person Outreach Methods		
Outreach method	Organics	Recycle
On-site audits	77%	58%
Presentations	77%	53%
Community Meetings	61%	47%
Resident Training	61%	36%

Conclusion

Recycling professionals in Washington continue to report that multifamily recycling rates remain low, and contamination high. Recycling and food waste collection may be enhanced by more active education strategies such as new resident orientation, door-to-door outreach, and property manager training.

Education provides a much-needed baseline for program clarity and motivation for resident participation and is most effective when coordinated with a convenient well-sited infrastructure. Expansion beyond flyers and posters is crucial, and customizing outreach according to property features such as size, population, and geographic location is also highly recommended.

In addition, the cultural demographics of the state are changing. For instance, in Seattle, 20% of the population is immigrants. It will support the success of recycling and composting in Washington to be proactive in engaging residents of other languages through culturally-literate strategies, translations, and interpreters rather than relying on conventional English-only mechanisms.

While multifamily recycling and organics collection remain a challenge, improving education is an opportunity to serve residents more effectively and equitably, and to capture valuable resources otherwise headed for the landfill.

³⁴ “Agency Survey Report” p. 13

ORDINANCE O-4537

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION RATES AND AMENDING SECTION 16.12.030 OF THE KIRKLAND MUNICIPAL CODE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 16.12.030 of the Kirkland Municipal Code is hereby amended to read as follows:

16.12.030 Collection rates.

The rates to be charged for solid waste collection service in the city shall be as follows:

(1) Residential.

A. **Single-Family**

Per Month Rate

Monthly Service	Rate	<u>2017</u>	<u>2018</u>
35-gallon cart	6.16	<u>6.44</u>	<u>6.63</u>
Weekly Service			
10-gallon mini cart	7.63	<u>7.98</u>	<u>8.22</u>
20-gallon mini cart	15.25	<u>15.96</u>	<u>16.42</u>
35-gallon cart	23.73	<u>24.83</u>	<u>25.56</u>
64-gallon cart	43.38	<u>45.39</u>	<u>46.72</u>
96-gallon cart	65.07	<u>68.08</u>	<u>70.08</u>
32-gallon Equivalent "extra"	6.00	<u>6.12</u>	<u>6.26</u>

Per Occurrence

Extra Yard Debris Service

96-gallon cart	13.79	<u>14.43</u>	<u>14.85</u>
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Per Month

32-gallon container	5.35	<u>5.40</u>	<u>5.53</u>
		Per Occurrence	

As stated in Section 16.12.025, the solid waste rate to be charged to a qualified low-income senior citizen single-family residential customer shall be sixty percent of the rate set forth in Section 16.12.030 (1)(A).

One gray yard waste cart and one blue recycling cart is provided to each customer at no extra charge. The contractor will charge a fee for additional yard waste receptacles above the first set provided. The contractor will provide a 35 or 96 gallon recycling cart on request to new residents and those residents needing less or additional capacity than provided by the default 64 gallon recycling cart.

B. Miscellaneous Service Fees	<u>Rate</u>	<u>2017</u>	<u>2018</u>
Return Trip	17.95	<u>18.78</u>	<u>19.33</u>
		Per Occurrence	
Drive-in Charge	8.15	<u>8.53</u>	<u>8.78</u>
		Per Month	
Redelivery Fee (carts)	24.49	<u>25.62</u>	<u>26.38</u>
		Per Occurrence	
Carry-out Surcharge	4.88	<u>5.11</u>	<u>5.26</u>
		Per Month	
C. On-Call Bulky Waste Collection Fees (Per Occurrence – Per Item)			
	<u>Rate</u>	<u>2017</u>	<u>2018</u>
Appliances	122.48	<u>128.15</u>	<u>131.91</u>
Refrigerator/Freezer	122.48	<u>128.15</u>	<u>131.91</u>
Sofa	122.48	<u>128.15</u>	<u>131.91</u>

Chair	122.48	<u>128.15</u>	<u>131.91</u>
Mattress or box springs	122.48	<u>128.15</u>	<u>131.91</u>
Tire: Auto/light truck	32.65	<u>34.16</u>	<u>35.16</u>
Tire: Bus/heavy truck	40.82	<u>42.71</u>	<u>43.96</u>
Tire: Additional for rims or wheels	24.49	<u>25.62</u>	<u>26.38</u>
Miscellaneous, per cubic yard	89.82	<u>93.97</u>	<u>96.73</u>
D. Temporary Container Service	<u>Rate</u>	<u>2017</u>	<u>2018</u>
Temp. 2-yard container	70.63	<u>73.90</u>	<u>76.07</u>
Daily rent	1.64	<u>1.72</u>	<u>1.77</u>
Delivery fee	62.05	<u>64.92</u>	<u>66.83</u>
Temp. 4-yard container	89.55	<u>93.69</u>	<u>96.44</u>
Daily rent	2.05	<u>2.14</u>	<u>2.21</u>
Delivery fee	62.05	<u>64.92</u>	<u>66.83</u>
Temp. 6-yard container	107.81	<u>112.80</u>	<u>116.11</u>
Daily rent	2.44	<u>2.55</u>	<u>2.63</u>
Delivery fee	62.05	<u>64.92</u>	<u>66.83</u>
Temp. 100-yard container	3,518.74	<u>3,681.51</u>	<u>3,789.61</u>

(2) Multifamily and Commercial

A. Carts

Weekly Service	<u>Rate</u>	<u>2017</u>	<u>2018</u>
20-gallon mini cart	15.25	<u>15.96</u>	<u>16.42</u>
35-gallon cart	23.73	<u>24.83</u>	<u>25.56</u>
64 gallon cart	43.38	<u>45.39</u>	<u>46.72</u>

96-gallon cart	65.07	<u>68.08</u>	<u>70.08</u>
32-gallon equivalent "extra"	6.00	<u>6.12</u>	<u>6.26</u>
B. Miscellaneous Services (Per Event)	<u>Rate</u>	<u>2017</u>	<u>2018</u>
Return Trip	41.38	<u>41.17</u>	<u>41.02</u>
Carry-out service (per container)	4.61	<u>4.59</u>	<u>4.57</u>
Redelivery	58.24	<u>57.94</u>	<u>57.74</u>
Roll-out container	7.68	<u>7.64</u>	<u>7.61</u>
Unlock container	2.60	<u>2.59</u>	<u>2.58</u>
Gate opening	4.61	<u>4.59</u>	<u>4.57</u>
Pressure washing (per yard)	27.57	<u>27.43</u>	<u>27.33</u>
C. Comm.MF Uncompacted Containers	<u>Rate</u>	<u>2017</u>	<u>2018</u>
1 Cubic Yard Uncompacted			
1 pickup/week/container	94.96	<u>94.48</u>	<u>94.14</u>
2 pickups/week/container	183.24	<u>182.31</u>	<u>181.66</u>
3 pickups/week/container	271.56	<u>270.18</u>	<u>269.21</u>
4 pickups/week/container	359.86	<u>358.03</u>	<u>356.75</u>
5 pickups/week/container	448.15	<u>445.87</u>	<u>444.27</u>
6 pickups/week/container	536.46	<u>533.74</u>	<u>531.82</u>
1.5 Cubic Yard Uncompacted			
1 pickup/week/container	120.46	<u>119.85</u>	<u>119.42</u>
2 pickups/week/container	233.10	<u>231.92</u>	<u>231.08</u>

3 pickups/week/container	345.72	<u>343.96</u>	<u>342.73</u>
4 pickups/week/container	458.37	<u>456.04</u>	<u>454.41</u>
5 pickups/week/container	570.98	<u>568.08</u>	<u>566.04</u>
6 pickups/week/container	683.69	<u>680.22</u>	<u>677.78</u>

**2 Cubic Yard
Uncompacted**

1 pickup/week/container	145.45	<u>144.71</u>	<u>144.19</u>
2 pickups/week/container	281.18	<u>279.75</u>	<u>278.75</u>
3 pickups/week/container	416.95	<u>414.83</u>	<u>413.34</u>
4 pickups/week/container	552.67	<u>549.86</u>	<u>547.89</u>
5 pickups/week/container	688.43	<u>684.94</u>	<u>682.48</u>
6 pickups/week/container	825.41	<u>821.22</u>	<u>818.27</u>

**3 Cubic Yard
Uncompacted**

1 pickup/week/container	193.08	<u>192.10</u>	<u>191.41</u>
2 pickups/week/container	375.06	<u>373.16</u>	<u>371.82</u>
3 pickups/week/container	557.02	<u>554.19</u>	<u>552.20</u>
4 pickups/week/container	738.99	<u>735.24</u>	<u>732.60</u>
5 pickups/week/container	920.96	<u>916.28</u>	<u>913.00</u>
6 pickups/week/container	1,102.96	<u>1,097.36</u>	<u>1,093.42</u>

**4 Cubic Yard
Uncompacted**

1 pickup/week/container	241.17	<u>239.95</u>	<u>239.08</u>
2 pickups/week/container	469.36	<u>466.98</u>	<u>465.30</u>
3 pickups/week/container	697.57	<u>694.03</u>	<u>691.54</u>
4 pickups/week/container	925.77	<u>921.07</u>	<u>917.76</u>

5 pickups/week/container	1,153.96	<u>1,148.10</u>	<u>1,143.98</u>
6 pickups/week/container	1,382.17	<u>1,375.15</u>	<u>1,370.22</u>
6 Cubic Yard Uncompacted			
1 pickup/week/container	336.02	<u>334.31</u>	<u>333.11</u>
2 pickups/week/container	656.57	<u>653.24</u>	<u>650.89</u>
3 pickups/week/container	977.30	<u>972.34</u>	<u>968.85</u>
4 pickups/week/container	1,297.96	<u>1,291.37</u>	<u>1,286.74</u>
5 pickups/week/container	1,618.61	<u>1,610.39</u>	<u>1,604.61</u>
6 pickups/week/container	1,939.28	<u>1,929.44</u>	<u>1,922.51</u>
8 Cubic Yard Uncompacted			
1 pickup/week/container	430.26	<u>428.08</u>	<u>426.54</u>
2 pickups/week/container	843.34	<u>839.06</u>	<u>836.05</u>
3 pickups/week/container	1,256.44	<u>1,250.06</u>	<u>1,245.57</u>
4 pickups/week/container	1,669.55	<u>1,661.07</u>	<u>1,655.11</u>
5 pickups/week/container	2,082.64	<u>2,072.07</u>	<u>2,064.63</u>
6 pickups/week/container	2,495.75	<u>2,483.08</u>	<u>2,474.17</u>
"Extra" Uncompacted Cubic Yard	25.75	<u>25.62</u>	<u>25.53</u>
D. Comm./MF Compacted Containers (Weekly Pulls)	Rate	<u>2017</u>	<u>2018</u>
1 cubic yard container	240.33	<u>239.11</u>	<u>238.25</u>
1.5 cubic yard container	334.08	<u>332.38</u>	<u>331.19</u>
2 cubic yard container	427.17	<u>425.00</u>	<u>423.48</u>
3 cubic yard container	610.48	<u>607.38</u>	<u>605.20</u>

4 cubic yard container	794.35	<u>790.32</u>	<u>787.48</u>
6 cubic yard container	1,700.39	<u>1,691.76</u>	<u>1,685.69</u>
E. Comm./MF Yard Debris (Per Month)	<u>Rate</u>	<u>2017</u>	<u>2018</u>
96-gallon cart (weekly collection)	13.91	<u>13.84</u>	<u>13.79</u>
2 cubic yard container (weekly)	106.79	<u>106.25</u>	<u>105.87</u>
Extra cubic yard	33.23	<u>33.06</u>	<u>32.94</u>
Extra yard debris 32-gallon can	4.92	<u>4.90</u>	<u>4.88</u>
F. Roll-off Container Rental Permanent Noncompacted Service	<u>Rate</u>	<u>2017</u>	<u>2018</u>
10 cubic yard container	48.40	<u>49.37</u>	<u>50.53</u>
15 cubic yard container	56.45	<u>57.59</u>	<u>58.94</u>
20 cubic yard container	72.59	<u>74.05</u>	<u>75.79</u>
25 cubic yard container	80.67	<u>82.29</u>	<u>84.22</u>
30 cubic yard container	88.74	<u>90.53</u>	<u>92.65</u>
40 cubic yard container	96.79	<u>98.74</u>	<u>101.05</u>
G.. Roll-off Container Rental Temporary Noncompacted Service	<u>Rate</u>	<u>2017</u>	<u>2018</u>
10 cubic yard container	56.70	<u>57.90</u>	<u>59.10</u>
15 cubic yard container	64.50	<u>65.70</u>	<u>67.20</u>
20 cubic yard container	74.10	<u>75.60</u>	<u>77.40</u>
25 cubic yard container	84.00	<u>85.80</u>	<u>87.60</u>

30 cubic yard container	92.10	<u>93.90</u>	<u>96.30</u>
40 cubic yard container	108.00	<u>110.10</u>	<u>112.80</u>
(3) Comm./MF Drop-Box Collection (Per Haul)			
A. Noncompacted Service	<u>Rate</u>	<u>2017</u>	<u>2018</u>
10 cubic yard container	158.16	<u>161.35</u>	<u>165.13</u>
15 cubic yard container	158.16	<u>161.35</u>	<u>165.13</u>
20 cubic yard container	158.16	<u>161.35</u>	<u>165.13</u>
25 cubic yard container	158.16	<u>161.35</u>	<u>165.13</u>
30 cubic yard container	158.16	<u>161.35</u>	<u>165.13</u>
40 cubic yard container	158.16	<u>161.35</u>	<u>165.13</u>
B. Compacted Service	<u>Rate</u>	<u>2017</u>	<u>2018</u>
10 cubic yard container	173.50	<u>176.99</u>	<u>181.14</u>
15 cubic yard container	173.50	<u>176.99</u>	<u>181.14</u>
20 cubic yard container	173.50	<u>176.99</u>	<u>181.14</u>
25 cubic yard container	173.50	<u>176.99</u>	<u>181.14</u>
30 cubic yard container	173.50	<u>176.99</u>	<u>181.14</u>
40 cubic yard container	173.50	<u>176.99</u>	<u>181.14</u>
C. Temporary	<u>Rate</u>	<u>2017</u>	<u>2018</u>
10 cubic yard container	159.70	<u>162.92</u>	<u>166.73</u>
15 cubic yard container	159.70	<u>162.92</u>	<u>166.73</u>
20 cubic yard container	159.70	<u>162.92</u>	<u>166.73</u>
25 cubic yard container	159.70	<u>162.92</u>	<u>166.73</u>
30 cubic yard container	159.70	<u>162.92</u>	<u>166.73</u>
40 cubic yard container	159.70	<u>162.92</u>	<u>166.73</u>

Delivery Fee – all Temp Customers	120.99	<u>123.43</u>	<u>126.32</u>
D. Additional Services	<u>Rate</u>	<u>2017</u>	<u>2018</u>
Additional mileage charge for hauls to other sites			
Charge per mile	6.46	<u>6.59</u>	<u>6.74</u>
Return Trip	56.45	<u>57.59</u>	<u>58.94</u>
Solid drop-box lid charge per month	56.45	<u>57.59</u>	<u>58.94</u>
Pressure washing (per yard)	12.92	<u>13.18</u>	<u>13.49</u>
Stand-by time (per minute)	3.24	<u>3.31</u>	<u>3.38</u>
Hourly Rates			
Rear/side load packer and driver	169.37	<u>172.78</u>	<u>176.83</u>
Front load packer and driver	169.37	<u>172.78</u>	<u>176.83</u>
Drop-box truck and driver	169.37	<u>172.78</u>	<u>176.83</u>
Additional labor (per person)	80.67	<u>82.29</u>	<u>84.22</u>

(4) Wherever detachable containers are used having a capacity for which a rate has not been established, the director of public works is authorized to establish a rate for such container, which shall be consistent with the ratio of the container capacity to rate charged for the rate herein established.

(5) In addition to the collection rates established in subsections (1), (2) and (3) of this section, there shall be included a hazardous waste charge adopted by King County Board of Health.

Section 2. Effective date for new rates: For 2017, the monthly rates established in this Ordinance go into effect and become the rates to be charged as of January 1, 2017. For 2018, the monthly rates established in this Ordinance go into effect and become the rates to be charged as of January 1, 2018.

Section 3. The garbage rates set forth in KMC 16.12.030, which is amended by this ordinance, shall remain in force and effect until the rates set forth in this ordinance go into effect.

Section 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2016.

Signed in authentication thereof this ____ day of _____, 2016.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4537

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION RATES AND AMENDING SECTION 16.12.030 OF THE KIRKLAND MUNICIPAL CODE.

SECTION 1. Amends Section 16.12.030 of the Kirkland Municipal Code by amending solid waste collection rates.

SECTIONS 2 - 3. Provide an effective date for the rates.

SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. 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 _____, 2016.

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: Rob Jammerman, Development Engineering Manager
Kathy Brown, Public Works Director

Date: October 13, 2016

Subject: FIVE-YEAR EXTENSION OF THE PUGET SOUND ENERGY NATURAL GAS
FRANCHISE AGREEMENT

RECOMMENDATION:

It is recommended that the City Council approve the attached resolution which authorizes a five-year extension of the Puget Sound Energy (PSE) Natural Gas Franchise Agreement.

BACKGROUND DISCUSSION:

On October 17, 2006, the City Council adopted an ordinance granting PSE a natural gas Franchise Agreement for a term of ten years (Attachment A), which became effective on October 22, 2006. Section 2(a) of the Agreement allows it to be renewed for one additional five-year period if requested by PSE and approved by the City Council. Public Works did receive such a request on February 26, 2016. That is a timely request pursuant to Section 2(a) of the Franchise Agreement, which requires that the request for an extension must be submitted not more than two years nor less than 180 days before the expiration of the Franchise Agreement. After discussions with PSE staff, we believe it is appropriate to extend the Agreement for an additional five years.

In addition to the franchise extension, City staff and PSE representatives have been working on a Memorandum of Understanding (MOU) that addresses goals to increase production of renewable energy sources (wind, solar, etc.) and decrease the use of non-renewable energy sources. The MOU may be ready by the October 18 Council meeting, in which case staff will ask that it be added to the agenda for potential approval. However if the MOU is not completed in time, it will be presented to the City Council at the first Council meeting in November for consideration.

Attachment A: Ordinance 4060

ORDINANCE NO. 4060

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, GRANTING PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION, THE RIGHT, PRIVILEGE, AUTHORITY AND FRANCHISE TO SET, ERECT, CONSTRUCT, SUPPORT, ATTACH, CONNECT AND STRETCH FACILITIES BETWEEN, MAINTAIN, REPAIR, REPLACE, ENLARGE AND OPERATE FACILITIES IN, UPON, UNDER ALONG AND ACROSS THE FRANCHISE AREA FOR THE PURPOSES OF TRANSMISSION, DISTRIBUTION AND SALE OF NATURAL GAS.

THE CITY COUNCIL OF THE CITY OF KIRKLAND DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Definitions: where used in this franchise ordinance ("The Franchise") terms shall have the following meaning.

A. "City" shall mean the City of Kirkland a municipal corporation of the State of Washington and its respective successors and assigns.

B. "Facilities" means, collectively, any and all natural gas systems, including but not limited to gas pipes, fixtures, communication systems and any and all other equipment, appliances, attachments, appurtenances and other items necessary, convenient or relating to the transmission, distribution and sale of natural gas, whether the same be located over or under ground.

C. "Franchise" means the grant of rights, privileges and authority embodied in this Ordinance.

D. "Franchise Area" means all rights-of-way for public roads, streets, avenues, alleys, and highways of the City as now laid out, platted, dedicated, acquired or improved; all rights-of-way for public roads, streets, avenues, alleys, and highways that may hereafter be laid out, platted, dedicated, acquired or improved with the present limits of the City and as such limits may be hereafter extended; and all City owned utility easements dedicated for the placement and location of various utilities provided such easement permits PSE to fully exercise the rights granted under this Franchise within the area covered by the easement.

E. "Ordinance" means this Ordinance No. 4060, which sets forth the terms and conditions of this Franchise.

F. "Party" or "Parties" means collectively the City and PSE, and individually either the City or PSE.

G. "PSE" means Puget Sound Energy, Inc., a Washington Corporation, and its respective successors and assigns.

H. "Public Works Project" means any City capital improvement or the construction, relocation, expansion, repair, maintenance, or removal of any part of the Franchise Area or City

owned Facilities located on or in the Franchise Area for: roads, and/or streets; sidewalks; curbs; pedestrian and/or vehicle traffic sewers, storm water drains, water Facilities, and; City owned fiber optic cable, conduit or network Facilities.

I. "Tariff" means tariff as that term is defined in WAC 480-80-030(3), or such similar definition describing rate schedules, rules and regulations relating to charged and service as may hereinafter be adopted by the regulatory authority with jurisdiction, under the laws of the State of Washington, over public service companies.

J. "Third Party" means any person, party or entity other than the City and PSE.

K. "WUTC" means the Washington Utilities and Transportation Commission or such successor regulatory agency having jurisdiction over public service companies.

Section 2. Grant of Franchise

A. Pursuant to the laws of the State of Washington including, but not limited to, RCW 35A.47.040 and RCW 80.32.010, the City hereby grants to PSE, subject to the terms and conditions as set forth herein, a Franchise for a period of ten (10) years commencing upon the effective date of this Ordinance and subsequent acceptance of such ordinance and Franchise by PSE. This Franchise is granted upon the express condition that PSE, within thirty (30) days after the adoption of this ordinance, shall file with the City Clerk of the City a written acceptance of the same. If PSE fails to do so within the time frame above, this Ordinance and Franchise shall be null and void. This Franchise may be renewed, at the sole discretion of the City of Kirkland Council, for one additional five (5) year period upon the written request of PSE, such request to be submitted not more than two (2) years nor less than one-hundred-eight (180) days prior to the expiration of the initial ten (10) year term.

B. PSE specifically agrees to comply with the provisions of any applicable City codes, ordinances, regulations, standards, procedures, permits or approvals, as from time to time amended; provided, however, that in the event of a conflict or inconsistency between any such provisions and this Franchise, the express terms and conditions of this Franchise shall govern. The express terms and condition of the Franchise constitutes a valid and enforceable contract between the Parties.

C. Upon the effective date of this Ordinance and acceptance of such Ordinance and Franchise by PSE, all prior franchises between the City and PSE, to its predecessors in interest, which it has acquired for the transmission, distribution and sale of natural gas shall be deemed repealed.

Section 3. Non-Franchise Area City Property

A. This Franchise shall not convey any right to PSE to install Facilities on or to otherwise use City-owned or leased properties or easements outside the Franchise Area.

B. Existing Facilities installed or maintained by PSE in accordance with prior franchise agreements on public grounds and places within the City (but which are not a part the Franchise Area as defined by this Franchise) may be maintained, repaired and operated by PSE at the location where such Facilities exist as of the effective date of this Franchise for the term of this Franchise; provided, however, that no such Facilities may be enlarged, improved or expanded without the prior review and approval of the City pursuant to the provision of any applicable City codes, ordinances, regulations, standards, procedures and/or permits, as now exist or as may be hereafter amended or superseded, provided that such provisions are not in conflict or inconsistent with the express terms and conditions of this Franchise.

Section 4. Nonexclusive Franchise

A. This Franchise is not and shall not be deemed to be an exclusive Franchise. This Franchise shall not in any manner prohibit the City from granting other and further franchises upon, under and across the Franchise Area. This Franchise shall not prohibit or prevent the City from using the franchise Area for any lawful purpose or affect the jurisdiction of the City over the same or any part thereof.

B. The City reserves the right to acquire, construct, own, operate and maintain a municipal natural gas utility to serve all or any portion of the City, at any time during he term of the Franchise and to fully exercise such rights in accordance with applicable law.

Section 5. Noninterference of Facilities

A. PSE's Facilities shall be located and maintained within the Franchise Area so as not to interfere with the free passage of pedestrian and/or vehicle traffic therein, or with the reasonable ingress or egress to the properties abutting the Franchise Area as they exist at the time of installation of the Facilities. Any relocation of PSE Facilities that may be necessary to accommodate a Third Party shall be subject to Section 6 below.

B. PSE shall, after installation, construction, relocation, maintenance, removal or repair of any of PSE's Facilities with the Franchise Area, restore the surface of the Franchise Area and any other City property within the Franchise Area which may be disturbed or damaged by such work, to at least the same condition as it was immediately prior to any such work. The City shall have final approval of the condition of the Franchise Area after restoration pursuant to the provisions of applicable City codes, ordinances, regulations, standards and procedures, as now exist or as may be hereafter amended or superseded, provided that such provisions are not in conflict or inconsistent with the express terms and conditions of this Franchise.

C. The City may require PSE to post an appropriate bond, as determined by the City, to ensure satisfactory restoration of the Franchise Area following the completion of PSE's work therein. In lieu of separate bonds for routine individual projects involving work in the Franchise Area, PSE may satisfy the City's bond requirement of this Section C by posting an approved indemnity bond with the City pursuant to KMC 19.12.095.

D. All survey monuments which are disturbed or displaced by PSE in its performance of any work under this Franchise shall be referenced and restored by PSE, as per WAC 332-120, as from time to time amended, and all pertinent federal, state and local standards and specifications.

E. Except as otherwise provided in this Section 5.E, in the event PSE permanently ceases use of any of its Facilities with the Franchise Area, PSE shall, within one hundred and eighty days (180) after such permanent cessation of use, or such additional time as is agreed to between the parties, remove such Facilities at its sole cost and expense; provided that with the express written consent of the City, PSE may leave such Facilities in place subject to the conditions set forth in this Section 5.E. Any such Facilities to be left in place shall be made inert by purging all natural gas from such Facilities (including displacement of natural gas with an appropriate inert gas) and disconnecting and sealing such Facilities, all in compliance with applicable regulations and industry standards. The City's consent shall not relieve PSE of the obligation and/or costs to subsequently remove or alter such Facilities in the event the City reasonably determines that such removal or alteration is necessary or advisable for the health and safety of the public, in which case PSE shall perform such work at no cost to the City. The obligations contained in this Section 5.E shall survive the expiration, revocation or termination of this Franchise.

F. All work by PSE pursuant to the Section shall be performed in accordance with the permit(s) issued by the City, together with the laws of the State of Washington, the provisions of any applicable City codes, ordinances, regulations, standards and procedures as now exist or as may be hereafter amended or superseded, provided that such provisions are not in conflict or inconsistent with the express terms and conditions of this Franchise.

Section 6. Relocation of Facilities

A. Whenever the City causes the construction of any Public Works Project within the Franchise Area, or on public grounds and places described in Section 3.B, and such construction necessitates the relocation of PSE's Facilities from their existing location within the Franchise Area or on such public grounds and places, such relocation will be at not cost to the City.

B. The City and PSE shall work cooperatively to accomplish any such relocation of PSE's Facilities consistent with procedures contained in the Memorandum of Understanding (if any), mutually agreed to and as from time to time amended by mutual agreement of the Parties.

C. In the event an emergency posing a threat to public safety or welfare requires the relocation of PSE's Facilities within the Franchise Area, the City shall give PSE notice of the

emergency as soon as reasonably practicable. Upon receipt of such notice from the City, PSE shall endeavor to respond as soon as reasonably practicable to relocate the affected Facilities.

D. Subject to Section 6.E, whenever any Third Party requires the relocation of PSE's Facilities to accommodate work of such Third Party within the Franchise Area or on such public grounds and places described in Section 3.B, then PSE shall have the right as a condition of any such relocation to require payment to PSE, at a time and upon terms acceptable to PSE, for any and all costs and expenses incurred by PSE in the relocation of PSE's Facilities.

E. Any condition or requirement imposed by the City upon any Third Party (including, without limitation, any condition or requirement imposed pursuant to any contract or in conjunction with approvals or permits obtained pursuant to any zoning, land use, construction or other development regulation) which requires the relocation of PSE's Facilities within the Franchise Area shall be a condition or requirements causing relocation of PSE's Facilities to occur subject to the provisions of Section 6.D; provided, however in the event the City reasonably determines and notifies PSE that the primary purpose of imposing such condition or requirement upon such Third Party is to cause or facilitate the construction of a Public Works Project to be undertaken within a segment of the Franchise Area on the City's behalf and consistent with the City's Capital Improvement Plan; Transportation Improvement Program; or the Transportation Facilities Program, then only those costs and expenses incurred by PSE in reconnecting such relocated Facilities with PSE'S other Facilities shall be paid to PSE by such Third Party, and PSE shall otherwise relocate its Facilities within such segment of the Franchise Area in accordance with Section 6.A.

F. As to any relocation of PSE's Facilities whereby the cost and expense thereof is to be borne by PSE in accordance with this Section 6, PSE may after receipt of written notice requesting such relocation, submit in writing to the City alternatives to relocation of its Facilities. Upon the City's receipt from PSE of such written alternatives, the City shall evaluate such alternatives and shall advise PSE in writing if one or more of such alternatives are suitable to accommodate the work which would otherwise necessitate relocation of PSE's Facilities. In evaluating such alternatives, the City shall give each alternative proposed by PSE full and fair consideration with due regard to all facts and circumstances which bear upon the practicality of relocation and alternative to relocation. In the event the City reasonably determines that such alternatives are not appropriate, PSE shall relocate its Facilities as otherwise provided in Section 6.A and 6.B.

G. If the City requires the subsequent relocation of Facilities within five (5) years from the date of relocation of such Facilities pursuant to Section 6.A and Section 6.E (when such Section 6.E relocation would be considered a Section 6.A relocation), the City shall bear the entire cost of such subsequent relocation.

H. Nothing in this Section 6 shall require PSE to bear any cost or expense in connection with the relocation of any Facilities existing under benefit of easement (other than City owned utility easements described in Section 1.D or other rights not arising under this Franchise, nor shall anything in the Section 6 require the City to bear any such cost or expense. Nothing in this Section

6 shall be construed to be a waiver of any right of either PSE or the City to contest any claim or assertion by the other of responsibility to pay such cost or expense.

Section 7. Records of Installation and Planning

A. Upon the City's reasonable request, PSE shall provide to the City copies of any plans prepared by PSE for potential improvements, relocations and conversions to its Facilities within the Franchise Area; provided, however, any such plans so submitted shall be for information purposes only and shall not obligate PSE to undertake any specific improvements within the Franchise Area, not shall such plan be construed as a proposal to undertake any specific improvement with the Franchise Area.

B. Upon the City's reasonable request, PSE shall provide to the City copies of available drawings in use by PSE showing the location of its Facilities at specific locations with the Franchise Area. As to any such drawings so provided, PSE does not warrant the accuracy thereof and, to the extent the locations of Facilities are shown, such Facilities are shown in their approximate location. In the event applicable laws are enacted that exempt from public disclosure information concerning the location of PSE's Facilities, at the City's request this paragraph may be amended pursuant to Section 16 of this Franchise.

C. Upon the City's reasonable request, in connection with the design of any Public Works Project, PSE shall verify the location of its underground Facilities within the Franchise Area by excavating (e.g. pot holing) at no expense to the City. In the event PSE performs such excavation, the City shall not require any restoration of the disturbed area in excess of restoration to the same condition as existed immediately prior to the excavation.

D. Any drawings and/or information concerning the location of PSE's Facilities provided by PSE shall be used by the City solely for management of the Franchise Area. The City shall take all prudent steps reasonably necessary to prevent disclosure or dissemination of such drawings and /or information to any Third Party, without the prior express consent of PSE, to the extent permitted by law.

E. Notwithstanding the foregoing, nothing in this Section 7 is intended (nor shall be construed) to relieve either party of their respective obligations arising under applicable law with respect to determining the location of utility facilities.

Section 8. Coordination, Shared Excavations

A. PSE and the City shall each exercise all best reasonable efforts to coordinate any construction work that either may undertake within the Franchise Areas so as to promote the orderly and expeditious performance and completion of such work as a whole. Such efforts shall include, at a minimum, reasonable and diligent efforts to keep the other party and other utilities within the Franchise Areas informed of its intent to undertake such construction work. PSE and the City shall

further exercise best reasonable efforts to minimize any delay or hindrance to any construction work undertaken by themselves or utilities with the Franchise Area.

B. If, at any time or from time to time, either PSE or the City shall cause excavations to be made with the Franchise Area, the party causing such excavation to be made shall afford the other, upon receipt of a written request to do so, an opportunity to use such excavation, provided that; (1) such joint use shall not unreasonably delay the work of the party causing the excavation to be made; and (2) such joint use shall be arranged and accomplished on terms and conditions satisfactory to both Parties.

Section 9. Dispute Resolution

A. If there is any dispute or alleged default with respect to performance under this Franchise, the City shall notify PSE in writing, stating with reasonable specificity the nature of the dispute or alleged default. Within seven (7) days of its receipt of such notice, PSE shall provide written response to the City that shall acknowledge receipt of such notice and state PSE's intentions with respect to how PSE shall respond to such notice. PSE shall further have thirty (30) days (the "cure period") from its receipt of such notice to:

1. Respond to the City, contesting the City's assertion(s) as to the dispute or any alleged default and requesting a meeting in accordance with Section 9.B or;
2. Resolve the dispute or cure the default, or;
3. Notify the City the PSE cannot resolve the dispute or cure the default with thirty (30) days, due to the nature of the dispute or alleged default. Notwithstanding such notice, PSE shall promptly take all reasonable steps to begin to resolve the dispute or cure the default and notify the City in writing and in detail as to the actions that will be taken by PSE and the projected completion date. In such case, the City may set a meeting in accordance with Section 9.B.

B. If any dispute is not resolved or any alleged default is not cured or a meeting is requested or set in accordance with this Section 9.B, then the City shall promptly schedule a meeting between the City and PSE to discuss the dispute or any alleged default. The City shall notify PSE of the meeting in writing and such meeting shall take place not less than ten (10) days after PSE's receipt of notice of the meeting. Each Party shall appoint a representative who shall attend the meeting and be responsible for representing the Party's interests. The representatives shall exercise good faith efforts to resolve the dispute or reach agreement on any alleged default and/or any corrective action to be taken. Any dispute (including any dispute concerning the existence of or any corrective action to be taken to cure any alleged default) that is not resolved with ten (10) days following the conclusion of the meeting shall be referred by the Parties' representatives in writing to the senior management of the Parties for resolution. In the event senior management is unable to resolve the dispute with twenty (20) days of such referral (or such other

period as the Parties may agree upon), each Party may pursue resolution of the dispute or any alleged default through other legal means consistent with Section 10 of the Franchise. All negotiations pursuant to these procedures for the resolution of disputes shall be confidential and shall be treated as compromise and settlement negotiations for purposes of the state and federal rules of evidence to the extent permitted by law.

C. If, at the conclusion of the steps provided for in Section 9.A and 9.B, the City and PSE are unable to settle the dispute or agree upon the existence of a default or the correction action to be taken to cure any alleged default, the City or PSE (as PSE may have authority to do so) may:

1. Take any enforcement or corrective action provided for in City Code, as from time to time amended; provided such action is not otherwise in conflict with the provisions of this Franchise, and/or;

2. Demand arbitration, pursuant to Section 10 below, for disputes arising out of or related to Section 2.B (or such other sections with respect to the existence of conflicts or inconsistencies with the express terms and conditions of this Franchise and any applicable City codes, ordinances, regulations, standards, and procedures as now exist or as may be hereafter amended or superseded); 3, 5, 6 (excluding project delay claims exceeding \$30,000), 7, 13, and 19 of this Franchise (the "Arbitrable Claims"), and/or;

3. By ordinance, declare an immediate forfeiture of this Franchise for a breach of any material, non-arbitrable, obligations under this Franchise and/or;

4. Take such other action to which it is entitled under this Franchise or any appropriate law.

D. Unless otherwise agreed by the City and PSE in writing, the City and PSE shall, as may reasonable be practicable, continue to perform their respective obligations under this Franchise during the pendency of any dispute.

Section 10. Arbitration

A. The Parties agree that any dispute, controversy, or claim arising out of or relating to the Arbitrable Claims, shall be referred for resolution to the American Arbitration Association in accordance with the rules and procedures in force at the time of the submission of a request for arbitration.

B. The arbitrators shall allow such discovery as is appropriate to the purposes of arbitration in accomplishing a fair, speedy and cost-effective resolution of the dispute(s). The arbitrators shall reference the Washington State Rules of Civil Procedure then in effect in setting the scope and timing of discovery. The Washington State Rules of Evidence shall apply in total. The arbitrators may enter a default decision against any Party who fails to participate in the arbitration proceedings.

C. The Arbitrators shall have the authority to award compensatory damages, including consequential damages. Such damages may include but not be limited to: all cost and expenses of materials, equipment, supplies, utilities, consumable goods and other items; all costs and expenses of any staff; all costs and expenses of any labor (including, but not limited to, labor of any contractors and or subcontractors); all pre-arbitration costs and expenses of consultants, attorneys, accountants, professional and other services; and all taxes, insurance, interest expenses, overhead and general administrative costs and expenses, and other costs and expenses of any kind incurred in connection to the dispute. The arbitrator may award equitable relief in those circumstances where monetary damages would be inadequate.

D. Any award by the arbitrators shall be accompanied by a written opinion setting forth the findings of fact and conclusion of law relied upon in reaching the decision. The award rendered by the arbitrators shall be final, binding and non-appealable, and judgment upon such award may be entered by any court of competent jurisdiction.

E. Except as provided in Section 10.G, each Party shall pay the fees of its own attorneys, expenses of witnesses and all other expenses and costs in connection with the presentation of such Party's case including, without limitation, the cost of any records, transcripts or other things used by the Parties for the arbitration, copies of any documents used in evidence, certified copied of any court, property or City documents or records that are placed into evidence by a Party.

F. Except as provided in Section 10. G, the remaining costs of the arbitration, including without limitation, fees of the arbitrators, costs of records or transcripts prepared for the arbitrator's use in the arbitration, costs of producing the arbitrator's decision and administrative fees shall be borne equally by the Parties.

G. Notwithstanding the foregoing Sections 10.E and 10.F, in the event either Party is found during the term of this Franchise to be the prevailing party in any two (2) arbitration proceedings brought by such Party pursuant to this Section 10, or under any Memorandum of Understanding provided for in Section 6 and 7 of this Franchise or any other Memorandum of Understanding between the Parties that provides therefore, then such Party shall thereafter be entitled to recover all reasonably incurred costs, fees and expenses, including attorney fees, of any subsequent arbitration brought by them in which they are found to be the prevailing party.

H. In the event a Party desires to make a copy of the transcript of an arbitration proceeding for its use in writing a post-hearing brief, or a copy of an arbitration decision to append to a lawsuit to reduce the award to judgment etc., then that Party shall bear the cost thereof, except to the extent such cost might be allowed by a court as court costs.

Section 11. Alternative Remedies

No provision of this Franchise shall be deemed to bar the right of the City of PSE to seek or obtain judicial relief from a violation of any provision of the Franchise or any rule, regulation, requirement or directive promulgated there under for non-Arbitrable Claims. Neither the existence of other remedies identified in this Franchise nor the exercise thereof shall be deemed to bar or otherwise limit the right of the City or PSE to recover monetary damages for such violations by the other Party, or to seek and obtain judicial enforcement of the other Party's obligations by means of specific performance, injunctive relief or mandate, or any other remedy at law or in equity.

Section 12. Indemnification

A. PSE shall indemnify, defend and hold the City, its agents, officers or employees harmless from and against any and all claims, demands, liability, loss, cost, damage or expense of any nature whatsoever including all costs and attorney's fees, made against the City, its agents, officers or employees on account of injury, harm, death or damage to persons or property which is caused by, in whole or in part, and to the extent of, the negligent acts or omissions of PSE or its agents, servants, employees, contractors, or subcontractors in the exercise of the rights granted to PSE by this Franchise. Provided, however, such indemnification shall not extend to that portion of any claims, demands, liability, loss cost, damage or expense of any nature whatsoever including all costs and attorney's fees caused by the negligence of the City, its agents, employees, officers, contractors or subcontractors.

B. PSE's indemnification obligations pursuant to the Section 12 shall include assuming potential liability for actions brought by PSE's own employees and the employees of PSE's agents, representatives, contractors, and subcontractors even though PSE might be immune under Title 51 RCW from direct suit brought by such employees. It is expressly agreed and understood that this assumption of potential liability for actions brought by the aforementioned employees is limited solely to claims against the City arising by virtue of PSE's exercise of the rights set forth in this Agreement. The obligations of PSE under this section have been mutually negotiated by the Parties hereto, and PSE acknowledges that the City would not enter into this Agreement without PSE'S waiver thereof. To the extent required to provide this indemnification only, PSE waives its immunity under Title 51 RCW as provided in RCW 4.24.115.

C. In the event any matter (for which the City intends to assert its rights under this Section 12) is presented to or filed with the City, the City shall promptly notify PSE thereof and PSE shall have the right, at its election and at its sole costs and expense, to settle and compromise such matter as it pertains to PSE's responsibility to indemnify, defend and hold harmless the City, its agents, officers or employees. In the event any suit or action is started against the City based upon any such matter, the City shall likewise promptly notify PSE thereof, and PSE shall have the right, at its election and at its sole cost and expense, to settle and compromise such suit or action, or defend the same at its sole cost and expense, by attorneys of its own election, as it pertains to PSE's responsibility to indemnify, defend and hold harmless the City, its agents, officers or employees.

Section 13. Emergency Management

Annually, upon the request of the City, PSE will meet with the City Fire/Emergency Preparedness Department to coordinate emergency management operations and, at least once a year, at the request of the City, PSE personnel will actively participate with either the Fire Department or the City Emergency Operations Center in emergency preparedness drills or planning sessions.

Section 14. Assignment of Franchise

All of the provisions, conditions and requirements herein contained shall be finding upon PSE and the City. PSE may not assign or otherwise transfer its rights, privileges, authority and Franchise herein conferred without the prior written authorization and approval of the City, which shall not e unreasonably withheld. The City hereby authorizes and approves the mortgage by PSE of its rights, privileges, authority and Franchise in and under this Franchise to the trustee for its bondholders.

Section 15. Severability and Survival

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

B. All provisions, conditions and requirements of this Franchise that may be reasonably construed to survive the termination or expiration of this Franchise shall survive the termination or expiration of the Franchise. Subject to Section 14, the Parties' respective rights and interests under this Franchise shall inure to the benefit of their respective successors and assigns.

Section 16. Amendments to Franchise

A. This Franchise may be amended only by mutual agreement thereto, set forth in writing in the form of a City ordinance, signed by both Parties, which specifically states that it is an amendment to this Franchise and is approved and executed in accordance with the laws of the State of Washington. Without limiting the generality of the foregoing, this Franchise (including, without limitation the Sections addressing indemnification and insurance) shall govern and supersede and shall not be changed, modified, deleted, added to supplemented or otherwise amended by any permit, approval license, agreement or other document required by or obtained from the City in conjunction with the exercise (or failure to exercise) by PSE of any and all of its rights, benefits, privileges, obligations or duties in and under this Franchise, unless such permit, approval, license, agreement or other document specifically:

1. Reference this Franchise; and

2. States that it contains terms and conditions which change, modify, delete, add to, supplement or otherwise amend the terms and conditions of this Franchise.

B. If, during the term of this Franchise, there becomes effective any change in federal or state law including changes approved by the WUTC which:

1. affords either party the opportunity to negotiate in good faith a term or condition of this Franchise which term or condition would not have, prior to such change, been consistent with federal or state law; or
2. pre-empts or otherwise renders null and void any term or condition of this Franchise which has theretofore been negotiated in good faith;

then, in such event, either party may, within one hundred and eighty (180) days of the effective date of such change, notify the other party in writing that such party desires to commence negotiations to amend this Franchise. Such negotiations shall encompass only the specific term or condition affected by such change in federal or state law and neither party shall be obligated to re-open negotiations on any other term or condition of this Franchise. Within thirty (30) days from and after the other party's receipt of such written notice, the parties shall, at a mutually agreeable time and place, commence such negotiations. Pending completion of such negotiations resulting in mutually agreeable amendment of this Franchise, adoption of such amendment by Ordinance by the City and acceptance of such Ordinance by PSE, and except as to any portion thereof which has been pre-empted or otherwise rendered null and void by such change in federal or state law, the Franchise shall remain in full force and effect.

Section 17. No Third Party Beneficiary

Nothing in this Franchise shall be construed to create or confer any right or remedy upon any person(s) other than the City and PSE. No action may be commenced or prosecuted against any Party by any Third Party claiming as a Third Party beneficiary of this Franchise. This Franchise shall not release or discharge any obligation or liability of any Third Party to either Party.

Section 18. Insurance

A. PSE shall procure and maintain for the duration of the Franchise, insurance, or provide self-insurance, against all claims for injuries to persons or damages to property which may arise from or in connection with the exercise of the rights, privileges and authority granted hereunder to PSE, its agents, representatives or employees. PSE shall provide evidence of self-insurance and/or an insurance certificate, together with an endorsement naming the City, its officers, elected officials, agents, employees, representatives, engineers, consultants, and volunteers as additional insured, to the city for its inspection prior to the commencement of any work or installation of any Facilities pursuant to this Franchise, and such self-insurance and/or insurance certificate shall evidence the following minimum coverage:

1. Comprehensive general liability insurance including coverage for premises – operations, explosions and collapse hazard, underground hazard and products completed hazard, with limits not less than:

- (a) \$5,000,000 for bodily injury or death to each person;
- (b) \$5,000,000 for property damage resulting from any one accident; and
- (c) \$5,000,000 for general liability.

2. Automobile liability for owned, non-owned and hired vehicles with a limit of \$2,000,000 for each person and \$2,000,000 for each accident;

3. Worker's compensation within statutory limits and employer's liability insurance with limits of not less than \$2,000,000;

4. Environmental pollution liability with a limit not less than \$5,000,000 for each occurrence, at a minimum covering liability from sudden and/or accidental occurrences.

If coverage is purchased on a "claims made" basis, then PSE shall warrant continuation of coverage, either through policy renewals or the purchase of an extended discovery period, if such extended coverage is available, for not less than three years from the termination date of this Franchise, and/or conversion from a claims made form to an "occurrence" coverage form.

B. Any deductibles or self-insured retentions must be declared to the City. Payment of deductibles and self-insured retentions shall be the sole responsibility of PSE. The insurance certificate required by the Section shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

C. PSE's insurance shall be primary insurance with respect to the City, its officers, official, employees, agents, consultants and volunteers. Any insurance maintained by the City, its officers, officials, employees, consultants, agents and volunteers shall be in excess of PSE's insurance and shall not contribute with it.

D. In addition to the coverage requirements set forth in this Section, the certificate of insurance shall provide that:

"The above described policy will not be canceled before the expiration date thereof without the issuing company giving thirty (30) days written notice to the certificate holder."

In the event of said cancellation or intent not to renew, PSE shall obtain and furnish to the City evidence of replacement insurance policies meeting the requirements of this Section by the cancellation date.

Section 19. Notice of Tariff Changes

PSE shall, when making application for any changes in tariffs affecting the provisions of the Franchise, notify the City in writing of the application and provide City with a copy of the submitted application within five (5) days of filing with the WUTC. PSE shall further provide the City with a copy of any actual approved tariff(s) affecting the provision of this Franchise.

Section 20. Force Majeure

In the event that either Party is prevented or delayed in the performance of any of its obligations under this Franchise by reason beyond its reasonable control (a "Force Majeure Event"), then that Party's performance shall be excused during the Force Majeure Event. Force Majeure Events shall include, without limitation, war; civil disturbance; flood, earthquake or other Act of God; storm, earthquake or other condition which necessitates the mobilization of the personnel of a Party or its contractors to restore utility service to customers; laws, regulations, rules or orders of any government agency; sabotage; strikes or similar labor disputes involving personnel of a Party, its contractors or a Third Party; or any failure or delay in the performance by the other Party, or a third Party who is not an employee, agent or contractor of the Party claiming a Force Majeure Event, in connection with this Franchise. Upon removal or termination of the Force Majeure Event, the Party claiming a Force Majeure Event shall promptly perform the affected obligations in an orderly and expedited manner under this Franchise or procure a substitute for such obligation. The Parties shall use all commercially reasonable efforts to eliminate or minimize any delay caused by a Force Majeure Event.

Section 21. Memorandum of Understanding

A. The Parties agree to develop and maintain in effect for the term of this Franchise a certain Memorandum of Understanding as provided for in Section 6 of this franchise. This Memorandum of Understanding shall, among other things, detail the expectation of the Parties regarding their respective responsibilities and performance relating to the subject matter thereof.

B. In the event of performance by either Party which is, or which may be asserted or construed to be, inconsistent with the expectations contained in the Memorandum of Understanding provided for by this Section 21, such performance shall not be, nor shall such performance be construed to be a failure to perform any materials obligation under this Franchise for the purposes of Section 9 and Section 10 of this Franchise.

Section 22. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 17th day of October, 2006.

Signed in authentication thereof this 17th day of October, 2006.



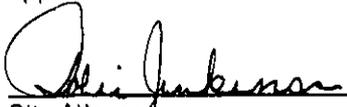
MAYOR

Attest:



City Clerk

Approved as to Form:



City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4060

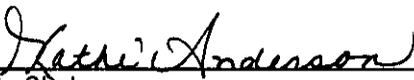
AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION, THE RIGHT, PRIVILEGE, AUTHORITY AND FRANCHISE TO SET, ERECT, CONSTRUCT, SUPPORT, ATTACH, CONNECT AND STRETCH FACILITIES BETWEEN, MAINTAIN, REPAIR, REPLACE, ENLARGE AND OPERATE FACILITIES IN, UPON, UNDER ALONG AND ACROSS THE FRANCHISE AREA FOR THE PURPOSES OF TRANSMISSION, DISTRIBUTION AND SALE OF NATURAL GAS.

SECTIONS 1-21. Provide for the grant of a franchise to Puget Sound Energy, Inc. of a franchise for natural gas facilities and distribution for ten years on specified terms and conditions.

SECTION 22. 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 17th day of October, 2006.

I certify that the foregoing is a summary of Ordinance 4060 approved by the Kirkland City Council for summary publication.



City Clerk

RESOLUTION R-5216

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND
EXTENDING THE FRANCHISE GRANTED TO PUGET SOUND ENERGY,
INC. PURSUANT TO ORDINANCE NO. 4060.

1 WHEREAS, the City of Kirkland ("City") granted a franchise to
2 Puget Sound Energy, Inc. ("PSE") on October 17, 2006, ("Franchise
3 Agreement") for the purpose of allowing PSE to use City right-of-way
4 for its infrastructure, which ordinance took effect on October 22, 2006,
5 and was accepted by PSE on November 17, 2006; and
6

7 WHEREAS, the Franchise Agreement has a term of ten (10)
8 years, which expires on October 22, 2016; and
9

10 WHEREAS, pursuant to Section 2(a) of the Franchise Agreement,
11 upon the written request of PSE submitted not more than two years nor
12 less than 180 days before the expiration of the Franchise Agreement,
13 which request was timely received on February 26, 2016, the Council
14 may extend the Franchise Agreement for an additional five (5) year
15 period; and
16

17 WHEREAS, staff recommends that the Council grant this
18 extension.
19

20 NOW, THEREFORE, be it resolved by the City Council of the City
21 of Kirkland as follows:
22

23 Section 1. The Franchise Agreement is extended for an
24 additional five (5) year period beginning on October 22, 2016.
25

26 Passed by majority vote of the Kirkland City Council in open
27 meeting this ____ day of _____, 2016.
28

29 Signed in authentication thereof this ____ day of _____,
30 2016.

MAYOR

Attest:

City Clerk

**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Kelli Jones, Surface Water Engineer
Jenny Gaus, Surface Water Engineering Supervisor
Kathy Brown, Public Works Director

Date: October 11, 2016

Subject: Surface Water Ordinance for Adoption of New Surface Water Design Manual

RECOMMENDATION:

It is recommended that Council:

- Provide input on the attached ordinance relating to the surface water design requirements, Kirkland Municipal Code (KMC) Title 15, Water and Sewage.
- Direct staff on which alternative Addendum to the 2016 King County Surface Water Design Manual Policy (Attachment A and Attachment B) to include in the Public Works Pre-Approved Plans and Policies.

BACKGROUND AND DISCUSSION:**1. Introduction**

Staff provided background on the City's surface water design requirements at the [July 5th regular Council meeting](#) and [September 20th study session](#). In short, the City must adopt updated surface water design requirements by December 31, 2016 in order to comply with the National Pollutant Discharge Elimination System Phase II Municipal Stormwater Permit (NPDES Permit). The updated requirements emphasize use of Low Impact Development (LID) facilities, which help to reduce the flow and toxicity of stormwater. Use of LID complements other city efforts to manage stormwater for environmental and regulatory compliance purposes. The new surface water requirements will increase development costs for most private and public projects. Cost implications will vary by type and location of project.

Below is a summary of Council direction received in the September 20th Study Session:

- Continue to include flood reduction and conveyance requirements, though these are not specifically required per the NPDES Permit.
- Adopt the King County package to comply with the Permit. This package includes:
 - [2016 King County Surface Water Design Manual](#) (KCSWDM);
 - [2016 King County Stormwater Pollution Prevention Manual](#);
 - The City of Kirkland Addendum to the 2016 KCSWDM (Addendum), which includes implementation details specific to the City, including whether flow control facilities are required for projects with less than 10,000 square feet of proposed impervious. (Please see discussion of the Addendum below.);
 - Cross-reference of KMC to match King County Code Chapter [9.04](#), [9.12](#) and [16.82](#);

- Return to Public Works/Parks/Human Services and Planning and Economic Development Council committees in 2017 with additional information concerning options for a potential fee-in-lieu program;
- Conduct a study to examine the difference between Ecology and King County packages, and to develop tools and resources to help with implementation of LID;
- Explore education and outreach needs and opportunities associated with low impact development facilities that are constructed on residential properties.

The remainder of this memo details code changes required to adopt the King County package, including a description of information that will be contained in the Addendum and a summary of changes to the KMC.

2. Kirkland Addendum to the 2016 KCSWDM

The Kirkland Addendum is a policy that is a part of the Public Works Pre-Approved Plans and Policies (Pre-Approved Plans). The Public Works Director has the authority to revise Pre-Approved Plans. Past practice has been to present the Addendum to Council as part of significant updates to surface water design requirements (i.e., upon adoption of a new surface water design manual) because the Addendum can contain policy decisions on which staff are seeking Council direction (such as detention tank requirements for small projects). The Pre-Approved Plans are updated annually and future changes to the Addendum will continue to be approved by the Public Works Director.

The Kirkland Addendum includes implementation details that are specific to Kirkland, as well as clarifications on intent of the 2016 KCSWDM. Examples include, but are not limited to, the following:

1. Implementation details regarding what is required for a storm water permit submittal under certain drainage review types;
2. Clarification on how to determine level of drainage review compared to determining the size of a flow control facility (tanks or vaults);
3. Implementation details regarding offsite analysis, specifically offsite water quality problems;
4. Additional alternatives for water quality treatment, remaining consistent with the 2014 Ecology Manual;
5. Clarification of soil infiltration testing requirements.

3. Alternatives for the Kirkland Addendum to the 2016 KCSWDM

Since the Study Session on September 20th, staff has heard additional concerns from Council members regarding the flow control facilities for small projects, such as two-lot short plats. To provide Council with options for addressing these concerns, staff has created two alternative addendums (Attachment A and Attachment B).

- Attachment A: Adopts the 2016 KCSWDM with the implementation and clarification details explained above. Small projects, such as two-lot short plats (approximately 7,000 square feet to 10,000 square feet of proposed impervious) would be required to provide flow control facilities.
- Attachment B: Adopts the 2016 KCSWDM with an additional implementation detail regarding flow control requirements for the small projects. Small projects (approximately 7,000 square feet to 10,000 square feet of proposed impervious) would be exempt from providing flow control facilities.

As mentioned during the study session, there are costs and benefits to consider when deciding whether to require flow control facilities for these smaller projects. If flow control facilities are required:

- Flow control volume created by these smaller projects would protect downstream infrastructure and stream habitat.
- The need to provide stormwater facilities will increase development costs for these small developments
- Additional maintenance and inspection by the City will be required. Under current city policy, these facilities would be maintained by the city crews. Facilities would need to be tracked in the maintenance management system, inspected once per year, and would need to be cleaned on a regular basis (probably once every 4 years based on data for similar facilities that already exist in the City).
- Approximately 10-15 of these small facilities would be added to the City storm system each year (if rates of development are similar to 2015).

If flow control facilities are not required:

- It is possible that there will be increased flooding downstream of newly developed areas if flow control is not provided and downstream pipes are under-capacity.
- The City may be tasked with providing this volume at a later date, which could cost 2 – 3 times more than building these facilities now because City of the need to acquire land, and delay would result in cost inflation.
- Regional facilities to replace the flow control volume of these facilities (and beyond) may be challenging to site because these small projects are scattered throughout the City, and because the timing of specific development projects is unknown.

Staff recommends adoption of Attachment A because this provides the highest degree of protection for downstream resources and reduces the risk of flooding. Recognizing the policy considerations related to these small-sized development, and concerns raised by Council members, staff is seeking Council final direction on this matter. The Council-preferred alternative will be incorporated into the Pre-Approved Plans.

Whichever Addendum option Council chooses, the study described below would analyze the differences between the manuals, including the Addendum, and a policy change could be made at a later date.

4. Changes to KMC 15.04 and 15.52

To meet NPDES requirements, minor changes are proposed to Chapter 15.04 and 15.52 of the KMC to reflect the adoption of the King County package. The number of changes are large, but many changes were housekeeping changes to clarify current practices and standards. The following is a summary of changes that are proposed to the KMC:

1. Alter language to adopt the King County package.
2. Clarify language to determine when a drainage review is required.
3. Delete definitions that are reflected in the 2016 KCSWDM, such as new impervious area and water quality treatment facility to remain consistent with the new requirements.
4. Update references to current document titles (such as the Pre-approved Plans).
5. Update language to remain consistent across the surface water code.
6. Clarify maintenance responsibility – note that flow control BMPS (low impact development) facilities on private property are to be maintained by the property owner.

7. Clarify language on the City's right to enter residential and nonresidential properties for inspection and maintenance of drainage facilities.

5. Outreach Process

Surface water staff have been working on coordination and outreach since February 2016 with both internal staff, the public and the development community. Future outreach efforts will include a second public open house in combination with the LID Code Review on October 24th, training for internal staff, and handouts such as templates, flow charts and policies to help the development community understand the new requirements.

King County is providing staff training in October/November 2016. King County is planning on providing additional training for the development community before the end of the year. Surface water staff will work on additional training for all internal staff affected by the update and additional training for review staff.

From the study session, Council had concerns about notification to the public, especially residents, who will be responsible for maintenance of LID facilities on their property. Per Council concerns, surface water staff will explore education and outreach needs and opportunities associated with low impact development facilities that are constructed on residential properties.

6. Study of King County package

The King County and Ecology packages are both new. Staff have spent considerable effort running sample projects through both packages, but will not truly start to see the full range differences unless project comparisons are continued as actual projects are reviewed. In addition, there may be tools and implementation methods that would streamline the design and review process for both private development and CIP projects in Kirkland. Therefore staff are proposing to conduct a study over the next two years that may include the following:

- LID feasibility tools: investigate whether groundwater and geologic maps can be used to inform LID feasibility in certain areas of the city, and whether calculators or other tools could help to streamline the process.
- Special zoning districts and other ways of implementing LID on a watershed or regional basis: Investigate whether this would help to control the type and location of LID facilities in a way that would be beneficial for city maintenance costs and for our watersheds.
- Evaluation of flow control sizing under both manuals: Investigate the type and number of projects that are impacted by sizing and threshold differences between the manuals, and investigate whether further changes to the King County package should be considered.

This study is being proposed as a service package as part of the 2017-2018 budget process.

7. Next Steps

With the updates to the KMC, the City will remain in compliance with the NPDES Permit. The effective date of the ordinance is January 1, 2017. Staff will use the time between adoption and the effective date to provide and attend training, and to update the Pre-Approved Plans with details and policies associated with the King County package. Service packages are being proposed as part of the 2017-2018 budget for staff and consultant resources associated with the King County package.

Attachment A – Alternative 1: Draft Kirkland Addendum to the 2016 KCSWDM (flow control for small projects)

Attachment B – Alternative 2: Draft Kirkland Addendum to the 2016 KCSWDM (no flow control for small projects)



Addendum to the 2016 King County Surface Water Design Manual

Effective date: January 1, 2017

Introduction

This addendum to the 2016 King County Surface Water Design Manual (KCSWDM) applies to development and redevelopment proposals within the City of Kirkland. The KCSWDM has adopted requirements of the Clean Water Act, the Endangered Species Act, and the State Growth Management Act. This addendum includes minor revisions to the KCSWDM to address the differences between King County's and the City's organization and processes. No major substantive changes have been made to the KCSWDM in order to maintain equivalency in review requirements and level of protection provided by the manual. It is the City of Kirkland's intent to maintain equivalency with the 2012 Ecology Stormwater Management Manual for Western WA, as amended in 2014 (Ecology Manual).

Addendum Organization

The information presented in this addendum is organized as follows:

I. Terminology: At times King County and the City of Kirkland use different terminology to describe or to refer to equivalent subject matter. This section identifies these terms and the City of Kirkland's equivalent terminology.

II. Key Revisions: This section specifically identifies the minor revisions the City has made to the KCSWDM.

III. Code Reference Tables: King County code is referenced in many places throughout the KCSWDM. This section identifies these county code references and states the equivalent city code where applicable.

IV. Mapping: The City of Kirkland equivalents to the Flow Control Applications map, Landslide Hazard Drainage Areas map, and Sensitive/Critical Areas map are available online at:

http://www.kirklandwa.gov/depart/Information_Technology/GIS.htm

V. Reference Materials: This section identifies which reference materials provided in the KCSWDM are applicable and which are not. It also identifies equivalent City of Kirkland reference materials available.

Note: Clarifications and interpretations to the KCSWDM or this addendum are documented and made available through City Regulatory Code and the Public Works Pre-Approved Plans.

I. Terminology

At times King County and the City of Kirkland use different terminology to describe or to refer to equivalent subject matter. This section identifies these terms and the City of Kirkland's equivalent terminology.

- **Critical Drainage Area (CDA).** This definition does not apply in the City of Kirkland.
- **Department of Permitting and Environmental Review (DPER).** All references to DPER conducting drainage reviews or determinations shall refer to City of Kirkland Development Services.
- **Department of Natural Resources and Parks (DNRP).** All references to DNRP shall refer to City of Kirkland Parks, Planning and Community Development and/or Public Works Departments.
- **Director.** All references to the Director shall refer to the City of Kirkland Public Works Director.
- **King County.** All references to King County shall refer to the City of Kirkland (COK).
- **King County Code (KCC).** All references to the KCC shall refer to the City of Kirkland Municipal Code (KMC). Check code reference table for equivalent code sections.
- **King County Designated/Identified Water Quality Problem.** This determination is made on a case-by-case basis in the City of Kirkland.
- **King County Road Standards.** All references to the King County Road Standards shall refer to the City of Kirkland Public Works Pre-Approved Plans.
- **Overflow Pipe:** A pipe shall be considered an overflow if sufficient storage is provided below the invert of the pipe to meet flow control BMP requirements. In these situations, the flow control BMP will be allowed the credit associated with the BMP. Per the new impervious surface definition in the 2016 KCSWDM, if the pipe is used as an underdrain, the area will be counted as new or replaced impervious surface area.
- **Project Size.** The project size is based on the parcel(s) and/or right-of-way included in the project scope. It will be assumed the area disturbed by development will encompass the entire parcel(s) and right-of-way, unless there is an easement, defined stream/wetland and buffer, NGPE, or other condition which limits the amount of developable area.
- **Sensitive Area Folio.** Refer to City of Kirkland Sensitive Areas Map at: http://www.kirklandwa.gov/depart/Information_Technology/GIS.htm
- **Water and Land Resources (WLR) Division.** All references to the WLR Division shall refer to the City of Kirkland Surface Water Management Group.
- **Zoning Classifications: Where the KCSWDM references Agricultural (A) Zoning, Forest (F) Zoning, or Rural (R) Zoning.** These zoning classifications are intended for areas outside of the Urban Growth Boundary, therefore the City of Kirkland contains no equivalent zoning. Refer to city zoning maps to determine which zoning classifications apply to your project. The City of Kirkland Land Use Map can be found at: http://www.kirklandwa.gov/depart/Information_Technology/GIS.htm

II. Key Revisions

This section includes minor revisions and clarifications to the 2016 KCSWDM to address the differences between King County's and the City of Kirkland's organization and processes, as well as to ensure equivalency with the 2014 Ecology Manual. Unless specifically noted as a clarification, the items below are minor revisions.

Chapter 1: Drainage Review and Requirements

Applies with the revisions stated below:

If a project uses multi-family zoning and density, then multi-family stormwater requirements apply to the entire project even if the project includes detached single family homes.

1.1 Drainage Review

Criteria for review levels are defined in the COK Public Works Pre-Approved Plans, Policies D-2 and D-3. Drainage review levels used in the City of Kirkland are listed below:

- Basic drainage review
- Simplified drainage review
- Targeted drainage review
- Full drainage review

When determining the level of drainage review, the following items apply:

- Clarification: Areas that change from existing gravel to paved surface will be counted as new impervious surface area, not replaced impervious area.
- Clarification: Flow control BMPs cannot be used to reduce the level of drainage review, but can be used to reduce the amount of flow control required. For example, proposed driveways and roads will always be counted as fully impervious for the drainage review level, but permeable pavement can be used to meet flow control requirements.

1.2 Core Requirements

1.2.2 Core Requirement #2: Offsite Analysis

1.2.2.1 Downstream Analysis

Exclude the section titled Downstream Water Quality Problems Requiring Special Attention. Water quality problems in the City of Kirkland are addressed through educational programs and source control.

1.2.2.1.1 Downstream Drainage Problems Requiring Special Attention

For item 4, Potential Impacts to Wetland Hydrology problem, refer to COK Public Works Pre-Approved Plans, Policy D-13, to determine the level of review needed for the wetland, reporting information required, and potential modelling to determine impacts.

1.2.3 Core Requirement #3: Flow Control

Clarification: Historic (forested) conditions will be used for pre-developed runoff modeling of all projects in Level 2 flow control areas.

A City of Kirkland flow control map is located at:

http://www.kirklandwa.gov/depart/Information_Technology/GIS.htm

The City will accept non-infiltrating bioretention (planter boxes) for Basic Flow Control (Level 1), provided the design meets the criteria set forth in the City of Seattle Stormwater Manual, Volume 3, Section 5.8.2). The hydraulic restriction layer for planters shall be made of concrete. The planters shall contain plants from the Seattle Green Factor Plant List.

Projects triggering a Full Project Drainage Review proposing infiltration/bioretention facilities or pervious pavement to meet Level 1 or 2 flow control or for onsite flow control BMPs require a soils report per COK Pre-Approved Plans, Policy D-8.

1.2.3.1 Area-Specific Flow Control Facility Requirement

Regarding Exceptions to Flow Control Requirements in both Basic (#1) and Conservation (#2) Flow Control Areas, flow control can be waived if a project generates less than a 0.15 cfs increase in 100-yr peak flows using a 15-minute time step. The intent to still allow the 0.10 cfs increase at the 100-yr peak flow with a 1-hour time step were for areas that do not include a 15-minute time step in the approved model. All areas in Kirkland have a 15-minute time step, and therefore must use 15-minute time step for the exception.

Clarification: Only BMPs listed on Table 1.2.9.A (page 1-95) can be used on a project to meet the 0.15 cfs limit unless otherwise approved through the adjustment process, Policy D-11. For example, products like infiltrator chambers are not equivalent to gravel filled infiltration trenches in Appendix C and shall submit an adjustment to the manual per Policy D-11 in the COK Public Works Pre-Approved Plans to show equivalence.

Clarification: To meet the requirements of the 0.15 cfs exception, total pre-developed and post-developed areas must match.

Clarification: Regarding Target Surfaces in Conservation Flow Control Areas to be mitigated, vegetated areas in easements and/or tracts must be modeled from forested in the pre-developed condition to lawn in the developed condition, unless the area is placed in a tract or easement that will preserve the native vegetation during and after construction.

Clarification: Threshold and modeling calculations of pervious and impervious areas, turf areas, including lawn or synthetic turf, that do not have an underdrain are considered 100% pervious. Areas that have an underdrain are considered 100% impervious.

1.2.4 Core Requirement #4: Conveyance System

1.2.4.3 Conveyance System Implementation Requirements

G. Spill Control

City of Kirkland will only require spill control requirements on commercial and multifamily projects that do not require flow control. Single family residential will install a tee/turn down elbow per (COK D.13).

1.2.6 Core Requirement #6: Maintenance and Operations

Refer to KMC 15.52.070 for City Acceptance of new drainage facilities.

If the project proposes a propriety system not covered in the 2016 KCSWDM, the applicant shall submit and adjustment to the manual per Policy D-11 in the COK Public

Works Pre-Approved Plans. The adjustment should include inspection and maintenance standards, including frequency of inspections and a log of maintenance activity.

1.2.7 Core Requirement #7: Financial Guarantees and Liability

This section is replaced by KMC 15.52.080, Bonds.

1.2.8 Core Requirement #8: Water Quality

1.2.8.1 A. Basic WQ Treatment Areas

Reductions of water quality treatment level from Enhanced to Basic, Exception #4, is not allowed in the City of Kirkland. Projects in Kirkland cannot reduce the level of required water quality treatment by prohibiting the use of leachable metals on the property.

For a bioretention to meet enhanced basic water quality treatment, it must be designed, using an approved continuous runoff model, to infiltrate 91% of the influent runoff, consistent with the 2014 Ecology Manual, and designed with no underdrain and designed per 2014 Ecology Manual BMP T7.30.

The City will accept all water quality treatment facility-types identified in the 2014 Ecology Manual, with the following additions and alterations:

- Emerging technologies will be considered on a case-by-case basis, via adjustment process, Policy D-11 in the COK Public Works Pre-Approved Plans, provided the product has received a level of use designation from WA State Dept. of Ecology (see the following website):

<http://www.ecy.wa.gov/programs/wq/stormwater/newtech/index.html>

1.2.8.1 B. Sensitive Lake WQ Treatment Areas

This section does not apply to the City of Kirkland.

1.2.8.1 C. Sphagnum Bog WQ Treatment Areas

This section does not apply to the City of Kirkland.

1.2.9 Core Requirement #9: Flow Control BMPs

1.2.9.1 Flow Control BMP Requirements Overview

A. Target Surfaces

If a project or threshold discharge area of a project meets the Direct Discharge Exemption per Section 1.2.3.1, soil amendment is required for new pervious areas and flow control BMPs need to be evaluated in the following order for impervious areas:

1. Full Infiltration
2. Basic Dispersion

If basic dispersion is found to be a feasible BMP, limited infiltration, bioretention and/or permeable pavement may be used instead of basic dispersion to meet the flow control BMP requirement. If basic dispersion is found to be infeasible, perforated pipe connection is not required in the City and the flow control BMP requirement is considered met.

1.2.9.2 Individual Lot BMP Requirements

To meet Requirement #3, mitigating impervious surface to the maximum extent feasible, in the public right-of-way for both Small Lot BMP Requirements and

Large Lot BMP Requirements, the BMPs must be evaluated in the order listed in the King County Manual:

1. Full Infiltration
2. Limited Infiltration or Bioretention
3. Permeable Pavement

Requirement #5, implementation of Reduced Impervious Surface Credit and Native Growth Retention Credit, for both Small Lot BMP Requirements and Large Lot BMP Requirements is not required in the City of Kirkland. King County has high lot coverage so the reduction of 10% lot coverage to meet the flow control BMP requirement is achievable. The City of Kirkland justifies meeting this requirement for implementation with an already lower lot coverage than King County (typically 70% lot coverage in King County compared to 50% lot coverage in Kirkland).

Requirement #7, installation of perforated pipe connection, is not required in the City of Kirkland. If the applicant has reached this level, it is viewed that LID is infeasible on the site and do not want to introduce additional water into the ground.

1.2.9.2.3 Large Rural Lot BMP Requirements

This section does not apply to the City of Kirkland.

1.2.9.4.1 Use of Credit by Subdivision Projects

A. Subdivision Implementation of BMPs within Road Right-of-Way Item #3: If the road right-of-way will be maintained by the City of Kirkland, the flow control BMPs must be approved by the public works department. Refer to section 1.2.9.2, Requirement #3, in the Addendum for the order of BMP evaluation in the right-of-way.

1.3.1 Special Requirement #1: Other Adopted Area-Specific Requirements

Projects located in the Holmes Point Area must also comply with lot coverage and other standards included in the Kirkland Zoning Code, *Chapter 70 – Holmes Point Overlay Zone*.

1.3.3 Special Requirement #3: Flood Protection Facilities

This section does not apply to the City of Kirkland.

1.4 Adjustment Process

Refer to the Surface Water Adjustment Process defined in COK Public Works Pre-Approved Plans, Policy D-11.

Chapter 2 Drainage Plan Submittal

Applies with the revisions stated below:

2.1 Plans Required for Drainage Review

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.2 Plans Required with Initial Permit

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3 Drainage Review Plan Specifications

2.3.1.1 Technical Information Report

An Operation and Maintenance Manual is required for all privately maintained stormwater detention and water quality facilities, and is submitted as part of the permit application.

2.3.1.2 – Site Improvement Plan

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3.1.3 – ESC Plan Section

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3.1.4 – Stormwater Pollution Prevention and Spill (SWPPS) Plan

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-12.

2.3.2 – Projects in Targeted Drainage Review (TDR)

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.4 Plans Required After Drainage Review (pg 2-35)

Refer to the COK Public Works Pre-Approved Plans, policies G-7, D-2, and D-3.

Chapter 3 Hydrologic Analysis & Design

Applies with the revisions stated below:

Refer to Policy D-14, WWHM 2012 Guidance, for additional information on sizing requirements and inputs for WWHM 2012.

3.2.2.1 Generating Time Series

Calculation of Impervious Area

For residential development, the assumed impervious coverage shall be the maximum impervious coverage permitted by zoning code, typically 50% lot coverage except for the Holmes Point Overlay Zone (not automatically 4,000sf as in the 2016KCSWDM). The assumed impervious can only be less if a covenant, sensitive area, or native growth protection easement exists.

If an existing house will remain during redevelopment, the following two options are available to address the storm drainage from that house/lot:

1. Evaluate the proposed lot as new/replaced impervious area at the required lot coverage as part of the subdivision drainage technical information report, OR
2. Remove the lot from calculations as non-targeted surfaces. If this method is taken, the existing home cannot be demolished and redeveloped within 5 years of the recording of the short plat. If the home is demolished and redeveloped within that time period, a storm drainage analysis must be provided for the entire subdivision including the lot at full lot coverage as part of the building permit. The following note must be included on the subdivision:

Redevelopment of Lot_: Since the home currently constructed on the existing parcel that is proposed to remain as Lot_ has not been evaluated as part of the storm drainage analysis, the existing home cannot be demolished and redeveloped within 5 years of the recording of this plat. If the home is

demolished and redeveloped within that time period, a storm drainage analysis must be provided for the entire subdivision including Lot_ at full impervious coverage.

3.3.2 Flow Control Design Using the Runoff File Method Evaluating Flow Control Performance

Clarification: If having difficulties meeting the lower part of the duration curve (50% of the 2-year to the 2-year), refer to footnote 10 in the 2016 KCSWDM.

Chapter 5 Flow Control Design

Applies with the revisions stated below:

5.2.1 General Requirements for Infiltration Facilities

For any soil investigation or reporting information, refer to COK Public Works Pre-Approved Plans, Policy D-8.

5.1 Detention Facilities

Use details located in the COK Public Works Pre-Approved Plans, if available.

5.1.4.1 Control Structures Design Criteria

A removable screen is required when the bottom orifice size is 1" or less. The screen shall be made from stainless steel mesh, 8 inch depth, and attached with a minimum of 3 stainless steel screws. The size of the mesh openings must be less than the orifice diameter (0.25 inch mesh typical).

5.1.5 Parking Lot Detention

Parking lot detention is not allowed in the City of Kirkland.

Chapter 6 Water Quality Design

Applies with the revisions stated below:

Use details located in the COK Public Works Pre-Approved Plans, if available.

6.1.2 Enhanced Basic Water Quality Menu

For a bioretention to meet enhanced basic water quality treatment, it must be designed, using an approved continuous runoff model, (WWHM 2012 or MGS Flood) to infiltrate 91% of the influent runoff without an underdrain and per Ecology Manual BMP T7.30.

Appendix A: Maintenance Requirements for Flow Control, Conveyance, and Water Quality Facilities

If the project proposes a propriety system not covered in the 2016 KCSWDM, the applicant shall submit and adjustment to the manual per Policy D-11 in the COK Public Works Pre-Approved Plans. The adjustment should include inspection and maintenance standards, including frequency of inspections and a log of maintenance activity.

Appendix B: Master Drainage Plan Objective, Criteria and Components, and Review Process

This Appendix does not apply to projects in the City of Kirkland.

Appendix C: Small project Drainage Requirements

Applies with the revisions stated below:

C.1.3 Application of Flow Control BMPs

For any soil investigation or reporting information, refer to COK Public Works Pre-Approved Plans, Policy D-8.

C.2.2.3 Use of Gravel Filled Trenches for Full Infiltration

Products like infiltrator chambers are not equivalent to gravel filled infiltration trenches in Appendix C. If the project would like to use proprietary items, the applicant shall submit an adjustment to the manual per Policy D-11 in the COK Public Works Pre-Approved Plans.

C.2.7.4 Permeable Pavers

Sand is not allowed in between or below permeable pavers in the City of Kirkland. No. 8 Aggregate shall be used in openings between pavers, and in the bedding course.

C.2.7.6 Grassed Modular Grid Pavement

Modular grid pavement with grass planted in the openings or in a thin layer of soil over the grid material cannot be used for single family residential driveways that are used on a daily basis in the City of Kirkland. Past performance shows the grass does not grow well when subject to vehicular traffic on a daily basis.

Appendix D: Construction Stormwater Pollution Prevention Standards

Use details located in the COK Public Works Pre-Approved Plans, if available.

D.2.4.2 Wet Season Requirements

Refer to ESC Notes in the COK Public Works Pre-Approved Plans.

III. Code Reference Tables

King County Code is referenced in many places throughout the KCSWDM. The following table identifies the county code references and states the equivalent City of Kirkland code where applicable (Kirkland Municipal Code is KMC and Kirkland Zoning Code is KZC). Policies are located in the Public Works (PW) Pre-Approved Plans.

King County Code Reference	Subject of Reference	COK Code/Policy Equivalent	Comment
KCC 2.98	Adoption procedures and Critical Drainage Areas	KZC Chapter 90	
Title 9	Surface Water Management	KMC 15.52	
KCC 9.04	Surface Water Run-off policy	KMC 15.52	
KCC 9.04.020	Definitions	KMC 15.04	
KCC 9.04.030	Drainage Review	PW Pre-Approved Plans	Policy D-2, D-3
KCC 9.04.050	Drainage Review-requirements	PW Pre-Approved Plans	Policy D-2, D-3
KCC 9.04.060	Critical drainage and/or erosion areas	KZC 85, KZC 90	
KCC 9.04.070	Engineering plans for the purposes of drainage review	KMC 15.52.050, KMC15.52.060 and PW Pre-Approved Plans	Policy D-2, D-3, D-11

KCC 9.04.090	Construction timing and final approval	KMC 15.52.060	Policy D-12
KCC 9.04.095	Vesting for lots in final short plats	KMC 22.20.370	
KCC 9.04.100	Liability Requirements	KMC 15.52.080	
KCC 9.04.115	Drainage Facilities accepted by King County	KMC 15.52.070	
KCC 9.04.120	Drainage Facilities NOT accepted by King County	KMC 15.52.070	
KCC 9.12.025	Prohibited discharges in the water quality section	KMC 15.52.090	Policy D-4
KCC 9.12	Water Quality	KMC 15.52.090 – 15.52.110	
KCC 9.12.035	Water Quality: Stormwater Pollution Prevention Manual Adoption	KMC, 15.52.090, KMC 15.52.100	Policy D-4
KCC 16.82	Erosion and Sediment Control, Clearing and Grading	KMC 15.52.060	
KCC 16.82.095(A)	ESC standards: seasonal limitation period	PW Pre-Approved Plans	Erosion/Sediment Control Plan Notes
KCC 16.82.100(F)	Grading standards: preservation of duff layer	KZC Chapter 95	
KCC 16.82.100(G)	Grading Standards: soil amendments	KZC Chapter 95, Pre-approved Plans	
KCC 16.82.150	Clearing standards in rural zone	Not applicable	COK does not contain rural zones
KCC 20.70.020	Critical Aquifer recharge area	Not applicable	No critical aquifer recharge areas in COK
KCC 21A.24	Critical Areas Requirements	KZC Chapters 85 and 90	
KCC 21A.14.180.D	On-site recreation space required	No equivalent City code exists	On-site recreation space is not required
KCC 21A.24	Critical Areas Code	KZC Chapter 90	
KCC 21A.38	Property specific development standards or special district overlays	KZC Chapter 70, KZC Chapter 90	
KCC 23.20	Code compliance: citations	KMC 1.12.030	
KCC 23.24	Code compliance: notice and orders	KMC 1.12.040	
KCC 23.28	Code compliance: stop work orders	KMC 1.12.070	
KCC 23.40	Code compliance: liens references on declaration of covenants form	KMC Title 15	

IV. Mapping

Below is a list of City of Kirkland maps to be used during drainage design. The maps can be viewed on-line or viewed at the Public Works counter at City Hall.

The maps are available on the following website:

http://www.kirklandwa.gov/depart/Information_Technology/GIS.htm

1. Base Map
2. Flow Control Map
3. Sensitive Areas Map
4. Land Use Map

V. Reference Materials

This section identifies which reference materials provided in the 2016 KCSWDM are applicable and which are not. Reference materials that have been struck through (i.e., ~~struck through~~) are not applicable to projects in the City of Kirkland.

- ~~1. KCC 9.04—Surface Water Runoff Policy~~
- ~~2. Adopted Critical Drainage Areas~~
- ~~3. Other Adopted Area Specific Drainage Requirements~~
 - ~~A. RA Zone Clearing Restrictions~~
- ~~4. Other Drainage Related Regulations and Guidelines~~
 - ~~A Grading Code Soil Amendment Standard~~
 - ~~B Clearing & Grading Seasonal Limitations~~
 - ~~C Landscape Management Plan Guidelines~~
 - ~~D Shared Facility Maintenance Responsibility Guidance~~
- ~~5. Wetland Hydrology Protection Guidelines~~
- ~~6. Hydrologic/Hydraulic Design Methods~~
 - ~~A Infiltration Rate Test Methods~~
 - ~~B Pond Geometry Equations~~
 - ~~C Introduction to Level Pool Routing~~
 - ~~D Supplemental Modeling Guidelines~~
- ~~7. Engineering Plan Support~~
 - ~~A King County Standard Map Symbols~~
 - ~~B Standard Plan Notes and Example Construction Sequence~~
 - ~~C Stormfilter Facility Access and Cartridge Configuration~~
- ~~8. Forms and Worksheets~~
 - ~~A Technical Information Report (TIR) Worksheet~~
 - ~~B Offsite Analysis Drainage System Table~~
 - ~~C Water Quality Facility Sizing Worksheets~~
 - ~~D Flow Control and Water Quality Facility Summary Sheet and Sketch~~
 - ~~E CSWPP Worksheet Forms~~
 - ~~F Adjustment Application Form and Process Guidelines~~
 - ~~G Dedication and Indemnification Clause—Final Recording~~
 - ~~H Bond Quantities Worksheet~~
 - ~~I Maintenance and Defect Agreement~~
 - ~~J Drainage Facility Covenant~~
 - ~~K Drainage Release Covenant~~
 - ~~L Drainage Easement~~
 - ~~M Flow Control BMP Covenant and BMP Maintenance Instructions (Recordable format)~~
 - ~~N Impervious Surface Limit Covenant~~
 - ~~O Clearing Limit Covenant~~
 - ~~P River Protection Easement~~
 - ~~Q Leachable Metals Covenant~~
- ~~9. Interim Changes to Requirements~~
 - ~~A Blanket Adjustments~~

- ~~B Administrative Changes~~
- ~~10. King County Identified Water Quality Problems~~
- 11. Materials
 - ~~A (VACANT)~~
 - ~~B (VACANT)~~
 - C Bioretention Soil Media Standard Specifications
 - ~~D (VACANT)~~
 - E Roofing Erodible or Leachable Materials
- ~~12. (VACANT)~~
- ~~13. (VACANT)~~
- 14. Supplemental Approved Facilities
 - A Approved Proprietary Facilities
 - B Approved Public Domain Facilities

DRAFT



Addendum to the 2016 King County Surface Water Design Manual

Effective date: January 1, 2017

Introduction

This addendum to the 2016 King County Surface Water Design Manual (KCSWDM) applies to development and redevelopment proposals within the City of Kirkland. The KCSWDM has adopted requirements of the Clean Water Act, the Endangered Species Act, and the State Growth Management Act. This addendum includes minor revisions to the KCSWDM to address the differences between King County's and the City's organization and processes. No major substantive changes have been made to the KCSWDM in order to maintain equivalency in review requirements and level of protection provided by the manual. It is the City of Kirkland's intent to maintain equivalency with the 2012 Ecology Stormwater Management Manual for Western WA, as amended in 2014 (Ecology Manual).

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When determining the level of drainage review, the following items apply:

- Clarification: Areas that change from existing gravel to paved surface will be counted as new impervious surface area, not replaced impervious area.
- Clarification: Flow control BMPs cannot be used to reduce the level of drainage review, but can be used to reduce the amount of flow control required. For example, proposed driveways and roads will always be counted as fully impervious for the drainage review level, but permeable pavement can be used to meet flow control requirements.

1.2 Core Requirements

1.2.2 Core Requirement #2: Offsite Analysis

1.2.2.1 Downstream Analysis

Exclude the section titled Downstream Water Quality Problems Requiring Special Attention. Water quality problems in the City of Kirkland are addressed through educational programs and source control.

1.2.2.1.1 Downstream Drainage Problems Requiring Special Attention

For item 4, Potential Impacts to Wetland Hydrology problem, refer to COK Public Works Pre-Approved Plans, Policy D-13, to determine the level of review needed for the wetland, reporting information required, and potential modelling to determine impacts.

1.2.3 Core Requirement #3: Flow Control

Clarification: Historic (forested) conditions will be used for pre-developed runoff modeling of all projects in Level 2 flow control areas.

A City of Kirkland flow control map is located at:

http://www.kirklandwa.gov/depart/Information_Technology/GIS.htm

The City will accept non-infiltrating bioretention (planter boxes) for Basic Flow Control (Level 1), provided the design meets the criteria set forth in the City of Seattle Stormwater Manual, Volume 3, Section 5.8.2). The hydraulic restriction layer for planters shall be made of concrete. The planters shall contain plants from the Seattle Green Factor Plant List.

Projects triggering a Full Project Drainage Review proposing infiltration/bioretention facilities or pervious pavement to meet Level 1 or 2 flow control or for onsite flow control BMPs require a soils report per COK Pre-Approved Plans, Policy D-8.

1.2.3.1 Area-Specific Flow Control Facility Requirement

Regarding Exceptions to Flow Control Requirements in both Basic (#1) and Conservation (#2) Flow Control Areas, flow control can be waived if a project generates less than a 0.15 cfs increase in 100-yr peak flows using a 15-minute time step. The intent to still allow the 0.10 cfs increase at the 100-yr peak flow with a 1-hour time step were for areas that do not include a 15-minute time step in the approved model. All areas in Kirkland have a 15-minute time step, and therefore must use 15-minute time step for the exception.

Regarding Exceptions to Flow Control Requirements for Conservation (#2) Flow Control Areas, flow control will be waived for any threshold discharge area if:

- 1) A project generates no more than 0.15 cfs difference (using a 15 minute time step) in the 100-year peak flow event comparing between existing conditions to developed conditions, AND
- 2) The project does not propose more than 10,000 sf of target impervious surface as defined, beginning on page 1-45.

No flow control BMP credits can be used to meet this exception.

Clarification: Only BMPs listed on Table 1.2.9.A (page 1-95) can be used on a project to meet the 0.15 cfs limit unless otherwise approved through the adjustment process, Policy D-11. For example, products like infiltrator chambers are not equivalent to gravel filled infiltration trenches in Appendix C and shall submit an adjustment to the manual per Policy D-11 in the COK Public Works Pre-Approved Plans to show equivalence.

Clarification: To meet the requirements of the 0.15 cfs exception, total pre-developed and post-developed areas must match.

Clarification: Regarding Target Surfaces in Conservation Flow Control Areas to be mitigated, vegetated areas in easements and/or tracts must be modeled from forested in the pre-developed condition to lawn in the developed condition, unless the area is placed in a tract or easement that will preserve the native vegetation during and after construction.

Clarification: Threshold and modeling calculations of pervious and impervious areas, turf areas, including lawn or synthetic turf, that do not have an underdrain are considered 100% pervious. Areas that have an underdrain are considered 100% impervious.

1.2.4 Core Requirement #4: Conveyance System

1.2.4.3 Conveyance System Implementation Requirements

G. Spill Control

City of Kirkland will only require spill control requirements on commercial and multifamily projects that do not require flow control. Single family residential will install a tee/turn down elbow per (COK D.13).

1.2.6 Core Requirement #6: Maintenance and Operations

Refer to KMC 15.52.070 for City Acceptance of new drainage facilities.

If the project proposes a propriety system not covered in the 2016 KCSWDM, the applicant shall submit and adjustment to the manual per Policy D-11 in the COK Public Works Pre-Approved Plans. The adjustment should include inspection and maintenance standards, including frequency of inspections and a log of maintenance activity.

1.2.7 Core Requirement #7: Financial Guarantees and Liability

This section is replaced by KMC 15.52.080, Bonds.

1.2.8 Core Requirement #8: Water Quality

1.2.8.1 A. Basic WQ Treatment Areas

Reductions of water quality treatment level from Enhanced to Basic, Exception #4, is not allowed in the City of Kirkland. Projects in Kirkland cannot reduce the level of required water quality treatment by prohibiting the use of leachable metals on the property.

For a bioretention to meet enhanced basic water quality treatment, it must be designed, using an approved continuous runoff model, to infiltrate 91% of the influent runoff, consistent with the 2014 Ecology Manual, and designed with no underdrain and designed per 2014 Ecology Manual BMP T7.30.

The City will accept all water quality treatment facility-types identified in the 2014 Ecology Manual, with the following additions and alterations:

- Emerging technologies will be considered on a case-by-case basis, via adjustment process, Policy D-11 in the COK Public Works Pre-Approved Plans, provided the product has received a level of use designation from WA State Dept. of Ecology (see the following website):

<http://www.ecy.wa.gov/programs/wq/stormwater/newtech/index.html>

1.2.8.1 B. Sensitive Lake WQ Treatment Areas

This section does not apply to the City of Kirkland.

1.2.8.1 C. Sphagnum Bog WQ Treatment Areas

This section does not apply to the City of Kirkland.

1.2.9 Core Requirement #9: Flow Control BMPs

1.2.9.1 Flow Control BMP Requirements Overview

A. Target Surfaces

If a project or threshold discharge area of a project meets the Direct Discharge Exemption per Section 1.2.3.1, soil amendment is required for new pervious areas and flow control BMPs need to be evaluated in the following order for impervious areas:

1. Full Infiltration
2. Basic Dispersion

If basic dispersion is found to be a feasible BMP, limited infiltration, bioretention and/or permeable pavement may be used instead of basic dispersion to meet the flow control BMP requirement. If basic dispersion is found to be infeasible, perforated pipe connection is not required in the City and the flow control BMP requirement is considered met.

1.2.9.2 Individual Lot BMP Requirements

To meet Requirement #3, mitigating impervious surface to the maximum extent feasible, in the public right-of-way for both Small Lot BMP Requirements and Large Lot BMP Requirements, the BMPs must be evaluated in the order listed in the King County Manual:

1. Full Infiltration
2. Limited Infiltration or Bioretention
3. Permeable Pavement

Requirement #5, implementation of Reduced Impervious Surface Credit and Native Growth Retention Credit, for both Small Lot BMP Requirements and Large Lot BMP Requirements is not required in the City of Kirkland. King County has high lot coverage so the reduction of 10% lot coverage to meet the flow control BMP requirement is achievable. The City of Kirkland justifies meeting this requirement for implementation with an already lower lot coverage than King County (typically 70% lot coverage in King County compared to 50% lot coverage in Kirkland).

Requirement #7, installation of perforated pipe connection, is not required in the City of Kirkland. If the applicant has reached this level, it is viewed that LID is infeasible on the site and do not want to introduce additional water into the ground.

1.2.9.2.3 Large Rural Lot BMP Requirements

This section does not apply to the City of Kirkland.

1.2.9.4.1 Use of Credit by Subdivision Projects

A. Subdivision Implementation of BMPs within Road Right-of-Way Item #3: If the road right-of-way will be maintained by the City of Kirkland, the flow control BMPs must be approved by the public works department. Refer to section 1.2.9.2, Requirement #3, in the Addendum for the order of BMP evaluation in the right-of-way.

1.3.1 Special Requirement #1: Other Adopted Area-Specific Requirements

Projects located in the Holmes Point Area must also comply with lot coverage and other standards included in the Kirkland Zoning Code, *Chapter 70 – Holmes Point Overlay Zone*.

1.3.3 Special Requirement #3: Flood Protection Facilities

This section does not apply to the City of Kirkland.

1.4 Adjustment Process

Refer to the Surface Water Adjustment Process defined in COK Public Works Pre-Approved Plans, Policy D-11.

Chapter 2 Drainage Plan Submittal

Applies with the revisions stated below:

2.1 Plans Required for Drainage Review

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.2 Plans Required with Initial Permit

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3 Drainage Review Plan Specifications

2.3.1.1 Technical Information Report

An Operation and Maintenance Manual is required for all privately maintained stormwater detention and water quality facilities, and is submitted as part of the permit application.

2.3.1.2 – Site Improvement Plan

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3.1.3 – ESC Plan Section

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3.1.4 – Stormwater Pollution Prevention and Spill (SWPPS) Plan

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-12.

2.3.2 – Projects in Targeted Drainage Review (TDR)

Refer to the COK Public Works Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.4 Plans Required After Drainage Review (pg 2-35)

Refer to the COK Public Works Pre-Approved Plans, policies G-7, D-2, and D-3.

Chapter 3 Hydrologic Analysis & Design

Applies with the revisions stated below:

Refer to Policy D-14, WWHM 2012 Guidance, for additional information on sizing requirements and inputs for WWHM 2012.

3.2.2.1 Generating Time Series

Calculation of Impervious Area

For residential development, the assumed impervious coverage shall be the maximum impervious coverage permitted by zoning code, typically 50% lot coverage except for the Holmes Point Overlay Zone (not automatically 4,000sf as in the 2016KCSWDM). The assumed impervious can only be less if a covenant, sensitive area, or native growth protection easement exists.

If an existing house will remain during redevelopment, the following two options are available to address the storm drainage from that house/lot:

1. Evaluate the proposed lot as new/replaced impervious area at the required lot coverage as part of the subdivision drainage technical information report, OR

2. Remove the lot from calculations as non-targeted surfaces. If this method is taken, the existing home cannot be demolished and redeveloped within 5 years of the recording of the short plat. If the home is demolished and redeveloped within that time period, a storm drainage analysis must be provided for the entire subdivision including the lot at full lot coverage as part of the building permit. The following note must be included on the subdivision:

Redevelopment of Lot_: Since the home currently constructed on the existing parcel that is proposed to remain as Lot_ has not been evaluated as part of the storm drainage analysis, the existing home cannot be demolished and redeveloped within 5 years of the recording of this plat. If the home is demolished and redeveloped within that time period, a storm drainage analysis must be provided for the entire subdivision including Lot_ at full impervious coverage.

3.3.2 Flow Control Design Using the Runoff File Method Evaluating Flow Control Performance

Clarification: If having difficulties meeting the lower part of the duration curve (50% of the 2-year to the 2-year), refer to footnote 10 in the 2016 KCSWDM.

Chapter 5 Flow Control Design

Applies with the revisions stated below:

5.2.1 General Requirements for Infiltration Facilities

For any soil investigation or reporting information, refer to COK Public Works Pre-Approved Plans, Policy D-8.

5.1 Detention Facilities

Use details located in the COK Public Works Pre-Approved Plans, if available.

5.1.4.1 Control Structures Design Criteria

A removable screen is required when the bottom orifice size is 1" or less. The screen shall be made from stainless steel mesh, 8 inch depth, and attached with a minimum of 3 stainless steel screws. The size of the mesh openings must be less than the orifice diameter (0.25 inch mesh typical).

5.1.5 Parking Lot Detention

Parking lot detention is not allowed in the City of Kirkland.

Chapter 6 Water Quality Design

Applies with the revisions stated below:

Use details located in the COK Public Works Pre-Approved Plans, if available.

6.1.2 Enhanced Basic Water Quality Menu

For a bioretention to meet enhanced basic water quality treatment, it must be designed, using an approved continuous runoff model, (WWHM 2012 or MGS Flood) to infiltrate 91% of the influent runoff without an underdrain and per Ecology Manual BMP T7.30.

Appendix A: Maintenance Requirements for Flow Control, Conveyance, and Water Quality Facilities

If the project proposes a propriety system not covered in the 2016 KCSWDM, the applicant shall submit and adjustment to the manual per Policy D-11 in the COK Public Works Pre-Approved Plans. The adjustment should include inspection and maintenance standards, including frequency of inspections and a log of maintenance activity.

Appendix B: Master Drainage Plan Objective, Criteria and Components, and Review Process

This Appendix does not apply to projects in the City of Kirkland.

Appendix C: Small project Drainage Requirements

Applies with the revisions stated below:

C.1.3 Application of Flow Control BMPs

For any soil investigation or reporting information, refer to COK Public Works Pre-Approved Plans, Policy D-8.

C.2.2.3 Use of Gravel Filled Trenches for Full Infiltration

Products like infiltrator chambers are not equivalent to gravel filled infiltration trenches in Appendix C. If the project would like to use proprietary items, the applicant shall submit an adjustment to the manual per Policy D-11 in the COK Public Works Pre-Approved Plans.

C.2.7.4 Permeable Pavers

Sand is not allowed in between or below permeable pavers in the City of Kirkland. No. 8 Aggregate shall be used in openings between pavers, and in the bedding course.

C.2.7.6 Grassed Modular Grid Pavement

Modular grid pavement with grass planted in the openings or in a thin layer of soil over the grid material cannot be used for single family residential driveways that are used on a daily basis in the City of Kirkland. Past performance shows the grass does not grow well when subject to vehicular traffic on a daily basis.

Appendix D: Construction Stormwater Pollution Prevention Standards

Use details located in the COK Public Works Pre-Approved Plans, if available.

D.2.4.2 Wet Season Requirements

Refer to ESC Notes in the COK Public Works Pre-Approved Plans.

III. Code Reference Tables

King County Code is referenced in many places throughout the KCSWDM. The following table identifies the county code references and states the equivalent City of Kirkland code where applicable (Kirkland Municipal Code is KMC and Kirkland Zoning Code is KZC). Policies are located in the Public Works (PW) Pre-Approved Plans.

King County Code Reference	Subject of Reference	COK Code/Policy Equivalent	Comment
KCC 2.98	Adoption procedures and Critical Drainage Areas	KZC Chapter 90	
Title 9	Surface Water Management	KMC 15.52	
KCC 9.04	Surface Water Run-off policy	KMC 15.52	

KCC 9.04.020	Definitions	KMC 15.04	
KCC 9.04.030	Drainage Review	PW Pre-Approved Plans	Policy D-2, D-3
KCC 9.04.050	Drainage Review-requirements	PW Pre-Approved Plans	Policy D-2, D-3
KCC 9.04.060	Critical drainage and/or erosion areas	KZC 85, KZC 90	
KCC 9.04.070	Engineering plans for the purposes of drainage review	KMC 15.52.050, KMC15.52.060 and PW Pre-Approved Plans	Policy D-2, D-3, D-11
KCC 9.04.090	Construction timing and final approval	KMC 15.52.060	Policy D-12
KCC 9.04.095	Vesting for lots in final short plats	KMC 22.20.370	
KCC 9.04.100	Liability Requirements	KMC 15.52.080	
KCC 9.04.115	Drainage Facilities accepted by King County	KMC 15.52.070	
KCC 9.04.120	Drainage Facilities NOT accepted by King County	KMC 15.52.070	
KCC 9.12.025	Prohibited discharges in the water quality section	KMC 15.52.090	Policy D-4
KCC 9.12	Water Quality	KMC 15.52.090 – 15.52.110	
KCC 9.12.035	Water Quality: Stormwater Pollution Prevention Manual Adoption	KMC, 15.52.090, KMC 15.52.100	Policy D-4
KCC 16.82	Erosion and Sediment Control, Clearing and Grading	KMC 15.52.060	
KCC 16.82.095(A)	ESC standards: seasonal limitation period	PW Pre-Approved Plans	Erosion/Sediment Control Plan Notes
KCC 16.82.100(F)	Grading standards: preservation of duff layer	KZC Chapter 95	
KCC 16.82.100(G)	Grading Standards: soil amendments	KZC Chapter 95, Pre-approved Plans	
KCC 16.82.150	Clearing standards in rural zone	Not applicable	COK does not contain rural zones
KCC 20.70.020	Critical Aquifer recharge area	Not applicable	No critical aquifer recharge areas in COK
KCC 21A.24	Critical Areas Requirements	KZC Chapters 85 and 90	
KCC 21A.14.180.D	On-site recreation space required	No equivalent City code exists	On-site recreation space is not required
KCC 21A.24	Critical Areas Code	KZC Chapter 90	
KCC 21A.38	Property specific development standards or special district overlays	KZC Chapter 70, KZC Chapter 90	
KCC 23.20	Code compliance: citations	KMC 1.12.030	
KCC 23.24	Code compliance: notice and orders	KMC 1.12.040	
KCC 23.28	Code compliance: stop work orders	KMC 1.12.070	
KCC 23.40	Code compliance: liens	KMC Title 15	

	references on declaration of covenants form		
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IV. Mapping

Below is a list of City of Kirkland maps to be used during drainage design. The maps can be viewed on-line or viewed at the Public Works counter at City Hall.

The maps are available on the following website:

http://www.kirklandwa.gov/depart/Information_Technology/GIS.htm

1. Base Map
2. Flow Control Map
3. Sensitive Areas Map
4. Land Use Map

V. Reference Materials

This section identifies which reference materials provided in the 2016 KCSWDM are applicable and which are not. Reference materials that have been struck through (i.e., ~~struck through~~) are not applicable to projects in the City of Kirkland.

- ~~1. KCC 9.04—Surface Water Runoff Policy~~
- ~~2. Adopted Critical Drainage Areas~~
- ~~3. Other Adopted Area Specific Drainage Requirements~~
 - ~~A. RA Zone Clearing Restrictions~~
- ~~4. Other Drainage Related Regulations and Guidelines~~
 - ~~A Grading Code Soil Amendment Standard~~
 - ~~B Clearing & Grading Seasonal Limitations~~
 - ~~C Landscape Management Plan Guidelines~~
 - ~~D Shared Facility Maintenance Responsibility Guidance~~
- ~~5. Wetland Hydrology Protection Guidelines~~
- ~~6. Hydrologic/Hydraulic Design Methods~~
 - ~~A Infiltration Rate Test Methods~~
 - ~~B Pond Geometry Equations~~
 - ~~C Introduction to Level Pool Routing~~
 - ~~D Supplemental Modeling Guidelines~~
- ~~7. Engineering Plan Support~~
 - ~~A King County Standard Map Symbols~~
 - ~~B Standard Plan Notes and Example Construction Sequence~~
 - ~~C Stormfilter Facility Access and Cartridge Configuration~~
- ~~8. Forms and Worksheets~~
 - ~~A Technical Information Report (TIR) Worksheet~~
 - ~~B Offsite Analysis Drainage System Table~~
 - ~~C Water Quality Facility Sizing Worksheets~~
 - ~~D Flow Control and Water Quality Facility Summary Sheet and Sketch~~
 - ~~E CSWPP Worksheet Forms~~
 - ~~F Adjustment Application Form and Process Guidelines~~
 - ~~G Dedication and Indemnification Clause—Final Recording~~
 - ~~H Bond Quantities Worksheet~~
 - ~~I Maintenance and Defect Agreement~~
 - ~~J Drainage Facility Covenant~~

- ~~K Drainage Release Covenant~~
- ~~L Drainage Easement~~
- ~~M Flow Control BMP Covenant and BMP Maintenance Instructions (Recordable format)~~
- ~~N Impervious Surface Limit Covenant~~
- ~~O Clearing Limit Covenant~~
- ~~P River Protection Easement~~
- ~~Q Leachable Metals Covenant~~
- ~~9. Interim Changes to Requirements~~
 - ~~A Blanket Adjustments~~
 - ~~B Administrative Changes~~
- ~~10. King County Identified Water Quality Problems~~
- ~~11. Materials~~
 - ~~A (VACANT)~~
 - ~~B (VACANT)~~
 - ~~C Bioretention Soil Media Standard Specifications~~
 - ~~D (VACANT)~~
 - ~~E Roofing Erodible or Leachable Materials~~
- ~~12. (VACANT)~~
- ~~13. (VACANT)~~
- ~~14. Supplemental Approved Facilities~~
 - ~~A Approved Proprietary Facilities~~
 - ~~B Approved Public Domain Facilities~~

DRAFT

ORDINANCE O-4538

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO STORM AND SURFACE WATER MANAGEMENT OF DEVELOPMENT ACTIVITIES.

1 The City Council of the City of Kirkland do ordain as follows:
2

3 Section 1. Kirkland Municipal Code Section 15.04.010 is
4 amended to read as follows:
5

6 **15.04.010 Definitions.**

7 (a) The definitions contained in this chapter and in the 2016 King County
8 Surface Water Design Manual, the 2016 King County Stormwater
9 Pollution Prevention Manual and the pre-approved plans and policies,
10 which includes the City of Kirkland Addendum to the 2016 King County
11 Surface Water Design Manual Article III of Volume I of the 2005
12 Stormwater Management Manual for Western Washington, herein
13 incorporated by reference, apply throughout this title, unless from
14 context another meaning is clearly intended.

15 (b) These definitions include, but are not limited to, the following
16 definitions from the 2016 King County Surface Water Design Manual:

17 (1) Drainage facility. "Drainage facility" means a constructed or
18 engineered feature that collects, conveys, stores, treats, or otherwise
19 manages storm water runoff or surface water. "Drainage facility"
20 includes, but is not limited to, a constructed or engineered stream, lake,
21 wetland, or closed depression, or a pipe, channel, ditch, gutter, flow
22 control facility, flow control BMP, water quality facility, erosion and
23 sediment control facility, and any other structure and appurtenance that
24 provides for drainage.

25 (2) Flow control facility. "Flow control facility" means a drainage facility
26 designed to mitigate the impacts of increased storm water runoff
27 generated by site development in accordance with the drainage
28 requirements in Kirkland Municipal Code Chapter 15.52. Flow control
29 facilities are designed either, to hold water for a considerable length of
30 time and then release it by evaporation, plant transpiration, or
31 infiltration into the ground, or to hold runoff for a short period of time
32 and then release it to the conveyance system.

33 (3) Flow control BMP. "Flow control BMP" means a small scale drainage
34 facility or feature that is part of a development site strategy to use
35 processes such as infiltration, dispersion, storage, evaporation,
36 transpiration, forest retention, and reduced impervious surface footprint
37 to mimic pre-developed hydrology and minimize storm water runoff.

38 (4) Water quality facility. "Water quality facility" means a drainage
39 facility designed to mitigate the impacts of increased pollutants in storm
40 water runoff generated by site development. A water quality facility
41 uses processes that include but are not limited to settling, filtration,
42 adsorption, and absorption to decrease pollutant concentrations and
43 loadings in storm water runoff.

44 (c) In the event of conflict, the definitions in the City of Kirkland
45 Addendum to the 2016 King County Surface Water Design Manual will
46 control. The city engineer shall at all times keep on file with the city

47 clerk, for reference by the general public, not less than three copies of
 48 the Manual as herein adopted by reference.

49
 50 Section 2. Kirkland Municipal Code Section 15.04.176 is
 51 repealed.

52
 53 Section 3. Kirkland Municipal Code Section 15.04.178 is
 54 amended to read as follows:

55
 56 **15.04.178 Nonresidential drainage storm water facilities.**
 57 "Nonresidential ~~drainage storm water~~ facilities" means ~~storm water~~
 58 ~~detention or water quality~~ drainage facilities that are located on private
 59 property and which are not contained in tracts or easements dedicated
 60 to the city. These facilities do not serve public streets, but rather serve
 61 only buildings, parking lots, and other amenities associated with the
 62 privately owned development. Multifamily developments such as
 63 condominiums and apartments are considered nonresidential for the
 64 purposes of this title.

65
 66 Section 4. Kirkland Municipal Code Chapter 15.04 is amended
 67 to include a new section 15.04.226 to read as follows:

68
 69 **15.04.226 Pre-approved plans and policies (or, pre-approved
 70 plans).**

71 "Pre-approved plans and policies" means those engineering plans and
 72 policies approved by the public works director for all street and utility
 73 improvements constructed within the city of Kirkland. The pre-
 74 approved plans are available for public inspection in the Public Works
 75 Department during regular business hours or online at
 76 www.kirklandwa.gov.

77
 78 Section 5. Kirkland Municipal Code Section 15.04.238 is
 79 amended to read as follows:

80
 81 **15.04.238 Residential drainage storm water facilities.**
 82 "Residential ~~storm water~~ facilities" means ~~storm water detention or~~
 83 ~~water quality~~ facilities that are either in the public right of way or that
 84 are in a tract or easement dedicated to the city. These facilities usually
 85 serve public streets and single family residences. "Residential drainage
 86 facilities" means drainage facilities that serve single family residential
 87 development including public improvements.

88
 89 Section 6. Kirkland Municipal Code Section 15.04.340 is
 90 amended to read as follows:

91
 92 **15.04.340 Standard plans and specifications.**
 93 "Standard plans and specifications" ~~refers to pre-approved plans and~~
 94 ~~policies as set forth in Kirkland Municipal Code Section 15.04.226.~~
 95 ~~means those rules, regulations, policies and amendments thereto issued~~
 96 ~~by the city engineer, including water systems, sewer systems, storm~~
 97 ~~drainage systems, road construction and street improvements, traffic~~
 98 ~~control, and erosion control pursuant to Section 15.28.290.~~
 99

100 Section 7. Kirkland Municipal Code Section 15.04.365 is deleted.

101
102 Section 8. Kirkland Municipal Code Section 15.52.030 is
103 amended to read as follows:

104
105 **15.52.030 Comprehensive drainage and storm sewer plan.**

106 A comprehensive drainage and storm sewer plan shall be developed by
107 the city for review and adoption by the city council. Such a plan may
108 include basin-specific or city-wide recommendations for regulations,
109 procedures, and programs. Such regulations, procedures and programs
110 may include but are not limited to capital projects, public education and
111 enforcement activities, operation and maintenance of city storm and
112 surface water facilities, and land use management regulations to be
113 recommended for adoption by ordinance for managing surface and
114 storm water management facilities. Once adopted by the city council,
115 elements of the comprehensive drainage and storm sewer plan
116 pertaining to new development and redevelopment projects shall be
117 incorporated into the ~~standard~~ pre-approved plans.

118
119 Section 9. Kirkland Municipal Code Section 15.52.050 is
120 amended to read as follows:

121
122 **15.52.050 Applicability—~~Storm water plan~~ Drainage review**
123 **required.**

124 (a) Drainage review is required when any proposed project is subject
125 to a City of Kirkland development permit or approval and:

- 126 (1) Would result in five hundred square feet or more of new impervious
127 surface, replaced impervious surface or new plus replaced
128 impervious surface; or
129 (2) Would involve seven thousand square feet or more of land disturbing
130 activity; or
131 (3) Would construct or modify a drainage pipe or ditch that is twelve
132 inches or more in size or depth or receives storm water runoff or
133 surface water from a drainage pipe or ditch that is twelve inches or
134 more in size and depth; or
135 (4) Contains or is adjacent to a frequently flooded area as defined in
136 KZC Chapter 90.100; or
137 (5) Is located within a sensitive area; or
138 (6) Is a redevelopment project proposing one hundred thousand dollars
139 or more of improvements to an existing high-use site.

140 (b) The drainage review for any proposed project shall be scaled to the
141 scope of the project's size, type of development, and potential for storm
142 water impacts to surface water and groundwater. The public works
143 director or designee will determine which one of the following drainage
144 reviews as specified in the pre-approved plans applies:

- 145 (1) Basic drainage review;
146 (2) Simplified drainage review;
147 (3) Targeted drainage review;
148 (4) Full drainage review.

149 ~~All developers taking any of the following actions or applying for any of~~
150 ~~the following permits and/or approvals will be required to submit for~~
151 ~~approval a storm water plan with their application and/or request,~~
152 ~~unless exempted by the city engineer or his designee. The storm water~~
153 ~~plan shall include those items designated in the public works standard~~

154 plans. Work on the site can only be allowed after approval of the storm
155 water plan.

- 156 (1) ~~Creation or alteration of new or additional impervious surfaces;~~
157 (2) ~~New development;~~
158 (3) ~~Redevelopment;~~
159 (4) ~~Building permit;~~
160 (5) ~~Subdivision approval;~~
161 (6) ~~Short subdivision approval;~~
162 (7) ~~Commercial, industrial, or multifamily site plan approval;~~
163 (8) ~~Planned unit development;~~
164 (9) ~~Development within or adjacent to critical areas;~~
165 (10) ~~Rezoning;~~
166 (11) ~~Conditional use permit;~~
167 (12) ~~Substantial development permit required under Chapter~~
168 ~~90.58 RCW (Shoreline Management Act);~~
169 (13) ~~Land surface modification permit.~~

170
171 Section 10. Kirkland Municipal Code Section 15.52.060 is
172 amended to read as follows:

173
174 **15.52.060 Design and construction standards and**
175 **requirements.**

176 (a) ~~The standard plans as defined in Section 15.04.340 shall include~~
177 ~~requirements for temporary erosion control measures, storm water~~
178 ~~detention, water quality treatment and storm water conveyance~~
179 ~~facilities that must be provided by all new development and~~
180 ~~redevelopment projects. The design and construction standards~~
181 ~~and requirements shall meet or exceed the thresholds, definitions,~~
182 ~~minimum requirements, and exceptions/variances criteria found in~~
183 ~~Appendix I of the Western Washington Phase II Municipal Stormwater~~
184 ~~Permit. To meet these criteria, the following are adopted:~~

- 185
186 (1) ~~The 2016 2009 King County Surface Water Design Manual, and;~~
187 (2) ~~The 2016 King County Stormwater Pollution Prevention Manual;~~
188 (3) ~~The city's pre-approved plans and policies which include the~~
189 ~~City of Kirkland Addendum to the 2016 2009 King County~~
190 ~~Surface Water Design Manual as presently written or hereafter~~
191 ~~amended.~~

192 (b) Unless otherwise provided, it shall be the developer's and property
193 owner's responsibility to design, construct, and maintain a system which
194 complies with the standards and minimum requirements as set forth in
195 the ~~standard~~ pre-approved plans.

196 (c) In addition to providing ~~storm water quality treatment~~ drainage
197 facilities as required in this section and as outlined in the ~~standard~~ pre-
198 approved plans, the developer, ~~and/or~~ property owner, ~~and/or~~ business
199 owner/operator shall provide source control best management practices
200 as described in the 2016 King County Stormwater Pollution Prevention
201 Manual Volume IV of the 2005 Stormwater Management Manual for
202 Western Washington, such as structures and/or a manual of practices
203 designed to treat or prevent storm water pollution arising from specific
204 activities expected to occur on the site. Examples of such specific
205 activities include, but are not limited to, carwashing at multifamily
206 residential sites and oil storage at auto repair businesses.

207 ~~(d) Privately maintained storm water structures are not allowed within~~
 208 ~~the public right of way, except on a case by case basis with approval~~
 209 ~~from the public works director.~~

210 (e-d) The city will inspect all permanent drainage storm water facilities
 211 prior to final approval of the relevant permit. All facilities must be clean
 212 and fully operational before the city will grant final approval of the
 213 permit. A performance bond may not be used to obtain final approval
 214 of the permit prior to completing the storm water drainage facilities
 215 required under this chapter.

216 (e) Prior to final approval of the drainage facilities, the property owner
 217 of all drainage facilities shall submit an irrevocable license to enter the
 218 property for the purposes of inspection. The following language must
 219 be included in the irrevocable license to enter:

220 (1) A statement that the property owner is to be responsible for the
 221 maintenance of drainage facilities on the property;

222 (2) A statement granting the public works director or designee the
 223 right to enter the property for the purposes of inspecting the drainage
 224 facilities; and

225 (3) A statement that the public works director shall have the authority
 226 to order repair or cleaning of the drainage facilities if the owner does
 227 not take action to conduct this work or if the site poses a threat to public
 228 health and safety.

229 (f) Adjustment Process. Any developer proposing to adjust the
 230 requirements for, or alter design of, a system required as set forth in
 231 the ~~standard~~ pre-approved plans must follow the adjustment process as
 232 set forth in the ~~standard~~ pre-approved plans.

233 (g) Other Permits and Requirements. It is recognized that other city,
 234 county, state, and federal permits may be required for the proposed
 235 action. Further, compliance with the provisions of this chapter when
 236 developing and/or improving land may not constitute compliance with
 237 these other jurisdictions' requirements. To the extent required by law,
 238 these other requirements must be met.

239
 240 Section 11. Kirkland Municipal Code Section 15.52.070 is
 241 amended to read as follows:

242
 243 **15.52.070 City acceptance of new storm-flow control facilities,**
 244 **flow control BMPs and/or water quality facilities.**

245 (a) City Acceptance of New Residential Flow Control and/or Water
 246 Quality Facilities. The city will release the maintenance bond and accept
 247 for maintenance new residential ~~storm~~ flow control and/or water quality
 248 facilities constructed under an accepted permit as listed~~noted~~
 249 in Section 15.52.050 that meet the following conditions:

250 (1) An inspection by the public works director or designee has
 251 determined that the ~~storm~~ flow control and/or water quality facilities are
 252 functioning as designed;

253 (2) The ~~storm~~ flow control and/or water quality facilities have had at
 254 least two years of satisfactory operation and maintenance;

255 (3) The ~~storm~~ flow control and/or water quality facilities, as designed
 256 and constructed, conforms to the provisions of the chapter;

257 (4) All easements and tract dedications required by this chapter,
 258 entitling the city to properly access, operate and maintain the subject
 259 drainage flow control and/or water quality facility, have been recorded

260 with the King County recorder's office, and a copy has been conveyed
261 to the city;

262 (5) Agreements between the property owner and maintenance
263 contractor, if required, have been submitted to and approved by the
264 city;

265 (6) For nonstandard drainage flow control and water quality facilities,
266 an operation and maintenance manual, including a schedule detailing
267 the suggested seasonal timing and frequency of maintenance, has been
268 submitted to and accepted by the city;

269 (7) A complete and accurate set of reproducible mylar as-builts,
270 computer files of plans as described in the pre-approved plans, and
271 microfiche of plans has been received and accepted by the city.

272 (b) City Acceptance of New Residential Flow Control BMPs. The city
273 will accept for maintenance new residential flow control BMPs
274 constructed under an accepted permit as listed in Section 15.52.050 that
275 meet the following conditions:

276 (1) The flow control BMPs are located within an easement or tract
277 dedicated to the city or within a public right-of-way;

278 (2) An inspection by the public works director or designee has
279 determined that the flow control BMPs are functioning as designed;

280 (3) The flow control BMPs have had at least two years of satisfactory
281 operation and maintenance;

282 (4) The flow control BMPs, as designed and constructed, conform to the
283 provisions of this chapter;

284 (5) For nonstandard flow control BMPs, an operation and
285 maintenance manual, including a schedule detailing the suggested
286 seasonal timing and frequency of maintenance, has been submitted to
287 and accepted by the city;

288 (6) A complete and accurate set of reproducible plans as described in
289 the pre-approved plans has been received and accepted by the city;

290 (7) The city's maintenance of the flow control BMPs will be limited
291 to their functionality. All other maintenance shall remain the
292 responsibility of the adjacent owners.

293 ~~(b) City Acceptance of New Nonresidential Storm Water Facilities. The~~
294 ~~city will release the maintenance bond for new nonresidential storm~~
295 ~~water facilities that meet all except items (4) and (6) in subsection (a)~~
296 ~~of this section.~~

297
298 Section 12. Kirkland Municipal Code Section 15.04.080 is
299 amended to read as follows:

300
301 **15.52.080 Bonds and irrevocable license to enter.**

302 (a) Prior to commencing construction on any project required to
303 conduct a drainage review per Section 15.52.050 disturbing greater than
304 one thousand square feet of land area that meet conditions for a
305 sensitive site as set forth in the standard plans, the applicant must post
306 an erosion control a performance bond using the same procedures as
307 provided in Chapter 175 KZC. The nature of the bond must permit the
308 city to obtain the proceeds of the bond immediately upon request.

309 (1) The bond must be in an amount sufficient to cover the cost of
310 corrective work on or off the site performed specifically for the given
311 project. Before the city releases the bond, the applicant must do the
312 following:

- 313 (A) Construct drainage facilities required in per the development
 314 permit ~~storm water plan~~;
- 315 (B) Receive final approval of the drainage facilities ~~storm water system~~
 316 from the city of Kirkland; and
- 317 (C) Pay all required fees.
- 318 (2) All applicants shall post a maintenance bond using the same
 319 procedures as provided in Chapter 175 KZC to ensure maintenance of
 320 installed ~~storm water~~ drainage facilities for two years from the date of
 321 final approval of the ~~storm water~~ drainage facilities. Before the city will
 322 release the bond, the ~~storm water~~ drainage facilities must meet the
 323 requirements of Section 15.52.070.
- 324 ~~(b) Prior to final approval of the storm water facilities, the property~~
 325 ~~owner of all nonresidential storm water facilities shall submit, as~~
 326 ~~described in Chapter 175 KZC, an irrevocable license to enter the~~
 327 ~~property for the purposes of inspection. The following language must~~
 328 ~~be included in the irrevocable license to enter:~~
- 329 ~~(1) A statement that the property owner is to be responsible for the~~
 330 ~~maintenance of storm water facilities on the property;~~
- 331 ~~(2) A statement granting the director or designee the right to enter~~
 332 ~~the property for the purposes of inspecting the storm water facilities;~~
 333 ~~and~~
- 334 ~~(3) A statement that the director shall have the authority to order~~
 335 ~~repair or cleaning of the storm water facilities if the owner does not take~~
 336 ~~action to conduct this work or if the site poses a threat to public health~~
 337 ~~and safety.~~

338

339 Section 13. Kirkland Municipal Code Section 15.52.090 is
 340 amended to read as follows:

341

342 **15.52.090 Illicit discharges and connections.**

- 343 (a) Prohibition of Illicit Discharges. No person shall throw, drain, or
 344 otherwise discharge, cause or allow others under its control to throw,
 345 drain or otherwise discharge into the municipal storm drain system
 346 and/or surface and ground waters any materials other than storm water.
 347 Illicit discharges are prohibited and constitute a violation of this chapter.
 348 Examples of prohibited contaminants include, but are not limited to, the
 349 following:
- 350 (1) Trash or debris.
- 351 (2) Construction materials.
- 352 (3) Petroleum products including but not limited to oil, gasoline,
 353 grease, fuel oil and heating oil.
- 354 (4) Antifreeze and other automotive products.
- 355 (5) Metals in either particulate or dissolved form.
- 356 (6) Flammable or explosive materials.
- 357 (7) Radioactive material.
- 358 (8) Batteries.
- 359 (9) Acids, alkalis, or bases.
- 360 (10) Paints, stains, resins, lacquers, or varnishes.
- 361 (11) Degreasers and/or solvents.
- 362 (12) Drain cleaners.
- 363 (13) Pesticides, herbicides, or fertilizers.
- 364 (14) Steam cleaning wastes.
- 365 (15) Soaps, detergents, or ammonia.
- 366 (16) Swimming pool or spa filter backwash.

- 367 (17) Chlorine, bromine, or other disinfectants.
368 (18) Heated water.
369 (19) Domestic animal wastes.
370 (20) Sewage.
371 (21) Recreational vehicle waste.
372 (22) Animal carcasses.
373 (23) Food wastes.
374 (24) Bark and other fibrous materials.
375 (25) Lawn clippings, leaves, or branches.
376 (26) Silt, sediment, concrete, cement or gravel.
377 (27) Dyes.
378 (28) Chemicals not normally found in uncontaminated water.
379 (29) Any other process-associated discharge except as otherwise
380 allowed in this section.
381 (30) Any hazardous material or waste not listed above.
382 (b) Allowable Discharges. The following types of discharges shall not
383 be considered illicit discharges for the purposes of this chapter unless
384 the public works director or designee determines that the type of
385 discharge, whether singly or in combination with others, is causing or is
386 likely to cause pollution of surface water or ground water:
387 (1) Diverted stream flows.
388 (2) Rising ground waters.
389 (3) Uncontaminated ground water infiltration – as defined in 40 CFR
390 35.2005(b)(20).
391 (4) Uncontaminated pumped ground water.
392 (5) Foundation drains.
393 (6) Air conditioning condensation.
394 (7) Irrigation water from agricultural sources that is commingled with
395 urban storm water.
396 (8) Springs.
397 (9) Uncontaminated water from crawl space pumps.
398 (10) Footing drains.
399 (11) Flows from riparian habitats and wetlands.
400 (12) Discharges from emergency fire fighting activities in accordance
401 with S2 Authorized Discharges.
402 (13) Non-storm water discharges authorized by another NPDES or
403 state waste discharge permit.
404 (c) Conditional Discharges. The following types of discharges shall not
405 be considered illicit discharges for the purpose of this chapter if they
406 meet the stated conditions, or unless the public works director or
407 designee determines that the type of discharge, whether singly or in
408 combination with others, is causing or is likely to cause pollution of
409 surface water or ground water:
410 (1) Potable water, including water from water line flushing,
411 hyperchlorinated water line flushing, fire hydrant system flushing, and
412 pipeline hydrostatic test water. Planned discharges shall be
413 dechlorinated to a total residual chlorine concentration of 0.1 ppm or
414 less, pH-adjusted, if necessary and in volumes and velocities controlled
415 to prevent resuspension of sediments in the storm water system.
416 (2) Lawn watering and other irrigation runoff are permitted but shall
417 be minimized.
418 (3) Dechlorinated swimming pool, spa and hot tub discharges. These
419 discharges shall be dechlorinated to a total residual chlorine
420 concentration of 0.1 ppm or less, pH-adjusted, and reoxygenized if

421 necessary and in volumes and velocities controlled to prevent
 422 resuspension of sediments in the storm water system. Discharges shall
 423 be thermally controlled to prevent an increase in temperature of the
 424 receiving water. Swimming pool cleaning wastewater and filter
 425 backwash shall not be discharged to the municipal separate storm sewer
 426 system ("MS4"), as defined in the most recent version of the Western
 427 Washington Phase II Municipal Stormwater Permit.

428 (4) Street and sidewalk wash water, water used to control dust, and
 429 routine external building wash down that does not use detergents are
 430 permitted if the amount of street wash and dust control water used is
 431 minimized. At active construction sites, street sweeping must be
 432 performed prior to washing the street.

433 (5) Non-storm water discharges covered by another NPDES permit;
 434 provided, that the discharger is in full compliance with all requirements
 435 of the permit, waiver, or order and other applicable laws and
 436 regulations; and provided, that written approval has been granted for
 437 any discharge to the storm drain system.

438 (d) Failure to Remove Pollutants from Private System. It shall be a
 439 violation of this chapter for any person who commits an illicit or
 440 conditional discharge in violation of this section to fail to remove the
 441 pollutants from a private system that enters the municipal storm system
 442 and/or surface and ground waters. In addition, it shall be a violation of
 443 this chapter for any property owner on whose property an illicit or
 444 conditional discharge occurs to fail to remove the pollutants from a
 445 private system that enters the municipal storm system.

446 (e) Prohibition of Illicit Connections.

447 (1) The construction, use, maintenance, or continued existence of
 448 illicit connections to the storm drain system are prohibited and
 449 constitute a violation of this chapter.

450 (2) This prohibition expressly includes, without limitation, illicit
 451 connections made in the past, regardless of whether the connection was
 452 permissible under law or practices applicable or prevailing at the time
 453 of connection.

454 (3) A person is considered to be in violation of this section if the
 455 person connects a line conveying sewage to the MS4, or allows such a
 456 connection to continue.

457 (f) Implementation of structural BMPs shall be required if operational
 458 BMPs are not effective at reducing or eliminating an illicit discharge.
 459 Guidance for design of structural BMPs is provided in the 2016 King
 460 County Stormwater Pollution Prevention Manual ~~Volume IV of the~~
 461 ~~Stormwater Management Manual for Western Washington~~, herein
 462 incorporated by reference.

463
 464 Section 14. Kirkland Municipal Code Section 15.52.100 is
 465 amended to read as follows:

466
 467 **15.52.100 Source control best management practices.**
 468 Any person causing or allowing discharge to a public drainage facility,
 469 natural drainage system, surface and storm water, or ground water shall
 470 control contamination in the discharge by implementing appropriate
 471 source control BMPs, as described in the 2016 King County Stormwater
 472 Pollution Prevention Manual ~~Volume IV of the 2005 Stormwater~~
 473 ~~Management Manual for Western Washington~~. Failure to implement
 474 such practices shall constitute a violation of this chapter. ~~Guidance on~~

475 ~~designing and implementing~~ Design requirements for BMPs are
 476 provided in the pre-approved standard plans.

477
 478 Section 15. Kirkland Municipal Code Section 15.52.120 is
 479 amended to read as follows:

480
 481 **15.52.120 Operation and maintenance of storm-water drainage**
 482 **facilities.**

483 (a) Standards for maintenance of ~~storm-water~~ drainage facilities
 484 existing on public or private property within the city of Kirkland are
 485 contained in Appendix A of the ~~2009~~ 2016 King County Surface Water
 486 Design Manual and the City of Kirkland Addendum to the ~~2009~~ 2016
 487 King County Surface Water Design Manual. ~~For facilities which do not~~
 488 ~~have maintenance standards, the property owner shall develop a~~
 489 ~~maintenance standard.~~ Any maintenance agreement submitted and
 490 approved by the city through the permit process shall supersede
 491 maintenance requirements contained in the ~~2009~~ 2016 King County
 492 Surface Water Design Manual and the City of Kirkland Addendum to the
 493 ~~2009~~ 2016 King County Surface Water Design Manual.

494 (b) No person shall cause or permit any drainage facility on any public
 495 or private property to be obstructed, filled, graded, or used for disposal
 496 of debris. Any such activity constitutes a violation of this chapter.

497 (c) Any modification of an existing drainage facility must be approved
 498 and permitted by the city. Failure to obtain permits and approvals or to
 499 violate conditions thereof for any such alteration constitutes a violation
 500 of this chapter.

501 (d) The city will maintain all ~~elements of the storm~~ drainage facilities
 502 ~~system~~ beginning at the first catch-basin within the public right-of-way,
 503 and in easements or tracts dedicated to and accepted by the city. All
 504 other drainage facilities, including, but not limited to, residential or
 505 nonresidential storm-water flow control facilities, flow control BMPs
 506 and/or water quality facilities and roof downspout drains and driveway
 507 drains serving single-family residences, shall be maintained by the
 508 property owner.

509 (e) Maintenance of Residential or Nonresidential Storm-Water
 510 Drainage Facilities by Owners.

511 (1) Any person or persons holding title to a residential or
 512 nonresidential property for which storm-water containing drainage
 513 facilities have been required by the city of Kirkland shall be responsible
 514 for the continual operation, maintenance, and repair of said ~~storm~~
 515 ~~water~~ drainage facilities in accordance with the criteria set forth in
 516 Appendix A of the ~~2016~~ 2009 King County Surface Water Design Manual
 517 and the City of Kirkland Addendum to the ~~2016~~ 2009 King County
 518 Surface Water Design Manual. ~~For facilities which do not have~~
 519 ~~maintenance standards, the property owner shall develop a~~
 520 ~~maintenance standard.~~

521 (2) For residential or nonresidential storm-water drainage facilities,
 522 failure to meet the maintenance requirements specified in Appendix A
 523 of the ~~2016~~ 2009 King County Surface Water Design Manual and the City
 524 of Kirkland Addendum to the ~~2016~~ 2009 King County Surface Water
 525 Design Manual constitutes a violation of this chapter, and shall be
 526 enforced against the owner(s) of the subject property. ~~served by the~~
 527 ~~storm-water facility.~~

528 (f) City Acceptance of Existing Residential ~~Storm-Water~~ Drainage
 529 Facilities. The city may accept for maintenance those ~~storm-water~~
 530 drainage facilities serving residential developments existing prior to the
 531 effective date of the ordinance codified in this chapter that meet the
 532 following conditions:

533 (1) The ~~drainage~~~~storm-water~~ facilities serve more than one individual
 534 house or property;

535 (2) An inspection by the public works director or designee has
 536 determined that the ~~storm-water~~ drainage facilities are functioning as
 537 designed;

538 (3) The ~~drainage~~~~storm-water~~ facilities have had at least two years of
 539 satisfactory operation and maintenance, unless otherwise waived by the
 540 public works director;

541 (4) An inspection by the public works director or designee has
 542 determined that the ~~storm-water~~ drainage facilities are accessible for
 543 maintenance using existing city equipment;

544 (5) The person or persons holding title to the properties served by the
 545 ~~drainage~~~~storm-water~~ facilities must submit a petition containing the
 546 signatures of the title holders of more than fifty percent of the lots
 547 served by the ~~drainage~~~~storm-water~~ facilities requesting that the city
 548 maintain the ~~drainage~~~~storm-water~~ facilities;

549 (6) All easements entitling the city to properly access, operate and
 550 maintain the subject ~~drainage~~~~storm-water~~ facilities have been conveyed
 551 to the city and have been recorded with the King County recorder's
 552 office;

553 (7) The person or persons holding title to the properties served by the
 554 ~~drainage~~~~storm-water~~ facilities shows proof of the correction of any
 555 defects in the drainage facilities, including provision of maintenance
 556 access, as required by the public works director.

557 (g) Disposal of waste from maintenance activities shall be conducted
 558 in accordance with the Minimum Functional Standards for Solid Waste
 559 Handling, Chapter 173-304 WAC; guidelines published by the
 560 Washington State Department of Ecology for disposal of waste materials
 561 from storm water maintenance activities; and, where appropriate, the
 562 Dangerous Waste Regulations, Chapter 173-303 WAC.

563
 564 Section 16. Kirkland Municipal Code Section 15.52.130 is
 565 amended to read as follows:

566
 567 **15.52.130 Inspection and sampling.**

568 (a) Inspections for compliance with the provisions of this chapter shall
 569 be allowed as follows:

570 (1) Construction and Development Inspection. The public works
 571 director or designee shall have the right to enter onto the property
 572 ~~of access to~~ any site for which a development permit as listed in Section
 573 ~~15.52.050~~ has been issued, during regular business hours, or at any
 574 other time reasonable in the circumstances, for the purpose of review
 575 of erosion control practices and ~~drainage~~~~storm-water~~ facilities, and to
 576 insure compliance with the terms of such permit. ~~Applicants for any such~~
 577 ~~permit shall agree in writing, as a condition of issuance thereof, that~~
 578 ~~such access shall be permitted for such purposes.~~ Inspection procedures
 579 shall be as outlined in Section 15.52.130(b).

580 (2) Inspection for Cause. Whenever there is cause to believe that a
 581 violation of this chapter has been or is being committed, the public

582 works director or designee shall have the right to enter the property
583 authorized to inspect the property during regular business hours, and at
584 any other time reasonable in the circumstances. Inspection procedures
585 shall be as outlined in Section 15.52.130(b).

586 (3) Inspection for Maintenance and Source Control Best Management
587 Practices. The public works director or designee shall have the right to
588 enter the property to ~~may inspect storm-water drainage~~ facilities in order
589 to ensure continued functioning of the drainage facilities for the
590 purposes for which they were constructed, and to ensure that
591 maintenance is being performed in accordance with the standards of
592 this chapter and any maintenance schedule adopted during the plan
593 review process for the property. The public works director or designee
594 also may enter the site for the purposes of observing source control best
595 management practices. The property owner or other person in control
596 of the site shall allow any authorized representative of the public works
597 director or designee access during regular business hours, or at any
598 other time reasonable in the circumstances, for the purpose of
599 inspection, sampling, and records examination.

600 (b) Inspection Procedure. Prior to making any inspections, the public
601 works director or designee shall present identification credentials, state
602 the reason for the inspection and request entry of the owner or other
603 person having charge or control of the property, if available, or as
604 provided below.

605 (1) If the property or any building or structure on the property is
606 unoccupied, the public works director or his designee shall first make a
607 reasonable effort to locate the owner or other person(s) having charge
608 or control of the property or portions of the property and request entry.

609 (2) If, after reasonable effort, the public works director or his
610 designee is unable to locate the owner or other person(s) having charge
611 or control of the property, and has reason to believe the condition of
612 the site or of the storm-water drainage facilities system creates an
613 imminent hazard to persons or property, the inspector may enter.

614 (c) Water sampling and analysis for determination of compliance with
615 this chapter shall be allowed as follows:

616 (1) Sample Collection. When the public works director or designee has
617 reason to believe that a violation exists or is occurring on a property,
618 the public works director shall have the authority to set up on the site
619 such devices as are necessary to conduct sampling, inspection,
620 compliance monitoring, or flow measuring operations.

621 (2) Sample Analysis. Analysis of samples collected during
622 investigation of potential violations shall be analyzed by a laboratory
623 certified by the State Department of Ecology as competent to perform
624 the required analysis using standard practices and procedures.

625 (3) Cost of Sample Collection and Analysis. If it is determined that a
626 violation of this chapter exists on the site, the owner of the property
627 shall pay the city's actual costs for collecting samples and for laboratory
628 analysis of those samples. If it is found that a violation does not exist,
629 the city will pay such charges.

630
631 Section 17. If any provision of this ordinance or its application
632 to any person or circumstance is held invalid, the remainder of the
633 ordinance or the application of the provision to other persons or
634 circumstances is not affected.

635

636 Section 18. This ordinance shall be in force and effect on
 637 January 1, 2017, after its passage by the Kirkland City Council and
 638 publication pursuant to Section 1.08.017, Kirkland Municipal Code in the
 639 summary form attached to the original of this ordinance and by this
 640 reference approved by the City Council.

641
 642 Passed by majority vote of the Kirkland City Council in open
 643 meeting this _____ day of _____, 2016.

644
 645 Signed in authentication thereof this _____ day of
 646 _____, 2016.

 MAYOR

Attest:

 City Clerk

Approved as to Form:

 City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4538

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO STORM AND SURFACE WATER MANAGEMENT OF DEVELOPMENT ACTIVITIES AND AMENDING KIRKLAND MUNICIPAL CODE CHAPTERS 15.04 AND 15.52.

SECTION 1. Amends Section 15.04.010 of the Kirkland Municipal Code ("KMC") relating definitions.

SECTION 2. Repeals Section 15.04.176 of the KMC.

SECTION 3. Amends Section 15.04.178 of the KMC relating to the definition of nonresidential drainage facilities.

SECTION 4. Adds a new Section 15.04.226 of the KMC to include a new definition for pre-approved plans and policies.

SECTION 5. Amends Section 15.04.238 of the KMC relating to the definition of residential drainage facilities.

SECTION 6. Amends Section 15.04.340 of the KMC relating to the definition of standard plans and specifications.

SECTION 7. Repeals Section 15.04.365 of the KMC.

SECTION 8. Amends Section 15.52.030 of the KMC to relating to comprehensive drainage and storm sewer plan.

SECTION 9. Amends Section 15.52.050 of the KMC to define when a drainage review is required and types of drainage review that apply.

SECTION 10. Amends Section 15.52.060 of the KMC related to design and construction standards and requirements.

SECTION 11. Amends Section 15.52.070 of the KMC related to city acceptance of new drainage facilities.

SECTION 12. Amends Section 15.52.080 of the KMC related to bonds.

SECTION 13. Amends Section 15.52.090 of the KMC related to illicit discharges and connections and replacing the current pollution prevention manual with the 2016 King County Stormwater Pollution Prevention Manual.

SECTION 14. Amends Section 15.52.100 of the KMC related to source control best management practices and replacing the current pollution prevention manual with the 2016 King County Stormwater Pollution Prevention Manual.

SECTION 15. Amends Section 15.52.120 of the KMC related to operation and maintenance of drainage facilities.

SECTION 16. Amend Section 15.52.130 of the KMC to clarify the City's inspection and sampling procedures.

SECTION 17. Provides a severability clause for the ordinance.

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 January 1, 2017.

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 _____, 2016.

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

To: Kurt Triplett, City Manager

From: Joel Pfundt, AICP CTP Transportation Manager
Kathy Brown, Public Works Director

Date: September 30, 2016

Subject: UPDATE COMPLETE STREETS ORDINANCE

RECOMMENDATION:

It is recommended that the City Council approve the attached ordinance updating the City's "Complete Streets" ordinance, as set forth in Kirkland Municipal Code ("KMC") Section 19.08.055.

BACKGROUND DISCUSSION:

The Complete Streets approach is a concept advanced by the [National Complete Streets Coalition](#), which was established in 2004. According to the National Complete Streets Coalition Website:

A Complete Streets approach integrates people and place in the planning, design, construction, operation, and maintenance of our transportation networks. This helps to ensure streets are safe for people of all ages and abilities, balance the needs of different modes, and support local land uses, economies, cultures, and natural environments.

The National Complete Streets Coalition, in coordination with other partner advocacy groups, has encouraged agencies to adopt Complete Streets policies to ensure that agencies consistently and uniformly apply this approach. One key policy tool that groups have advocated for is the adoption of Complete Streets ordinances.

Existing Complete Streets Ordinance

On October 3, 2006 the Kirkland City Council, with support from the Cascade Bicycle Club and input from the Kirkland Transportation Commission, adopted the first Complete Streets ordinance in the State of Washington. The 2006 ordinance required the accommodation of bicyclist and pedestrian ways on transportation facilities except for in specific situations.

Complete Streets Ordinance Updates

Much has changed since October 2006, most importantly, in November of 2015 the City adopted the Transportation Master Plan (TMP). It established goals and policies for how the City will expand and maintain our transportation system in support of the Comprehensive Plan vision of a livable, walkable, green, and connected community. The TMP takes a comprehensive multimodal approach to addressing current and future transportation needs. It emphasizes the importance of serving all travel modes, particularly people traveling by foot, bicycling or riding transit. The goals and policies in the TMP naturally fit together with the concept of Complete Streets.

Additionally, the concept of Complete Streets has continued to evolve. Today, Complete Streets not only encompass vehicles, bikes and pedestrians, but also transit users. It is also important to acknowledge that Complete Streets need to be planned, designed, constructed, maintained and operated with the needs of people of all ages and abilities in mind.

The following updates to the Complete Streets code section are proposed:

- **Title** – Updates to specifically call out the concept of Complete Streets
- **Subsection 1**
 - Adds transit users, motor vehicles and users of all ages and abilities to the definition of a Complete Street
 - Specifies that all users should be accommodated to the maximum extent practical
 - Specifies that during the scoping, operation and maintenance of all transportation facilities people traveling by foot, bicycle, transit and motor vehicle shall be accommodated
 - Includes new linkages to create a connected transportation network
- **Subsection 2** – Modifies exceptions to address the following issues:
 - Public safety
 - Routine maintenance
 - Excessive cost compared to the need or probable use
 - Comprehensive plan policies
- **Subsection 3 (new)** – States the City shall use best practices
- **Subsection 4 (new)** – States the City plans and polices shall support Complete Streets

Transportation Improvement Board (TIB) Complete Streets Award

The Complete Streets Award is a new program offered by TIB. The opportunity to apply for the award is what prompted the City to review our Complete Streets Ordinance and determine that it needed to be updated. The Complete Streets Award is a unique program that rewards cities for adopting Complete Streets ordinances and implementing Complete Streets projects that accommodate all users. The successful cities will receive awards of between \$250,000 and \$500,000 in flexible funding to design and implement additional Complete Streets projects. Cities can also reapply every three years as long as they have expended all of the award funding they have received.

A key part of the criteria for being eligible for this award is having an up-to-date Complete Streets ordinance. The feedback that City staff has received from TIB is that Kirkland is a solid candidate for this award, but that our existing Complete Streets ordinance is a weaknesses in our application. This update to our Complete Streets ordinance should make the City more competitive for funding under this program.

ORDINANCE O-4539

AN ORDINANCE OF THE CITY OF KIRKLAND UPDATING AND EXPANDING THE ACCOMMODATION OF TRANSPORTATION USES ALONG TRANSPORTATION FACILITIES TO CREATE COMPLETE STREETS.

1 WHEREAS, on October 3, 2006, the Kirkland City Council
2 adopted Ordinance No. 4061 relating to "Complete Streets" by
3 accommodating bicycle and pedestrian ways along transportation
4 facilities; and

5
6 WHEREAS, the City of Kirkland was the first municipality in the
7 State of Washington to adopt a Complete Streets ordinance, which
8 codified the City's existing practice of considering bicyclists and
9 pedestrians in all transportation projects; and

10
11 WHEREAS, in the past decade the definition of Complete Streets
12 has expanded to include transit users and people of all ages and
13 abilities; and

14
15 WHEREAS, on November 17, 2015 the Kirkland City Council
16 approved Resolution R-5171, Adopting the Transportation Master Plan,
17 which established multimodal goals and policies to design, construct,
18 operate and maintain a transportation system that supports the City's
19 vision of a livable, walkable, green and connected community; and

20
21 WHEREAS, the City Council would like to have the Complete
22 Streets ordinance updated to reflect the Transportation Master Plan and
23 ensure that Kirkland's streets accommodate users of all ages and
24 abilities regardless of their mode of transportation; and

25
26 WHEREAS, the Kirkland Transportation Commission met on
27 September 28, 2016 and reviewed the updated ordinance to ensure it
28 was consistent with the Transportation Master Plan;

29
30 NOW, THEREFORE, the City Council of the City of Kirkland do
31 ordain as follows:

32
33 Section 1. Section 19.08.055 of the Kirkland Municipal Code is
34 amended to read as follows:

35
36 **19.08.055 Complete Streets Bicycle and pedestrian ways along**
37 **transportation facilities.**

38
39 (1) The safe, convenient and comfortable travel of people of all ages
40 and abilities traveling by any combination of foot, Bbicycle, transit, or
41 motor vehicle and pedestrian ways shall be accommodated to the
42 maximum extent practical in the scoping, planning, development, and
43 construction, operation and maintenance of all transportation facilities,
44 including the creation of new transportation linkages in order to create
45 a more connected communitywide transportation network, including the
46 incorporation of such practices ways into transportation plans and
47 programs.

48 (2) Notwithstanding that provision of subsection (1) of this section,
49 new facilities for pedestrians, bicyclists, transit users and people of all
50 ages and abilities bicycle and pedestrian ways are not required to be
51 constructed established:

52 (a) Where their establishment would be contrary to public
53 safety;

54 ~~(b) When the cost would be excessively disproportionate to the~~
55 ~~need or probable use;~~

56 ~~(c) Where there is no identified need;~~

57 ~~(b) Where the establishment would violate comprehensive plan~~
58 ~~policies;~~

59 (b) When routine maintenance of the transportation network is
60 performed that does not significantly alter the travel facility
61 or does not provide the opportunity to enhance complete
62 streets within the scope of the maintenance work, such as
63 mowing, sweeping, and spot repairs, or;

64 (c) In instances where a documented exception is granted by
65 the public works director city manager because the cost
66 would be excessively disproportionate to the need or
67 probable use, or where the establishment would violate
68 comprehensive plan policies.

70 (3) City policies, design criteria, standards and guidelines shall be
71 based on best practices in street design, construction and operations
72 including, but not limited to, guidance provided by the Association of
73 State Highway Transportation Officials, Institute of Transportation
74 Engineers, and National Association of City Transportation Officials.

76 (4) City plans and programs, including, but not limited to, the
77 Comprehensive Plan and Transportation Master Plan shall support the
78 implementation of complete streets.

80 Section 2. This ordinance shall be in force and effect five days
81 from and after its passage by the Kirkland City Council and publication,
82 as required by law.

84 Passed by majority vote of the Kirkland City Council in open
85 meeting this ____ day of _____, 2016.

87 Signed in authentication thereof this ____ day of
88 _____, 2016.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney