



# CITY OF KIRKLAND

## CITY COUNCIL

James Lauinger, Mayor • Joan McBride, Deputy Mayor • Dave Asher • Mary-Alyce Burleigh  
Jessica Greenway • Tom Hodgson • Bob Sternoff • David Ramsay, City Manager

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • TTY 425.587.3111 • [www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

### AGENDA

#### KIRKLAND CITY COUNCIL MEETING

City Council Chamber

Tuesday, March 20, 2007

6:00 p.m. – Study Session – Peter Kirk Room

7:30 p.m. – Regular Meeting

COUNCIL AGENDA materials are available on the City of Kirkland website [www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us), at the Public Resource Area at City Hall or at the Kirkland Library on the Friday afternoon prior to the City Council meeting. 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 (587-3190) or the City Manager's Office (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 587-3190, or for TTY service call 587-3111 (by noon on Monday) if we can be of assistance. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Council by raising your hand.

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*, Peter Kirk Room
  - a. Emergency Preparedness
4. *EXECUTIVE SESSION*
  - a. To Discuss Labor Relations
5. *SPECIAL PRESENTATIONS*
  - a. Community Emergency Response Team (CERT) Graduates Recognition
6. *REPORTS*
  - a. *City Council*
    - (1) Regional Issues
  - b. *City Manager*
    - (1) 2007 Legislative Status Report
    - (2) Calendar Update
7. *COMMUNICATIONS*
  - a. *Items from the Audience*
  - b. *Petitions*

**EXECUTIVE SESSIONS** may be held by the City Council to discuss matters where confidentiality is required for the public interest, including buying and selling property, certain personnel issues, and lawsuits. An executive session is the only type of Council meeting permitted by law to be closed to the public and news media

**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.

**P** - denotes a presentation from staff or consultant

**CONSENT CALENDAR** consists of those items which are considered routine, for which a staff recommendation has been prepared, and for items which Council has previously discussed and no further discussion is required. The entire Consent Calendar is normally approved with one vote. Any Council Member may ask questions about items on the Consent Calendar before a vote is taken, or request that an item be removed from the Consent Calendar and placed on the regular agenda for more detailed discussion.

8. *CONSENT CALENDAR*

a. *Approval of Minutes:* March 6, 2007

b. *Audit of Accounts:*

Payroll \$

Bills \$

c. *General Correspondence*

(1) Georgie Kilrain, Lakeshore Gallery, Regarding the Lake and Central Parking Lot

d. *Claims*

(1) ACME Construction Company

(2) Mohammed Benarbia

(3) Central Way Plaza LLC

(4) Kurt Geibel

(5) Susan M. Hayes

e. *Authorization to Call for Bids*

f. *Award of Bids*

g. *Acceptance of Public Improvements and Establishing Lien Period*

(1) 2005 Crosswalk Upgrade Program Project

h. *Approval of Agreements*

i. *Other Items of Business*

(1) Resolution R-4636, Authorizing the City Manager to Accept and Approve the King County Multi-Jurisdictional Hazard Mitigation Plan, as Approved by FEMA, Including the Kirkland Hazard Mitigation Plan Annex and Future Administrative Changes

(2) Ordinance No. 4090, Relating to Boat Launch Fees

(3) Approving Transportation Commission's Proposed 2007 Work Plan

9. *PUBLIC HEARINGS*

**GENERAL CORRESPONDENCE**

Letters of a general nature (complaints, requests for service, etc.) are submitted to the Council with a staff recommendation. Letters relating to quasi-judicial matters (including land use public hearings) are also listed on the agenda. Copies of the letters are placed in the hearing file and then presented to the Council at the time the matter is officially brought to the Council for a decision.

**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.

*10. UNFINISHED BUSINESS*

- a.* Pedestrian Safety Update

*11. NEW BUSINESS*

- a.* Campaign Financing
- b.* Ordinance No. 4091, Relating to Planning Department Fees and Amending KMC Section 5.74.070 by Adding a Fee for Home Occupations
- c.* Approving Proposed 2007 Emergency Sewer Program, Authorizing Additional Funds, and Authorizing a Call for Bids

*12. ANNOUNCEMENTS*

*13. ADJOURNMENT*

**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 OF KIRKLAND**  
**Fire & Building Department**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000  
[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

---

## **MEMORANDUM**

**To:** Dave Ramsay, City Manager  
**From:** Helen Ahrens-Byington, Deputy Chief  
**Date:** February 28<sup>th</sup>, 2007  
**Subject:** Emergency Preparedness After Action Report

### **RECOMMENDATION:**

City Council reviews the After Action Report from the activation of the Emergency Operation Center (EOC) on December 14<sup>th</sup>, 2006 due to the Windstorm and offer feedback to the Joint Improvement Plan priorities.

### **BACKGROUND DISCUSSION:**

After an EOC (Emergency Operation Center) is activated or a drill is performed an after action report (AAR) and improvement plan (IP) is written. The AAR is written to document and tie together everything that happens during an activation or Drill and the IP is developed to identify areas needing improvements. This report is put together by many people that are involved in all areas of the drill or activation to bring together the entire event. This report is also sent to the State Office of Emergency Management for documentation and is required for some grants that the City of Kirkland has received.

### **AFTER ACTION REPORT (AAR)**

After the Emergency Operation Center (EOC) activation for the Windstorm on December 14<sup>th</sup> an AAR and an Implementation Plan (IP) have been completed. The following is the summary from the AAR that highlights some things that went well and some areas where we need to improve.

## **SUMMARY**

This emergency was a good test for both the City of Kirkland and its citizens. Many things were learned by both and now we need to evaluate what we did as a city and move towards becoming more prepared for the next disaster. We had some things go very well, the staff that worked the EOC was very resourceful and solved issues as they came up and the operational emergency response crews in the field worked very hard responding to a variety of emergency calls to assist the people of Kirkland. Here are some of the highlights of the AAR for the windstorm, more specifics will be found in the IP, following this section.

Points that were learned from this disaster:

1. We need to have contact information for our City employees in one location that is accessible by the EOC staff. Our employees need to have a phone at home that does not take power in their homes.

Current Status: We have already started the first part of this as it will be the first step in educating our employees to the need of being prepared.

2. This event really showed the need for more equipment in the EOC. For example, we needed printers, laptops with EOC email, and UPS (un-interrupted power supply boxes) for the phone system.

Current Status: We had ordered laptops and printers prior to this event but had not received them as of that time. We now currently have laptops and printers in the EOC.

Items that need further development:

1. Improved Communications – Communications at levels, both internal and external need improvement. Internally, we need to establish more clear lines of communication with employees. Externally, we need to establish better linkages with key agencies such as PSE and the American Red Cross. Communications with the community also could be improved with an emphasis on development of multiple venues for communicating with the public with and without the aid of power, telecommunications, media and internet.
2. Sheltering – We need to do education for employees and citizens on sheltering including training on organizing and running a shelter, developing the infrastructure needed to support a shelter and communication about shelter needs and uses. Understanding the sheltering process and establishing realistic expectations of local and regional sheltering resources is needed. We also need to clarify roles with regard to sheltering as it related to Red Cross, the City, faith-based organizations and volunteers. More understanding is needed regarding the levels of sheltering that could be provided by each and the amount of commitment and coordination involved in each.
3. Emergency Response Training – We need to develop continuing training and education for City Staff on responding and recovering from emergencies.
4. Emergency Preparedness Training – We need to increase education for employees, citizens and businesses of Kirkland about being prepared for disasters. We need to stress the importance of self-sufficiency and help everyone be better prepared to meet their own short-term needs.
5. CERT Role – The City needs to continue to support the formation of the Citizen Corps and CERT and clarify each group's role in an emergency.

## **CITIZEN FEEDBACK**

The City received and responded to a variety of emails, letters and phones calls about our storm response from the public. At the February 15<sup>th</sup> City Council Public Safety Committee we were requested to gather feedback from the public on the City's response to the December windstorm. A feedback form was developed and posted on the City's home page. It was mentioned in an article in the Kirkland Courier and was send to several groups of City contacts in hope to get the word spread and get feedback. The Feedback form was on the City's home page for the month of February. We received no response to the website form.

Having citizen response would have been beneficial to improving the City's response to disasters and should become part of the plan after the next disaster. Multiple methods will need to be used to get the feedback that is needed.

## **RED CROSS and SHELTERING**

Attached is a PowerPoint presentation that was developed and distributed from the regional Red Cross office explaining their role and response to disasters and their response during the December windstorm. A few highlights:

- King County Emergency Plan States:
  - Para I – B: "Incorporated Cities in King County have responsibility to coordinate their own mass care shelters using city assets, or to coordinate with King County Emergency Operations Center (EOC) in the placement of mutually supported shelters."
  - Para II – C: "The American Red Cross will provide staff, supplies, and shelters as disaster conditions dictate and resources allow."
  
- Coordinated Regional Response:
  - There will be a coordinated initial regional response to shelter placements
  - Power outages limit areas and facilities available for regional shelters
  - ARC does not normally open shelters for power outages unless the temperatures create an imminent health risk to the general population.

Staff met with the Public Safety Committee to discuss sheltering and plans to have another meeting with Red Cross staff to discuss roles and possible sheltering sites in Kirkland.

## **PUGET SOUND ENERGY (PSE)**

General overview from PSE:

- It was the worst damage the company has experienced in its 133 year history.
- PSE lost 85 of the 160 high-voltage transmission lines and lost 159 of their 358 neighborhood sub-stations. 700,000 customers were without power, representing almost 75% of their customer base.

Even with PSE having representatives at the King County EOC, communication was difficult about what was happening. PSE has also recognized this and is working across the County to improve communication.

We have invited representatives from Red Cross and Puget Sound Energy to attend the study session to assist in answering some of the questions related to sheltering and power outage issues. Our hope is to be able to balance the discussion so we are able to gain Council's feedback on the After Action Report and Improvement Plan, yet still address any specific questions to Red Cross and PSE. The Improvement Plan is especially important as this will guide the City's efforts in being able to respond to disaster situations in the future.

### **IMPROVEMENT PLAN**

The Improvement Plan provided on the following pages has been merged with the Improvement Plan from the EOC Functional exercise that was performed in November of 2006. The Joint Improvement Plan was then sent to the City Manager and the Directors to prioritize the items. Many of the items appeared in both the drill and the windstorm event as needing to be addressed.

Attachments: Final 12-14-06 EOC AAR and Red Cross windstorm presentation

# JOINT IMPROVEMENT PLAN

2/22/07

## Facility Needs

	NEED	PRIORITY High Medium Low	STATUS	ASSIGNED
1	Need a dedicated EOC facility	H		
2	Need a generator at a facility in Kirkland that could be used as a shelter	H		
3	Each City facility needs to have an emergency plan	H		
4	Need to have larger room for EOC	H		
5	Need to have an alerting system in City facilities	M		
6	Evaluate what is tied into generators	M		
7	Evaluate lift station generator operational needs	M		
8	Need to determined who makes the decisions regarding the status of the Municipal Court and other City facilities	L		

## Staffing Related

	NEED	PRIORITY High Medium Low	STATUS	ASSIGNED
9	Need to identify more support staff for the EOC	H		EMAT
10	Need to have a liaison position filled in the EOC	H		EMAT
11	Need to address City worker – family shelter	H		
12	Need a runner assigned to ARES	M		
13	Need to have a way to identify EOC staff by positions	L		
14	Identify all the uses of ARES	L		

## Training and Education

	NEED	PRIORITY High Medium Low	Status	Assigned
15	Educate employees on need for employees to respond when requested during emergency situations and to have up to date contact information at work	H		
16	Need to train employees and volunteers to help with shelters	H		
17	Need continued EOC training	H		
18	Training to improve communication between all operations workers, PD, PW, Fire	H		
19	Every City employee needs to have an out of area contact, home/car emergency kits and phone that doesn't need power.	H		
20	Message taker training	M		
21	Need to train on following through from event to reporting	M		
22	Develop how to effectively use GIS to map incidents and status	M		
23	Improve the flow of information in the EOC	M		
24	Need to educate employees and public about shelters	M		
25	Need to familiarize EOC staff to CEMP	M		
26	Make sure City staff knows their long distance code to call out of area contact	M		
27	Need a training schedule	L		

## Manuals/Plans/Forms

	NEED	PRIORITY High Medium Low	Status	Assigned
28	Need a plan on notification of Council and CMO when EOC is activated	H		
29	Need to identify Risk assessment triggers to protect field operations staff	H		
30	List of vendors for supply acquisition	H		
31	Need to make contact and equipment resource information more accessible in the CEMP	H		
32	Need a plan to support BC at initial onset of disaster	H		
33	Determine who fills generators at remote facilities, i.e. fire stations, lift stations etc	H		
34	Need to develop plan for coordinating emergency calls during a resource emergency	H		
35	Need a current media contact list and news release forms in EOC	H		
36	Need a Communications plan for contacting other agencies (liaison)	H		
37	Need access to employee's contact information	H	DONE	
38	Inventory of City equipment	H		
39	Need to update the EOC manual and coordinate it with the CEMP	H		
40	Need EOC forms clearly identified; have in electronic and paper form	H		
41	Improve message taking form	H		
42	Need to update the fire crews windshield survey	H		
43	Need to identify protocol for when front line personnel reports in for duty	H		
44	Need criteria for forwarding 911 calls to the EOC	M		
45	Need to establish after EOC activation guidelines	M		
46	MOU with businesses that have lumber	M		
47	MOU with companies that could supply more first aid supplies	M		
48	Need a plan to activate CERT	M		
49	Need to identify and define terms used to report incidents	M		
50	Need clear plan for message takers and	M		

	resources			
51	Need a plan for refueling emergency worker's vehicles	L		
52	Provide a glossary of terms in the EOC manual	L		

## Communication

	NEED	PRIORITY High Medium Low	Status	Assigned
53	Need to improve and update the PIO communications plan - to employees and the public. PIO needs to be involved in EOC	H		
54	Need to publish EOC line, public emergency info number, staff information number	H		
55	Need to be able to communicate to non-English speaking populations	H		
56	Need a general EOC email so we can communicate to other EOC/agencies	H	Done	
57	Need to improve communications between field crews and the EOC, situation status	H		
58	Need to identify/test alternate forms of communication if phones out, power out	H		
59	Improve emergency management website	H		
60	Need to connect the City's lifeline road routes with surrounding cities and King County	M		
61	Need to work with open businesses to help disseminate information during a disaster	M		

## Equipment Needs

	NEED	PRIORITY High Medium Low	Status	Assigned
62	Need computers in the EOC	H	Received	
63	Need printers, copiers, fax	H	Received	
64	Portable stop signs for power out intersections	H		
65	Need extra door access cards	H		
66	Large wall EOC organizational chart	H		

67	Need more power strips	H	Ordered	
68	Need 2 UPS	H	Received	
69	Need EOC closet door key in Police dispatch	H	Done	
70	Stockpile of cones/road closure signs/barricades	M		
71	Headphones for portable radios/phones in EOC	M		
72	Need a way to connect to TV when cable is out	M		
73	Need projector	M		
74	Need hand crank flashlights & radios in outside containers	L		
75	Thermo-imaging cameras in each fire rig	L		

City of Kirkland  
Emergency Operations Center  
Activation

Windstorm  
December 14, 2006

After Action Report

2/22/07

# **TABLE OF CONTENTS**

**SUMMARY.....PAGE 1-2**

**OVERVIEW.....PAGE 3-5**  
**Operational Plan.....PAGE 4**  
**Initial Activations.....PAGE 5**

**CITY OF KIRKLAND ACTIONS.....PAGE 6-20**  
**EOC Operations.....PAGE 6**  
**Fire Department Operations.....PAGE 9**  
**Public Works Operations.....PAGE 10**  
**Police Operations.....PAGE 12**  
**Public Information (PIO).....PAGE 13**  
**CERT .....PAGE 16**

## SUMMARY

This emergency was a good test for both the City of Kirkland and its citizens. Many things were learned by both and now we need to evaluate what we did as a city and move towards becoming more prepared for the next disaster. We had some things go very well, the staff that worked the EOC was very resourceful and solved issues as they came up and the operational emergency response crews in the field worked very hard responding to a variety of emergency calls to assist the people of Kirkland.

Points that were learned from this disaster:

1. We need to have contact information for our City employees in one location that is accessible by the EOC staff. Our employees need to have a phone at home that does not take power in their homes.

Current Status: We have already started the first part of this as it will be the first step in educating our employees to the need of being prepared.

2. This event really showed the need for more equipment in the EOC. For example, we needed printers, laptops with EOC email, and UPS (un-interrupted power supply boxes) for the phone system.

Current Status: We had ordered laptops and printers prior to this event but had not received them as of that time. We now currently have laptops and printers in the EOC.

Items that need further development:

1. Improved Communications – Communications at levels, both internal and external need improvement. Internally, we need to establish more clear lines of communication with employees. Externally, we need to establish better linkages with key agencies such as PSE and the American Red Cross. Communications with the community also could be improved with an emphasis on development multiple venues for communicating with the public with and without the aid of power, telecommunications, media and internet.
2. Sheltering -- We need to do education for employees and citizens on sheltering including training on organizing and running a shelter, developing the infrastructure needed to support a shelter and communication about shelter needs and uses. Understanding the sheltering process and establishing realistic expectations of local and regional sheltering resources is needed. We also need to clarify roles with regard to sheltering as it related to Red Cross, the City, faith-based organizations and volunteers. More understanding is needed regarding the levels of sheltering that could be provided by each and

the amount of commitment and coordination involved in each.

3. Emergency Response Training – We need to develop continuing training and education for City Staff on responding and recovering from emergencies.
4. Emergency Preparedness Training – We need to increase education for employees, citizens and businesses of Kirkland about being prepared for disasters. We need to stress the importance of self-sufficiency and help everyone be better prepared to meet their own short-term needs.
5. CERT Role – The City needs to continue to support the formation of the Citizen Corps and CERT and clarify each group's role in an emergency.

## OVERVIEW

On the evening of Wednesday December 13, 2006 an email was sent to Kirkland's emergency manager from the Zone One emergency manager forwarding information from a conference call between NOAA and KCOEM discussing the high winds (40 mph sustained, 60 mph gust) that were predicted to come into our area on Thursday December 14<sup>th</sup> at approximately 1900.

On December 14<sup>th</sup> at approximately 1200 the Fire Chief and both Deputy Chiefs discussed the possibility of having to open the EOC with the current forecast of the winds. A preplanning meeting was scheduled for 1330 with the City Managers Office, Public Works, Police, Fire and emergency management staff.

### **Situation update of expected wind storm; as of 1330 the following is the forecast:**

**Area Forecast For:** Seattle/Bremerton Area

**Issued:** December 14, 2006 14:31:18 PST

**Tonight:** Rain turning to showers overnight. Becoming very windy. Lows in the upper 30s and 40s. Southerly wind rising to 40 mph with gusts to 65 mph around midnight.

**Friday:** Showers becoming scattered. Windy. Highs in the 40s. Southwest wind 20 to 30 mph.

**Friday night and Saturday:** Partly to mostly cloudy with a chance of showers. Lows in the lower to mid 30s. Highs in the upper 30s to mid 40s. South wind 5 to 15 mph.

### **The High Wind Warning is as follows:**

URGENT - WEATHER MESSAGE  
NATIONAL WEATHER SERVICE SEATTLE WA  
950 AM PST THU DEC 14 2006

WAZ504-505-507>509-511-512-150600-  
/O.CON.KSEW.HW.W.0019.061214T2200Z-061215T1800Z/  
SOUTHWEST INTERIOR-EAST PUGET SOUND LOWLANDS-EVERETT AND  
VICINITY-  
SEATTLE/BREMERTON AREA-TACOMA AREA-HOOD CANAL AREA-  
LOWER CHEHALIS VALLEY AREA-  
950 AM PST THU DEC 14 2006

A HIGH WIND WARNING REMAINS IN EFFECT FROM 2 PM THIS AFTERNOON TO 10 AM PST FRIDAY.

A DEEP LOW PRESSURE SYSTEM AND ITS FRONT WILL BE PRODUCING DAMAGING WINDS AS IT MOVES ACROSS THE AREA TONIGHT.

SOUTHEAST WINDS WILL INCREASE AHEAD OF THE SYSTEM TODAY AND IT WILL BE GENERALLY WINDY ACROSS THE AREA LATER THIS AFTERNOON AND EVENING...WITH LOCAL SOUTHEAST WINDS OF 40 MPH WITH GUSTS TO 65 MPH.

THE STRONGEST AND MOST DAMAGING WINDS WILL BECOME MORE WIDESPREAD TONIGHT. THE LOW PRESSURE SYSTEM WILL MOVE ACROSS VANCOUVER ISLAND AND INTO SOUTHERN BRITISH COLUMBIA OVERNIGHT. STRONG PRESSURE RISING BEHIND THIS DEEP LOW PRESSURE SYSTEM WILL CAUSE A SURGE OF SOUTHWESTERLY WINDS TO DEVELOP. THESE WINDS WILL SURGE THROUGH THE SOUTHWEST PART OF WESTERN WASHINGTON AND ESPECIALLY THROUGH THE CHEHALIS GAP LATER THIS EVENING. THE WINDS ARE EXPECTED TO SURGE THROUGH THE PUGET SOUND AREA AROUND MIDNIGHT.

THESE HIGH WINDS WILL CAUSE FALLING TREES AND POWER OUTAGES ARE LIKELY. THERE MAY BE DAMAGE TO SOME STRUCTURES. THERE IS A HAZARD FROM FLYING DEBRIS TONIGHT. PEOPLE SHOULD RUSH TO COMPLETION PREPARATION FOR HIGH WINDS...LOOSE OBJECTS AROUND THE YARD SHOULD BE SECURED...BOAT MOORINGS SHOULD BE CHECKED. THE STRONGEST WINDS SO FAR THIS SEASON ARE LIKELY TO OCCUR TONIGHT.

### **Operational Plan:**

**The Emergency Operations Center (EOC)** is set up for operation; however it has not been activated (opened) at this time. The set up was done to reduce the time needed to open operations; this will save approximately 45 minutes.

**Public Works** will hold 2 crews, 6 personnel, over their normal work shift while we assess the wind storm effects on Kirkland. Additional personnel will be on call in case of significant impacts. The primary objective is to clear right of ways. If power lines are involved, roads will be closed to protect citizens from the danger. Daryl Grigsby and John Hopfauf will be available for EOC activation

**Police** will add 2 additional officers, 1 corrections officer, and 1 dispatcher in preparation of the storm. Total police on duty will be 1 sergeant, 7 officers, 4 dispatchers, and 1 corrections officer. Lieutenant Rex Caldwell will be available for EOC activation and will check into other command staff availability.

**Fire & Building** is adding 3 additional firefighters and holding over the daytime staffing at North Finn Hill. The Houghton Aid unit will be staffed, and an engine company is being added at North Finn Hill. Our Building Inspection Supervisor is on call and could

assemble an inspection crew if needed. Deputy Chiefs Jack Henderson and Helen Ahrens-Byington, building Official Tom Phillips, and Fire Chief Jeff Blake are available for EOC activation.

Additional departments will be included in an activation of the Emergency Operations Center EOC.

**Initial objectives for the storm are:**

- Response to emergencies i.e. police, fire, medical, and public works
- Situation/Damage assessment
- EOC Activation if needed

These objectives will change as the situations changes; situation updates will be provided on a regular basis if the EOC is activated. Otherwise information will be through normal channels.

**Initial EOC Activations:**

**December 14, 2006: 1400 hours:**

**STATE AND FEDERAL ACTIONS**

- The State of Washington Emergency Operations Center (EOC) is currently at phase two, enhanced operations, with personnel on standby for the windstorm.

**COUNTY AND LOCAL ACTIONS**

- King County Emergency Coordination Center (ECC) has activated to level one (monitoring) as of 1400 today in anticipation of the storm system moving into the region this afternoon through Friday morning. The ECC will be activated through the night and will remain open as the situation warrants. Communications with probable initial responders (DOT and KCSO) is occurring.
- A number of jurisdictions in King County are also actively monitoring this approaching storm system and its potential impacts.

**December 14, 2006: 1800 hours:**

**CITY ACTIONS**

- The City of Kirkland Emergency Operations Center (EOC) was activated with staffing at level two (enhanced operation) as of 1800.

## **CITY OF KIRKLAND ACTIONS**

### **EOC Operations:**

The City of Kirkland Emergency Operations Center (EOC) was activated with staffing at level two (enhanced operation) as of 1800. The EOC was activated through the night and remained open until 1600, December 15<sup>th</sup>, 2006.

Prior to the call to activate the Emergency Operations Center (EOC) we had some staff pre-designated and had exchanged contact information so the initial staffing went well. The initial staffing of the EOC was Incident Commander (IC), Operations (Ops) – Fire, Police (PD) and Public Works (PW), Logistics, GIS, Situation Status (Sit-Stat), EOC coordinator, and one support staff. The IC (Incident Commander) set priorities and had each of the operational staff do the same. The Emergency Operations Center's (EOC) initial priorities were to:

1. Coordinate response to emergency calls with Police, Fire and Public Works.
2. Track incoming reports to assess the situation and damage in the City of Kirkland.

When additional staffing was needed, we became aware that we had no home / cell contact list for City employees. Some departments had their staff home information but we did not have a general city contact list. Logistics began to try to contact someone that could get us that information.

The first operational period was to end at 0100 and Logistics began calling in the next shift of Emergency Operations Center (EOC) staff to work 0100 - 0600. This proved to be difficult for several reasons. As power started going out, we could not contact many City employees because they did not have a phone at home that would work without power. This will need to be added to emergency preparation education that everyone should have a phone that will work without power (old fashioned corded phone). We also did not have a listing with cell phone numbers. The other issue that came up was that there were people that could not make it in due to family situation, inability to drive in or they were unclear of their role or the expectation that they have a role in emergency management for the City.

Overall, the Emergency Operations Center (EOC) staff came in and worked at given tasks and communication between the whole EOC was good. As the night went on, the process of information continued to improve. This was the first use of the electronic sit-stat system and GIS in the EOC. These systems were improvements from what we had before but can continue to be used more efficiently. The phone, computer system, internet and generators all worked through out the night. The TV cable went out early in the night but news was accessible via internet.

Between 0115 and 0315, the worst of the wind hit the City of Kirkland. The pre-designated change of EOC staff was set for 0100. We knew earlier in the night the approximate time NOAA expected the worst of the winds and should have looked at adjusting the shift change time. We had staff arriving and departing during the worst of the storm. Even if we needed to change the staff we should have looked at setting up a place for staff to stay and rest or wait until the worst was over before heading for home.

This did not present itself as an issue at the time but has become something identified after the fact. That is important to note because I believe that had the concern come up during the event the EOC staff would have dealt with the issue just as they did with the issues that did come up and find a solution.

The runner from dispatch was released and a runner from the Emergency Operations Center (EOC) was activated to get the call data to the EOC. The dispatchers printed hard copies of the call details and the runner took it directly to the Incident Commander. The difficulty was the EOC does not have a door key that would get the runner back in to dispatch. This was solved at the time by borrowing a key card from another EOC staff member to gain access. In the future, it would be beneficial to have a dedicated "all access" key card available to EOC staff. Around 0430, the Logistics section started looking at the need to start staffing the next operational period. (The next operational period was undefined at this time). Most of the staff from the 0100-0600 operational period agreed to stay until 0800, therefore an immediate replacement was not necessary. It was determined that the EOC would be staffed with regular City Hall staff as they arrived for their normal shifts (approximately 0800). Around 0700 there was a change in the IC and during the briefing, it was tentatively decided that the EOC would close at 1000, depending on the call volume and Logistics/Planning was released from duties around 0800. The IC determined the position did not need to be replaced. Shortly after 0700, the message center was set up in the Juanita Bay room, in anticipation of heavy call volume. As soon as regular City hall staff started arriving, the EOC Coordinator began recruiting workers to staff the message center. At around 0800, various staff members, many who were totally unfamiliar with the EOC, were asked to help as Message Takers. They didn't hesitate for a second and were promptly trained to receive and take messages. Having such helpful and willing staff was key to the success of the Message Taker section. At 1000, another briefing took place, this time with all of the EOC staff, the City Manager, Assistant City Manager and some Council members. Through discussion, it was determined that the calls were steady, but not overwhelming, and the EOC would be able to close at 1600. Due to the potential for another storm the following day (Saturday), the group decided to leave the EOC set up in an inactive state. The final incident objectives were written for the operational period of 12-15-06 1600 to 12-16-06 1600:

1. Life hazards: respond to and triage all downed trees into power lines and structures.
2. Traffic: clear all roads within the City; sand major roads if snow and ice are present.
3. Transfer EOC authority to Battalion 22 at 1600
4. Maintain all sewer lift stations
5. Alternatives: Back up shelter plan

Documentation/contacts with Battalion 22

Reestablish EOC

Once the Emergency Operations Center (EOC) was closed, the Emergency Manager from the City started receiving calls from the King County Emergency Coordination Center (KCECC) and the Zone One Emergency Coordinator. A request was made for drivers and vehicles that could help transfer equipment for people who were possibly going to the special-needs shelter. The shelter was planned to open at 1900 on 12-15-06. The 24

hour contact person for the Kirkland Parks Department (designated pre-storm) was contacted by the emergency manager and assigned to contact the KCECC for detailed information about what was needed. After the event was over, the City of Kirkland received a great thank you for the Parks Department's outstanding effort in setting up and being prepared to supply several vehicles and trips to assist in the County wide special needs shelter even though they ended up not being activated.

Questions about shelters started to come up on Friday and through the weekend. The emergency manager was in contact with King County Emergency Coordination Center (KCECC) and the Red Cross. The Red Cross and KCECC were coordinating shelters for the county and they issued a hot line number for shelter information. Kirkland's emergency manager then called the Battalion Chief (BC) on duty and made sure they had the number and would disseminate it to the fire crews. The Kirkland Police dispatch was also called so they had the number and Evergreen Hospital was called so they could let people know that might come to them for information. Red Cross ended up having issues with the number they released and it only worked part of the time which added some confusion to the situation. They did state that they had plenty of room for occupants the whole time they were open

On Monday, December 18<sup>th</sup>, a meeting was held to gather an update on the status of City operations and the need for further Emergency Operations Center (EOC) operations. All departments have returned to normal operations, with normal staffing levels; however, departments are continuing to deal with the affects of the windstorm. City facilities did not sustain any damage, however the North Finn Hill fire station did have flooding occur and there is damage. Fire personnel will be following up to see that repairs are made.

Building inspectors have made a few inspections of homes with damage and are working on an expedited permit process. These inspections are done free of charge and assist the City in identifying damage requiring a permit to make repairs; this helps us plan for workload changes as a result of the storm.

The water and sewer pump & lift stations had generator issues early on; those issue have been resolved and are working normally. Some sites have power, others remain on generator power. No environmental damage from Kirkland's systems has been identified from sewer or water systems. King County has issued warnings for Lake Washington, due to other areas having sewage released into the lake. This may be affecting the beaches in Kirkland and they have been posted with warning signs.

During the initial heavy rain, our storm water system was overwhelmed and large volumes of water were in several areas of the city; Downtown, Juanita, North Rose Hill and Totem Lake all experienced water issues. There were other areas within the city that had minor flooding issues. In Juanita, a creek overflowed by the rain runoff and caused extensive damage to both public and private property. Crews have been working to clean up this situation.

Public Works is working on setting up debris drop off sites for disposal of storm damaged trees. They will be sending out information as it becomes available on the location(s) of the dump sites.

Some streets remain closed due to power lines involved in the downed trees; these will remain this way until PSE has crews available for tree removal. Public Works will report daily on the status of street closures.

Due to the power outages lasting longer than expected and past experience in windstorms, sheltering of people was a concern. Red Cross was contacted; they did not have the staffing to set up a shelter in Kirkland. Shelters in Bellevue, Woodinville, Bothell and Redmond had been opened and had plenty of space available for any Kirkland residents needing a warm place to stay. Very few people have visited the shelters, so only the Bellevue shelter remains open.

A press release is needed to inform the public about what is being done and the status of the City. Tracy Burrows will take the lead gathering information and sending out the press release. Departments will supply Ms. Burrows with information on street closures, sewer and water services, debris collection, building inspections and permitting for damaged buildings, and sheltering. A press release will be sent with updated information as the situation changes.

Based on the damage caused by the windstorm, it was recommended to City Manager, Dave Ramsay, that he sign a Declaration of Emergency. This will be communicated to the County and State EOC. (The declaration of emergency was signed on Tuesday the 19<sup>th</sup> of December and sent to King County and State)

We identified a number of issues to address immediately and others in the future to improve our response to emergencies. Departments are soliciting feedback from the field crews and office staff on how to improve our processes; we will be scheduling a post incident analysis to gather information from those who worked in the Emergency Operations Center (EOC). All feedback will be used to develop an after action report.

## **Fire Department Operations:**

The Fire Department response to the December 14, 2006 windstorm actually started at 0845 on December 13<sup>th</sup> with a response to downed trees on wires which caused a natural gas fire in the street. The drainage system was full of gas and it ignited with a large force that displaced the new manhole cylinder. On arrival, units found natural gas fed the fire at ground level with flames 10-15' in height and 10' in diameter. Evacuation of the surrounding households was initiated. A total of four occupants were evacuated - the other surrounding houses were vacant at the time. The line was clamped and the venting fire subsided. Fire remained in the storm drain system due to burning plastic drain pipe and was extinguished with a hand line.

Senior staff attended a pre-storm meeting on December 14<sup>th</sup> with the City Manager, Police (PD), and Public Works (PW). Fire Operations had called back over-time crews mid afternoon of December 14<sup>th</sup>. This consisted of one Battalion Chief and three firefighters. Fire operations maintained an increased storm staffing until the morning of December 19<sup>th</sup>.

During the period of December 14<sup>th</sup> to December 18<sup>th</sup>, Fire operations responded to approximately 400 calls for service. The calls consisted of trees down in the street, trees on electrical wires, trees into houses, flooding, power outages, and our normal compliment of CPR, fires and Automatic Fire Alarms (AFA).

Initially each engine and/or Aid Car did a windshield survey of their response areas, reporting damage and road obstructions to the EOC. This worked well in two areas:

1. The EOC received updated information of citizen reported damage.

2. It allowed the crews to familiarize themselves with current road and hazard situation and begin to identify the scope of damage in their response area.

Operations responded to a request for service from Bellevue Dispatch and the Emergency Operations Center (EOC) through the Battalion Chief (BC) at Station 21 (Forbes Creek). The BC prioritized the calls received from the EOC and gave them to the units. We should have prioritized earlier in the incident. It would have worked better to have dispatch send resource emergency incidents to the EOC rather than to the BC at Station 21.

Each fire station utilized emergency power and had power throughout the incident except for Station 25 (Finn Hill). That generator ran out of fuel on Dec. 15<sup>th</sup> and we had a difficult time finding which department could check and fill the station generators. Public Works became the department. That should be a priority for a designated public works section due to the fact that individual crews may be out of the station for extended periods and not able to monitor the emergency generator.

Radio traffic became crowded during the storm and many units “stepped on” each others traffic; simple, concise messages and standard radio procedures should help alleviate this issue.

Discussion should begin on when it is best to keep response personnel in the stations for their safety and only respond to confirmed emergencies, such as CPR and actual structure fires. Crews responded at the height of the storm to non-emergency calls and that could have put the crews in unnecessary danger; as in the case of a Redmond unit hit by a falling tree. We should establish “trigger points” of wind speed, number proximity of lightning strikes, amount of flooding, etc. for crew safety.

The EOC would have continued to be effective staying “open” past 1600 on December 15<sup>th</sup> to the crews and citizens from at least an information point.

The City of Kirkland had only one storm related death, a 26 year old male, possible carbon monoxide poisoning due to running a generator in his house.

Fire operations handled all that was asked of them, there was good communications with PD and PW at both the EOC and crew level and the City’s level of preparation was very good with the pre-storm meeting and having staff and plans “in place”.

### **Public Works Operations:** (as submitted by PW department personnel)

A summary of the City of Kirkland Emergency Operations Center (EOC) and its interface with Public Works emergency response crews during the December 14<sup>th</sup> windstorm; below is the findings relative to the Public works operations:

- In general, operations went well as measured by no injuries, quick response, stable communications, and coordination with the EOC.
- Equipment was available and functioning adequately
- It was very helpful to have the EOC pre-meeting, as that enabled us to conduct some internal field operational planning for the event.
- Communication from the EOC to the Maintenance Center was clear, and most of the time it was clear what the priorities were.

- Crews worked very hard both during overtime and regular time; those who responded worked long hours and did an excellent job.
- In all the field assessment, response and recovery went well as crews knew what their responsibilities were; having noted that, there was a time in the beginning where crews had to shift from ‘doing’ to assessment; once that shift was made, things went smoother.
- It would have been better for our internal ops had we formally activated our Maintenance Center Emergency Operations even before knowing whether the EOC was activated; this would have enabled us to clarify our internal operating procedures during the storm.
- We continued to run our standby shift and standby supervisor, even after the EOC was activated; in our assessment we decided it is more efficient to formally shut down Standby as having both a standby supervisor and emergency management response supervisor lead to internal confusion. In some ways it worked to our advantage since the standby supervisor handled the flooding and sewer pump station outages (their area of expertise), but it still would have been better to have one primary person at the maintenance center
- In retrospect we believe during the height of the wind we should have called in our field crews and waited until the high winds subsided.
- Field crews were not provided food except as they could grab a bite on their own; the Maintenance Center could have been more proactive about informing the EOC of their needs.
- Between the EOC sending calls to the Maintenance Center, and the MC handling calls, there should have been a more proactive triage approach to incoming calls.
- We need to improve our internal department phone tree.
- There are several other smaller details of our operation we have reviewed, which we intend to draft on a checklist to determine first if it is issue, and if so, how to handle it.
- Between the EOC and the Maintenance Center, we could have improved the back and forth communications regarding each site, i.e. once something is handled provide the EOC with info so they can know to formally take it off the list.
- When the EOC closed, we could have done a better job of a) formally letting the maintenance center know of the weekend action plan prepared by the EOC and b) in retrospect kept on an emergency response manager, not the standby supervisor, to coordinate activities with the Fire Department and Police Department.

**Police Operations:** (as submitted by Police Department personnel)

The police response to the windstorm on December 14, 2004 impacted three separate workgroups within the Police Department; Administration (Chief, Captains, and Lieutenants), Operations (uniformed officers – Police and Corrections), and Communications (Dispatch),

**Administration:**

Prior to the Emergency Operations Center (EOC) being activated, PD was involved in the pre planning meeting. This proved to be beneficial, because we were able to develop an operation plan for Police and coordinate with the Operations Lieutenants on how to properly staff for the storm.

Once the EOC was activated, the staff that knew they would be responsible for the second operational period starting at 0100 on December 15, 2005 left city hall to rest prior to their shift. Three administrative PD staff helped to staff the EOC for the first operational period. Overall, the ability to have Police command officers in the EOC working in collaboration with other City department managers proved to be very effective and efficient.

**Operations:**

There was an operation plan established prior to 1700 hours on December 14, 2006 and by doing this they were able to increase staff by holding officers over from day shift and reassigning Detectives to patrol duties in order to meet the anticipated increase in calls. From an Operations perspective, the activation of the EOC went well. By having Command Officers in the EOC, it allowed the Patrol Sergeant to focus on immediate events on the street and the lack of non-police related calls being dispatched to officers went a long way in allowing officers to handle the calls that needed to be handled. These non-police related calls were directly routed to the appropriate city departments and/or public utility companies.

The second major decision that was beneficial to the City and PD was the ability to be proactive during this incident. The additional manpower was crucial in handling the events of Thursday night and the additional manpower on Friday night, when the power was out and played a major role in preventing a lot of crime occurring in the city. In spite of the electricity being out for several days, there were no reports of looting or damage to property caused by vandals. This proactive approach was appreciated by officers and citizens alike.

**Communications:**

The Police Communications Center was significantly impacted as a result of the wind storm. Using dispatched calls as an indicator (this does not include the hundreds of calls received that did not result in an actual call being dispatched) the following demand was placed on the center.

<i>Average calls on a Thursday</i>	<i>189</i>
<i>Calls for Thursday, Dec. 14</i>	<i>446</i>

*Average calls on a Friday*                      179  
*Calls for Friday, Dec. 15*                      637

Staffing levels in Communications were only increased by one Communications Technician from 1600 hours on December 14 to 0600 on Saturday December 16, 2006.

**Issues:**

Overall, the officers and communication technicians stepped up and performed very well given a difficult task. The following are a few issues that were identified as needing to be addressed.

1. *Food and Water-* With no power and many businesses closed, Officers had difficulty getting food and water in the field. This could be addressed by having adequate supplies on hand at the PD. One option in the past has been to heat jail meals and feed them to the officers.
2. *Emergency staff sheltering* – The PD needs to develop a policy regarding emergency shelter for officers who have a short turn around or are unable to get home and back. This could involve creating “bunk rooms” and/or contracting with a local hotel for rooms at the government rate during an emergency.

In conclusion, the PD response to the wind storm was as expected. The Department anticipated demand for police services and staffed accordingly to meet that demand.

**Public Information (PIO)** (as submitted by Public Information Officers)

Activity:            At approximately 11:00 p.m. the EOC Logistics manager began calling PIO’s at home, to locate one who would travel through the storm to the EOC site at approximately 4:00 a.m. to prepare media information for morning commuters.

Feedback:        When a disaster warning exists and the possibility of opening the EOC has been acknowledged, arrange for minimum staffing to cover PIO duties. Possibly use PIO’s from remote locations to gather and disseminate information, whenever feasible. Create a media phone/email list accessible to all employees from the City or remote sites, so others in the EOC can disseminate information when PIO’s are not available (i.e., during or following disasters that had no warnings.) Add a PIO information sheet to the Word Forms, so others can complete news releases, information bulletins, etc., when PIO’s are not available.

**Division of Labor**

Situation:        Storm conditions posed a challenge to getting PIO’s to the EOC during the storm. The one (of 3 contacted) who lived closest, managed to do so using her personal 4-wheel drive vehicle. Daylight and improved conditions permitted two other PIO’s to arrive by mid-morning and relieve

the first. A 4th PIO was re-assigned to other storm related duties and was replaced in the EOC by someone new to PIO work.

- Action: The 1<sup>st</sup> PIO explained what had been done (web info) to their replacements, when they arrived and then turned PIO duties over to them. The 2<sup>nd</sup> shift met with the Incident Commander for an update and directions, and then met with each other to discuss how to divide the responsibilities. They were then joined for several hours, by the acting PIO from Police.  
The City Manager Office PIO took charge of putting on a news conference, the Police PIO gathered field information and the Fire PIO created news releases and info bulletins for media distribution. When time permitted, either on-going PIO updated the website.
- Feedback: PIO's obtained the information they needed during the morning shift change. The time spent insuring information was passed on was valuable. Duties were divided between the 2<sup>nd</sup> shift PIO's according to their backgrounds and strengths, which worked well. The work was generally completed individually, sometimes together. PIO's maintained communication with each other and communications were smooth.

### Communications Technology

- Situation: The storm created major flooding and knocked out power and cell phone service to almost a million people in the region, beginning Dec. 14. Damage was literally everywhere, in the form of downed trees, tree limbs, and hanging electrical wires. Commercial media alerted the public to these conditions and advised people to shelter in place, if possible. Landline phones continued to function.
- Activity: The 1st PIO at the EOC was directed to prepare information for the public. Just after their arrival the City internet access went down and was not available in the early morning; however while waiting for internet access to be established, information was prepared for release. Once the internet was available, the information was transferred into the website. Information for commercial media distribution was not prepared until replacement PIO's arrived. The first news release went out a couple hours later.  
PIO's asked Information Technology (IT) to implement the emergency message line the public could call to gain updates but with out the number being pre-published it would not have been very useful. PIO's tried contacting the ARES president to see about getting out public information via ham radio but the system is not set up to get information out to the general public.
- Feedback: Without power, few citizens could access the internet. Instead, they would gather info from commercial media via battery, hand crank, or vehicle radios and from government, utility and other agencies via phone. By the time the internet was accessible to most people, the information on our website was minimally relevant.

It would be beneficial to have a pre-published emergency phone hot-line to get information out to residents. During power outages, our initial focus should be on commercial radio and telephone communications. We should also develop other methods to disseminating information.

### Public Messages

- Situation:** Local media immediately and steadily informed the public regarding storm conditions, damage, traffic obstructions, and the inability to predict when power would be returned. They also repeated information regarding the dangers of using alternate heating or cooking sources indoors and approaching electrical wires. All messages were in English. Within a few days, over 100 people were taken to hospitals with carbon monoxide poisoning, resulting from trying to improperly cook or heat indoors. Several died. A significant number of CO poisoning victims spoke English as a 2<sup>nd</sup> language. Spanish appeared to be the primary language for most of them. Commercial media eventually broadcast the language issue but reports continued to be aired and published in English only.
- Action:** PIO's regularly disseminated news releases and information bulletins, including cautionary information regarding heating and cooking indoors and getting near downed wires. Once the language issue surfaced, PIO's recruited a Spanish speaking City employee and with her help, disseminated some warnings in Spanish as well as English. PIO's posted the bilingual media bulletins on the website, along with a couple versions of commercially published documents on these issues found on the internet and/or sent to staff. These included translations in several more languages.
- Feedback:** Getting safety information to the public in languages they will easily understand, is vital. This should be done on a preparatory as well as response basis. The addition of non-English versions of out-going and web-posted information was appropriate and should be expected whenever disseminating safety information. Prevention actions might include the following:
- post other language versions of our emergency website
  - discuss with local English and non-English media, how to disseminate critical safety info to their English as a Second Language consumers
  - discuss with other organizations serving low-income, English and ESL clients, how to educate their clients regarding critical safety issues.

Power [Issues dealt with by PIO's]

- Situation:** The power outage caused almost a million people to wonder when they could expect power to be restored. Utility company phone recordings explained the breadth of the situation, efforts underway to restore power, and an inability to predict the timeline for accomplishing this. Many citizens wanted more information, prompting calls to the City. An EOC staffer believed PSE planned a news conference for late morning.
- Activity:** One PIO made repeated attempts to reach PSE personnel, including the staff person assigned to the City. All calls reached busy signals and the City contact did not phone back. Another PIO reached an off-site PSE emergency manager via cell phone, who provided information regarding the news conference (which later changed) and a new estimate for power resumption.
- Feedback:** The PIO's needed to have more contact with the King County EOC to talk to the liaison for PSE this would have the best way to get information. More comprehensive information on the PSE website and/or phone message line would have helped.

## **CERT - Community Emergency Response Team**

### Background

Kirkland CERTs were polled in early January to find out how they fared with the recent windstorm; to learn if their CERT training made a difference; and if so, how. More than a dozen people responded verbally or in writing to the following questions:

- How did your CERT training help?
- Which, if any, of our emergency supplies did you use?
- Which, if any, of your emergency skills did you use?
- How do you think your experience compared to those without CERT training?
- What do you think would help you be more prepared in the future?
- What, if anything, have you done since the storm to increase your preparedness?

### Summary of Responses

CERTs, without question, felt better prepared as a result of their training. They were grateful for the emergency supplies they had stocked, but more importantly to them, they felt prepared mentally and emotionally to deal with the situation. Nobody expected power to be out as long as it was - the average length of time, per household, was four days - however, CERTs were confident they could adjust on their own, without relying on the government, Red Cross, utility companies, etc. They were not the ones neither calling agencies and media for updates nor writing the papers to complain.

Some typical comments regarding the value of training:

- “Having gone through the training I felt much more at ease with the situation.”
- “I think I was less anxious because I knew I was trained, so I was ready if needed.”
- “I felt more confident that I could cope with whatever might happen.”
- “Having more than one plan to deal with a problem.”
- “Self confidence to know I had prepared for sheltering in place.”
- “Knew I was prepared and had supplies – no rushing to the store for batteries & candles.
- “Knowing we had to shelter in place for the duration helped us have the right mindset and to deal with the issue rather than to second guess what was being done to correct it.
- “We were confident of our abilities and made sure our neighbors were okay too.”
- “It helped me to be helping others.”

CERTs put their skills to use immediately. After assessing their own homes, most toured their neighborhood, checking for structural damage and other problems that needed addressing and made sure their neighbors were okay. They were careful around trees and downed power lines. They listened to the radio for information and any requests for further CERT deployment. They kept their freezers shut unless they planned to clean them out. And through it all, they stayed calm. They were of assistance to the community, helping to remove debris from homes and vehicles, loaning supplies & equipment, feeding neighbors, and in one case, saving a life:

- “Had to advise neighbor not to try and saw an electric pole to which wire was still attached, later learned it was indeed a live wire.”

Although CERT assistance was occasionally reciprocated (either being loaned a land line phone or being invited to a hot meal, cooked over wood burning stove or outside grill), CERTs felt better prepared than their non-CERT trained neighbors. Here’s how some describe it:

- “I was *expecting* to have to be self reliant.”
- “I was certainly more confident and prepared.”
- “I did have my ¼ tank [gas] but others were not so fortunate.”
- “I witnessed worse prepared neighbors become quite agitated if not potentially rebellious.”
- We were much better prepared mentally and emotionally. We knew what to do and how to do it.”

The emergency supplies most frequently used by CERTs, were battery operated and hand-crank radios, LED lanterns, candles, glow sticks, fire logs, flashlights and D batteries. Some also used their generators. Extra comforters and blankets were used, but these came from their regular supplies. Likewise, food from refrigerators and freezers sufficed, so emergency food was not required. CERTs were supplied well enough to loan some things, including generators, to neighbors. Most have since replaced the supplies they used (in greater quantity.)

Though generally better prepared to weather the storm than their neighbors, CERTs learned from this experience. Like others, they identified some things they believe the

City can do to help the community during disasters, but they also identified what they can and will do additionally, for themselves. Their own plans include the following:

- “Have more food stored for times when there is no power.”
- “Plan for longer duration shelter-in-place. Three days wasn’t sufficient.”
- “EIGHT days, three ways.”
- “Work through some more full scenarios, every situation is different.”
- “Fill tank with gas next time there are storm warnings and keep it over half full always.”
- “Get an LED battery lantern so it provides brighter light than candles.”
- “Have more D batteries on hand... and in the house.”
- “Get a plug-in wall jack telephone”
- “Get a new can opener.”

Their most frequently repeated suggestion for the City revolves around official CERT deployment. Specifically, they would like to know how they will learn about deployment requests - if it will be announced over the radio, if they’ll be called, or if they should phone someone to find out. One person wondered if they should gather and forward information on their neighborhoods to anyone. Some more individual concerns include the following:

- “With all of Kirkland out of power, I was surprised to discover that there was no provision in place for emergency city operated shelters – especially considering that we have a large enough elderly population to justify a Senior Center.”
- “Redmond Public Works erected portable stop signs at many intersections. I found that to be a great help in reducing the hazard level... almost taken out twice... in Kirkland.”
- “Given some of the Letters to Editors I’ve read, I believe the community can get quite volatile. Now is a good opportunity to really ramp-up the advertising to encourage folks to be prepared... and that includes *mental* preparation, but physical preparation can help alleviate some potential stress.”

### Conclusions

CERT training significantly helps mental and physical preparation for disasters and it helped our CERTs better deal with the aftermath of the windstorm. They took care of themselves and assisted their neighbors. They were prepared to shelter in place and they sidestepped the hazards of trying to obtain supplies, find other housing, etc., with trees and power lines down everywhere. And their safety eliminated a potentially greater demand on first responder services. CERTs varied in their degree of discomfort (one was without power eight days) but they managed on their own and recognized the conditions could be much worse. They have, since, increased their level of preparedness.

CERTs demonstrated their readiness to self-deploy, by assessing their neighborhood needs shortly after assessing their own conditions. Many of them stood-by, listening to the radio, for a possible call-out to assist the City further. Their gear was at the ready and they were prepared. At least one CERT had a downed tree to deal with, but as it wasn’t on the house, she left to help others. And CERTs followed the safety guidelines they were taught, avoiding personal risks.

Clearly, the more residents and business people the City can train to become CERTs, the more self-sufficient and helpful a community we will have. CERTs understand the need to prepare and take care of themselves, and they follow through. Citizens begin and end the training with varying degrees of confidence in participating in post-disaster community recovery, and they vary in the areas of recovery they are best suited to assist, however, CERT graduates will always be more confident, prepared and effective during recovery than when they began.

### Recommendations

CERT feedback suggests the City may improve community preparedness and recovery, as follows:

- Continue to train citizens in CERT
- Increase opportunities for CERTs to practice their skills
- Develop and/or communicate CERT call-out and shelter policies
- Consider the development/expansion of portable stop sign usage at intersections, under certain conditions.

Read the story sent in by a Kirkland CERT on the following page. It underscores the value of CERT training; demonstrates the extent of community service possible, as a result of preparedness; and serves as an inspiration to all community members.

### **CERT Windstorm Experience, sent in by Andy Forrest**

Yes, the CERT training definitely helped. First by being better prepared and secondly, by being able to help several neighbors who were not so well prepared.

The wind hit us with a vengeance at 8:04 PM, Dec.14 and by 10:30PM our power was out and stayed out for 138 hours. We were fortunate to have a wood burning stove (on which we can cook) in our family room and a big stack of wood. So we could keep the downstairs pretty warm and it proved to be a refuge for many of the neighbors at various times who didn't have any heat.

Some of the neighbors, who had a tiny baby, spent the night Saturday night and they had trees down in their back yard and onto the deck. Later, I sawed it up for them for disposal. Several others used our family room as a place to come and warm up for a few hours before going back home and cleaning up limbs, trees, etc. We didn't lose any trees at our house, just lots of limbs and debris. I hauled three trailer loads to Juanita Beach Park. That was great of the city to provide that service.

I have a 1600 Watt generator, which I've had for years. I loaned it to the neighbors across the street that operate an adult care home with five elderly folks in residence and they didn't have any heat. After a few days, he was able to buy a generator of his own and mine was then loaned to some other neighbors across the street that has an elderly mother living with them and also they had no heat and their power was out three days longer than ours. Both places ran the generator day and night to keep their furnaces operating, so it got quite a work out.

Another lady down the street about six houses lives in the downstairs and has water problems in her living area. There is a sump pump to keep water out, but the pump is electric. So she ran out of gas to run her generator and all the service stations were

without power. Fortunately, I had extra gasoline and was able to give her some until she was able to get more.

Friday morning I went over to Juanita to check on our disabled daughter and came across a large tree down across her street. Fortunately, I had my chain saw in the back of the truck and was able to cut my way through to her house. She was without power and heat, so I rigged up a propane catalytic heater to heat a small area of her house. Her power came back on several days sooner than ours, so she didn't lose the contents of her refrigerator or freezer. One of her neighbors had a tree in their backyard come down on their fence, so I sawed it up for them to get it off the fence.

Other neighbors across the street (he is in a wheel chair), couldn't find a generator here, so called their son in Portland and he brought one up. I helped them hook it up so their furnace would run. This was on Sunday. By this time they had been over to our house just to warm up.

Friday night we invited the neighbors over for a potluck dinner and discussion about how they were doing and to see what was needed by whom to work on the problems. This was actually a fun evening; of course it was only the first day. After nearly a week it wasn't fun any more.

It was great to see the neighborhood pull together to help each other out. We are planning a neighborhood "survivor's party" on the 20th to talk about what we can do better next time.

CERT definitely helped. Now we are bracing for the one that is supposed to hit tonight!



**American  
Red Cross**

*Serving King & Kitsap Counties*

Disaster response by the  
American Red Cross  
Serving King & Kitsap Counties  
during the wind-storm that  
devastated the area in  
December 2006



American  
Red Cross

*Serving King & Kitsap Counties*

## Background

- ARC started providing shelter training to government partners in mid-90s
  - King County Parks
  - Seattle Parks
  - Bellevue Parks (now required every 2 years)
- Have trained over 500 employees from the county and 21 municipalities in last 5 years
- Capability to train community based groups in addition to government and ARC volunteers



American  
Red Cross

*Serving King & Kitsap Counties*

## Expansion of Shelter Training

- TOPOFF-2 demonstrated need for significantly more “Community Shelter Capacity” & tested first joint shelter with KC Parks during drill
- Katrina changed the paradigm in our approach:
  - “All hands on deck” response – FEMA, local government, ARC, Salvation Army, faith-based,
  - National/Regional coordination/planning
  - Zone 1 drill originally scheduled Nov 2006
  - Upcoming UASI evacuation plan for 50,000
- Created impetus for more local governments & community partners to have shelter training



**American  
Red Cross**

*Serving King & Kitsap Counties*

# ARC Logistics to Support Regional Disasters

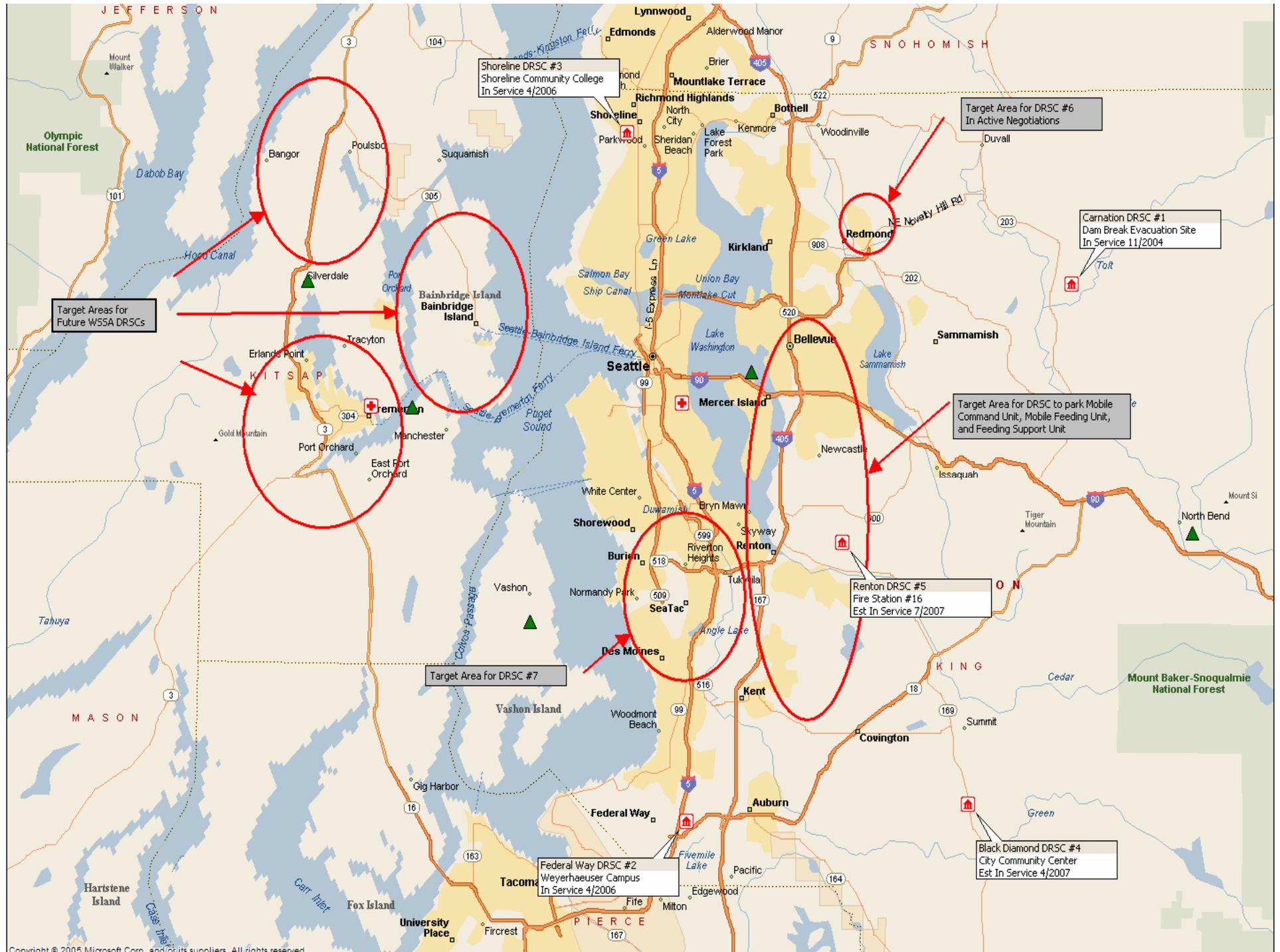


Disaster Relief Supply  
Center (DRSC)



Disaster Emergency  
Response Trailer (DERT)

**We have supplies to support approx 5,500 clients in 25 shelters**





American  
Red Cross

*Serving King & Kitsap Counties*

## Local Red Cross Chapters

- No government funding except a few grants.
- Each Chapter must raise funds from foundations and individual donors to support local operations, training, vehicles, equipment, supplies, etc.
- Some reimbursement from NHQ for larger disasters over certain thresholds, but no regular operating funds
- Volunteers make up approx 94% of our disaster workforce & they choose when they are available
- ARC does not normally open shelters for power outages unless the temperatures create an imminent health risk to the general population



American  
Red Cross

*Serving King & Kitsap Counties*

## National Response To Our Area

- National support when Chapter response capacity & local mutual aid exceeded
- Scalable response based on **needs** in area
- DR staff has standardized training 20+ activities, which allows diverse groups to quickly integrate
- Staff normally work 12-14 hour days for 3+ weeks
- Disaster Field Supply Centers (DFSC) for supplies
- Outside resources take time to get here, so local plans need to include local capacity to run shelters/feeding operations for at least 2-3 days until help arrives



American  
Red Cross

*Serving King & Kitsap Counties*

## ARC Role in a Regional Event

*The King County Emergency Plan states:*

**Para I - B:** *“Incorporated Cities in King County have responsibility to coordinate their own mass care shelters using city assets, or to coordinate with King County Emergency Operations Center (EOC) in the placement of mutually supported shelters.”*

**Para II - B:** *“Incorporated jurisdictions will perform emergency management functions within their jurisdictional boundaries as mandated by RCW 38.52.070.”*



American  
Red Cross

*Serving King & Kitsap Counties*

## ARC Role in a Regional Event

**Para II - C:** *“The American Red Cross will provide staff, supplies, and shelters as disaster conditions dictate and resources allow...”*

**Para II - D:** *“The King County Department of Natural Resources Parks & Recreation Division is the primary county agency for mass care activities. The King County EOC will make decisions regarding the activation of shelters that will be managed by the Parks and Recreation Division, Seattle-King County Chapter of the American Red Cross, and selected cities and non-profits”*



American  
Red Cross

*Serving King & Kitsap Counties*

## Shelter Standardization

The Regional Disaster Plan (RDP) for Public and Private Organizations in King County States that:

*“All shelters opened and managed by cities in King County will be in accordance with American Red Cross Standards.”*

This is the key to regional success and easy transition if local ARC assumes management of partner shelters or outside ARC staff arrives to support a large disaster in our area



American  
Red Cross

*Serving King & Kitsap Counties*

# Windstorm – December 2006



- 750,000 customers without power from three power companies in our region
- Temperatures forecast below freezing within days

- Chapter infrastructure issues
- Many volunteers impacted by disaster & unavailable
- Damage assessment & repair time initially underestimated





American  
Red Cross

*Serving King & Kitsap Counties*

## Coordinated Regional Response

- Coordinated initial regional shelter placements with both King & Kitsap OEM
- Power outages limited areas and facilities available for regional shelters
- Quickly maxed out ARC human resources with 6 shelters open & ongoing support for them
- Coordinated logistics support to other shelters
- Supplies for 350 clients at Special Needs Shelter & committed 1,000 blankets to Public Health for distribution to other special needs facilities





**American  
Red Cross**

*Serving King & Kitsap Counties*

# Our Fearless Leader



**Susan Pelaez – Chapter DRO Director**



American  
Red Cross

*Serving King & Kitsap Counties*

## Local ARC Shelter Operations



- 6 ARC shelters open at once in our two counties!
- 8 ARC shelters & 1 ARC warming center during DR
- Over 700 shelter nights

- Another 400+ daytime
- Over 2,500 meals & almost 7,000 snacks served at ARC shelters
- 189 ARC volunteers/staff





American  
Red Cross

*Serving King & Kitsap Counties*

# ARC support to Community Shelters

- 18 Community Shelters
- 14 had staff trained by ARC
- 12 logistically supported by the ARC



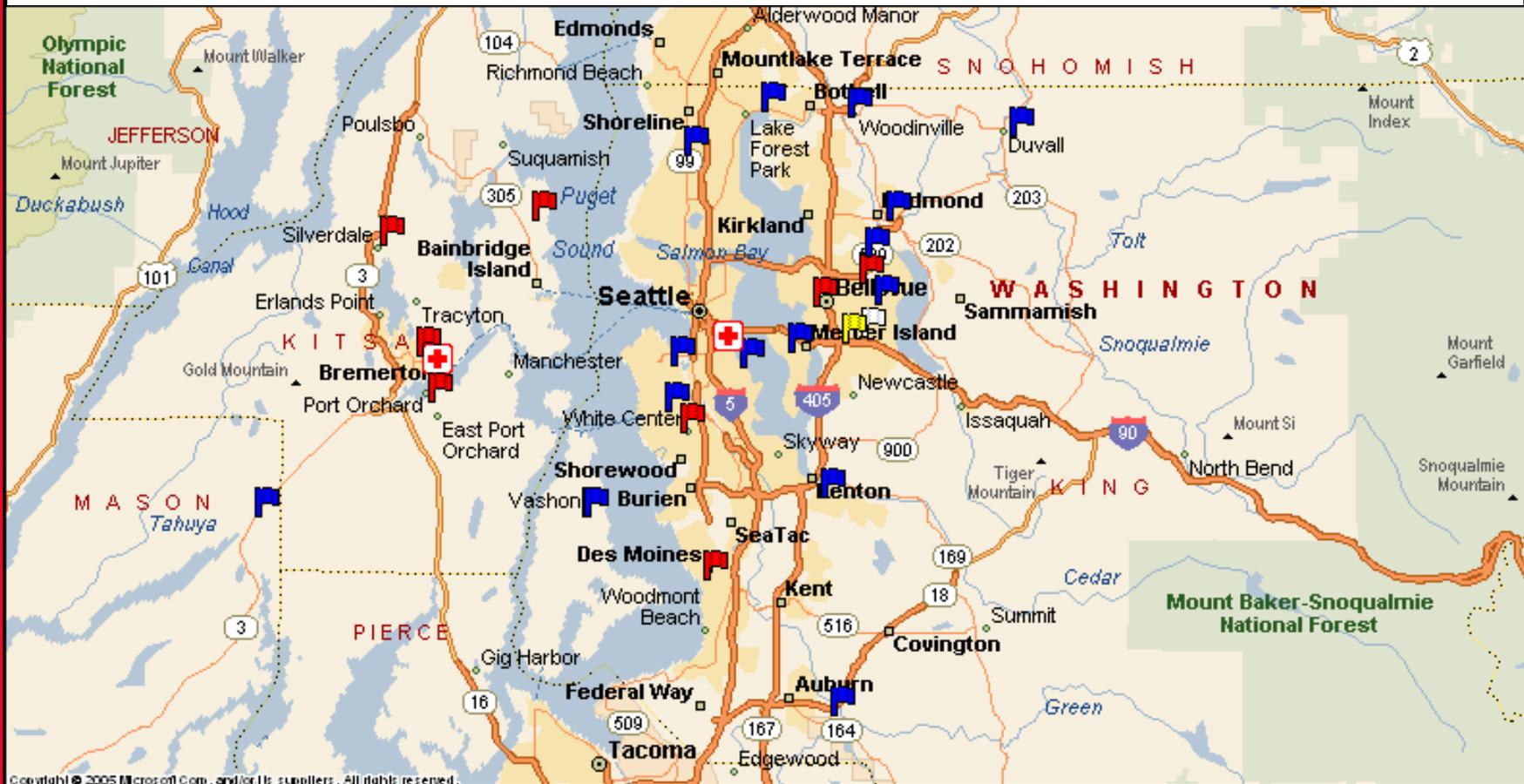
- Special Needs shelter run by Public Health & supported by King County OEM & Parks
- Humane Society set up a Pet Shelter



American Red Cross

*Serving King & Kitsap Counties*

# Where were the shelters?



Did we **need** this many shelters?



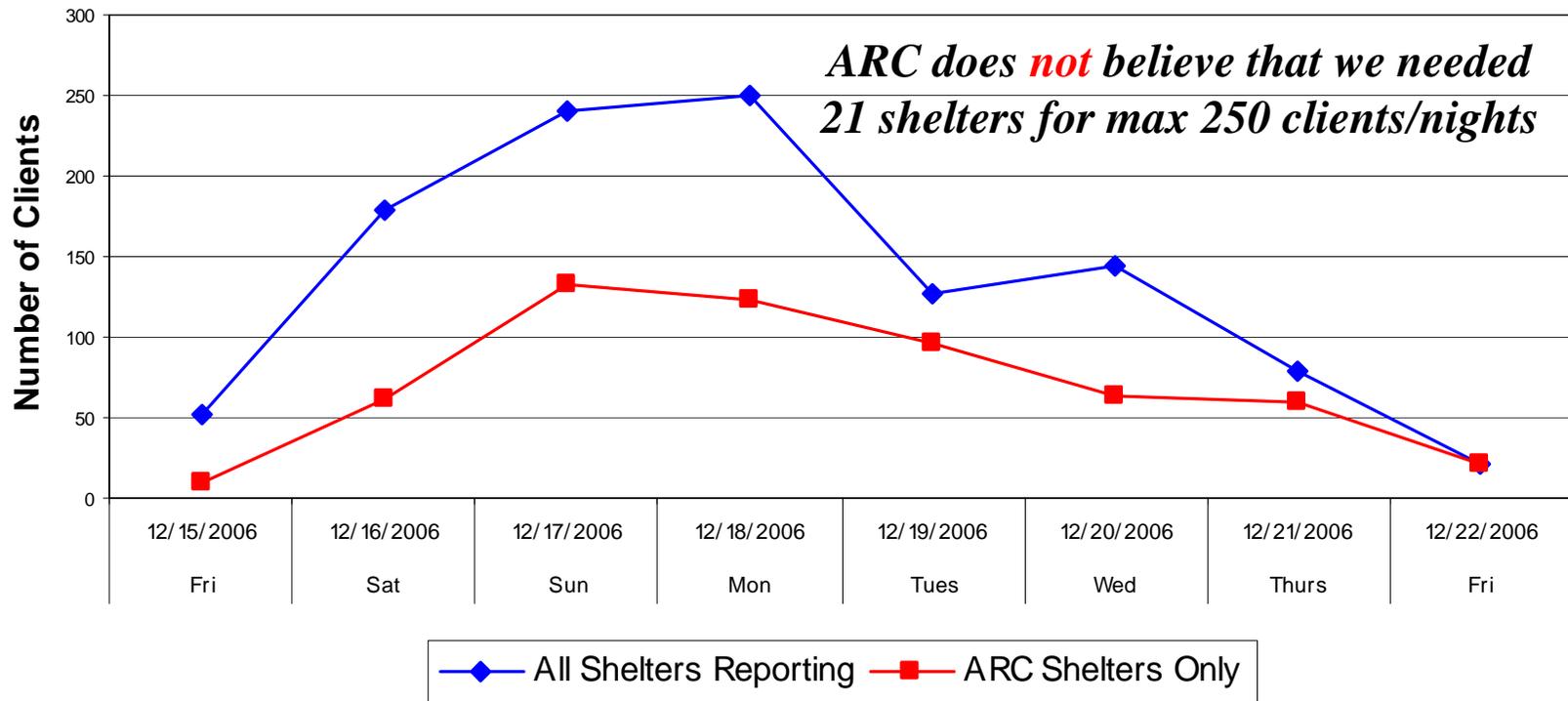
American Red Cross

*Serving King & Kitsap Counties*

# King County Shelters



## Overnight Shelter Clients





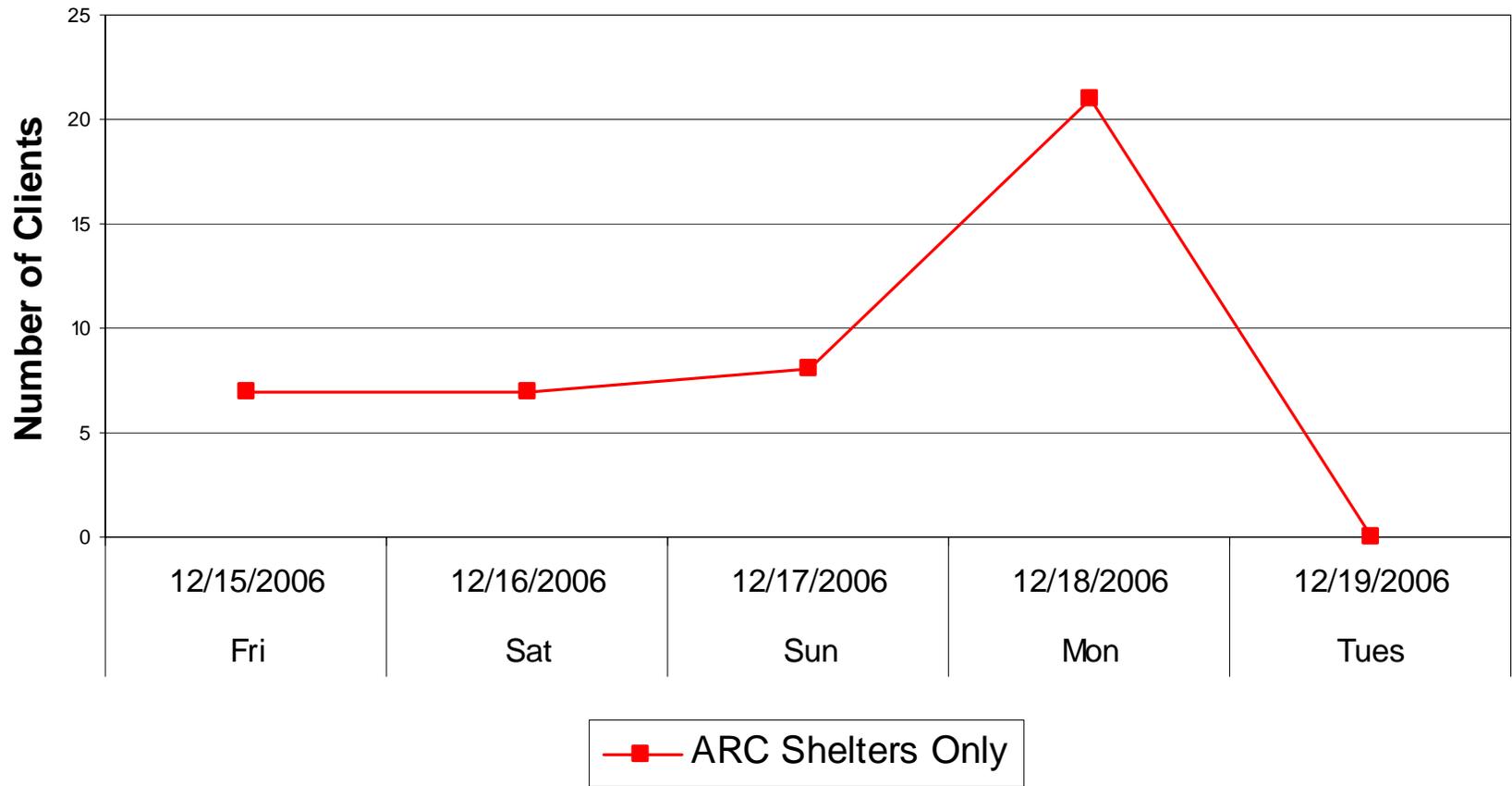
American Red Cross

*Serving King & Kitsap Counties*

# Kitsap County Shelters



## Overnight Shelter Clients





American  
Red Cross

*Serving King & Kitsap Counties*

# Individual Client Services

- 19 active cases **before** the storm
- 42 families/114 individuals impacted & assisted
- 6 new non-DR cases during the same period
- Outreach teams made 315 contacts with potential clients based on reported needs & did all damage assessment



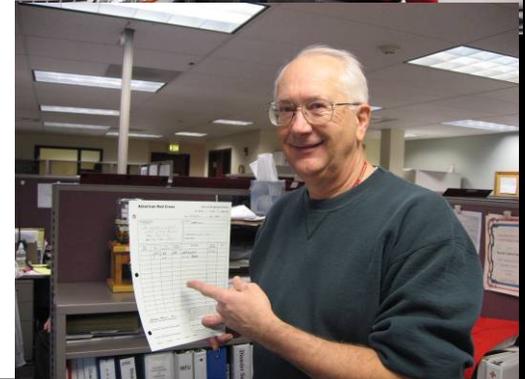


American  
Red Cross

*Serving King & Kitsap Counties*

# ARC Shelter Supplies Used To Support All Shelter Requests

- Rolled 2 DERTs & used supplies from 2 DRSCs & 6 containers
- Ran two warehouses
- Distributed 1,400 cots & 3,000 blankets to support 18 shelters (includes ARC)
- Supported Special Needs Shelter & provided extra blankets
- Coordinated logistics requests & established clear audit trail





American  
Red Cross

*Serving King & Kitsap Counties*

## Lessons Learned - Successes

- Successfully managed Chapter's largest shelter & logistics support operations that anybody can remember.
- “Community Shelter Capacity” concept is working & and significantly increasing overall shelter capacity in the region. We are now being asked to present our concept to other Chapters.
- Partners opened first Special Needs Shelter and Pet Shelter that any of us can remember
- Great logistics support from Puget Sound Energy & government partners



American  
Red Cross

*Serving King & Kitsap Counties*

## Lessons Learned - Successes

- Used ARC non-Emergency Services staff to fill positions for response, including the CEO taking a shelter shift.
- Public Affairs provided updated ARC info from all ARC Chapters in Puget Sound media market. Also coordinated with Public Health on safety info
- The phone bank significantly reduced calls to the DR staff & allowed them to focus on service delivery, which also helped to mitigate an overwhelmed 211 system



American  
Red Cross

*Serving King & Kitsap Counties*

## Lessons Learned - Challenges

- Difficulty getting regional needs assessment & coordinating resource allocations with many cities not reporting to KCECC or city EOCs open
- Lack of depth in Mass Care supervisors/managers
- Critical systems need to be on generator power
  - Phone system inoperative for 1.5 days
  - Email server down periodically due to power issues
- Difficulty recruiting DR staff during holidays with so many volunteers impacted by the storm
- If event two weeks later in the snow & ice, we could not have accomplished as much as we did



American  
Red Cross

*Serving King & Kitsap Counties*

## Moving Forward

- ARC committed to helping local governments & community partners prepare individuals.
  - FREE Community Disaster Education (CDE) info and presentations, with **emphasis on at-risk communities**. Multiple languages available.
  - If you have a community group that would like a free presentation, call Carol Dunn, our CDE Manager, at (206) 323-2345 or email her at: [carol.dunn@seattleredcross.org](mailto:carol.dunn@seattleredcross.org)
  - Visit our web side for disaster preparedness tips & brochures: [www.seattleredcross.org](http://www.seattleredcross.org)



American  
Red Cross

*Serving King & Kitsap Counties*

## Moving Forward

- ARC committed to increasing overall “Community Shelter Capacity” in region:
  - New Mass Care Manager staff position - Jan 2007
  - Realign staff & budget resources to support more Shelter Training for ARC volunteers and partners
  - 2007 Partner Trainings thru March 2007:
    - 9 scheduled training in 6 different jurisdictions
    - 5 more trainings being scheduled
    - several other communities have expressed interest
  - King County Shelter Summit 2/9/07



American  
Red Cross

*Serving King & Kitsap Counties*

## Target Shelter Training Groups

- Government agencies that are responsible for sheltering in their jurisdiction (normally parks departments, but can be other agencies)
- CERT or other citizen groups sponsored by local governments to assist with sheltering
- Faith-based, unions or others partners willing & able to run shelters without restriction to affiliated members
- ARC volunteers, including “shelter team” concept with retiree groups & corporate/community partners
- To schedule shelter training, call Hillman Mitchell, Government Liaison Specialist, at **(206) 720-5282** or email him at **[hillman.mitchell@seattleredcross.org](mailto:hillman.mitchell@seattleredcross.org)**



American  
Red Cross

*Serving King & Kitsap Counties*

## ARC Regional Recommendations

- Coordinate all shelter needs thru KCECC
- Cross-train CERT, Citizen Corps, and other citizen response groups in sheltering operations
- Educate your Elected Officials, PIOs & other staff on responsibilities under RDP & CEMP
- Standardize shelter reporting data up thru city, county, & state and how to publicize info to citizens
- Community Disaster Education (CDE) to all communities, especially ESL & special needs groups
- Local Human Services need to be involved in shelters for mental health needs, referrals for homeless, etc.



**American  
Red Cross**

*Serving King & Kitsap Counties*

# Any Questions





**American  
Red Cross**

## *Serving King & Kitsap Counties*



**CITY OF KIRKLAND**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3000

[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

---

**MEMORANDUM**

**To:** Dave Ramsay, City Manager

**From:** Jeff Blake, Director of Fire and Building Department

**Date:** 03/06/07

**Subject:** Special Presentation

**RECOMMENDATION:**

Recognize the graduates of our Community Emergency Response Team course with a brief explanation of the program and award them Certificates of Completion.

**BACKGROUND DISCUSSION:****KIRKLAND GRADUATES FIFTH CERT CLASS**

The Community Emergency Response Team (CERT) program trains citizens to prepare for and respond effectively to disasters. The 24-hour CERT course is taught by a trained team of first responders and other professionals. Training covers the Incident Command System, disaster preparedness, fire suppression, basic medical assessment and First Aid, light search & rescue operations, and disaster psychology.

CERT members understand the risks disasters pose to people and property. They have taken steps to reduce hazards and lessen the impact of disasters once they have occurred. When disasters overwhelm local response capability, they are trained to take care of themselves and give critical support to their family members, neighbors, and others in their immediate area until professionals arrive. When first responders arrive, CERTs will be able to provide them with useful information and support. Later, they will be able to help the City reestablish stability to the community. CERTs may also help with non-emergency projects that help improve the safety of their community.

Kirkland's fifth CERT course, graduates March 3, 2007. The next two courses will run from April 18 to June 2 and 9. One will be held, to train employees who will form a City CERT team; the other will be held Wednesday evenings. Both courses will also be open to the public. Residents and people who work in the Kirkland fire response area (Kirkland and Fire District 41) are welcome to participate. Residents outside this area will be accepted on a space-available basis.

**CITY OF KIRKLAND****City Manager's Office****123 Fifth Avenue, Kirkland, WA 98033 425.587.3001****www.ci.kirkland.wa.us****MEMORANDUM**

**To:** David Ramsay, City Manager

**From:** Tracy Burrows, Senior Management Analyst

**Date:** March 12, 2007

**Subject:** 2007 Legislative Session Status Report

**On Wednesday, March 14, the Legislature will reach its second "cutoff."** All measures, other than those in the fiscal and transportation committees, that have not passed out of their house of origin by March 14th are deemed technically dead for this session.

Below is a brief summary of the status of the City's major issues that have been addressed to date:

**Municipal Courts:** *Kirkland supports cities' ability to form municipal courts and is working to preserve all options for providing municipal court services in the future.*

House Bill 1590, which authorizes cities to contract with one another for court services, passed the House Floor on a 97-0 vote. It has been referred to the Senate Judiciary Committee, but faces serious opposition in the Senate. Senate Bill 5353: 1) authorizes court contracting; 2) expands the subject-matter jurisdiction of municipal courts to include domestic violence protection orders and anti-harassment orders; and 3) establishes a structured nominating commission for the selection of part-time judges along with voter-approved retention of the judge every two years. A number of amendments have been proposed to this bill and, as of this memo, it is not likely to pass out of the Senate. The City of Kirkland has weighed in supporting a bill that is limited to the issue of court contracting to its Senate delegation. Kirkland will continue to monitor and participate in negotiations on this bill to assure that it meets our objectives.

**Offender Supervision** *Kirkland supports a change in state law that would extend immunity to the activities of municipal probation officers conducting misdemeanor supervision except in cases of gross negligence.*

Substitute House Bill 1669, which would provide for a gross negligence liability standard for misdemeanor supervision, passed out of the House on a 97-0 vote. It has been referred to the Senate Judiciary Committee. The substitute bill includes compromise language to address the concerns of the Washington State Trial Lawyers. The original bill provided limited immunity for damages arising from "any act or omission in the provision of probation, supervision, or monitoring services," whereas the substitute bill applies to damages arising from "inadequate supervision or monitoring." This would be a good step towards addressing the significant issue of offender supervision liability for cities such as Kirkland.

**Streamlined Sales Tax :** *Kirkland supports the objectives of the Streamlined Sales Tax project, including the application of sales tax to internet and catalogue sales. Kirkland supports the seven principles for SST implementation that have been agreed upon by the Association of Washington Cities (AWC) SST Committee, including the goal of full mitigation for the sales tax revenue losses of negatively impacted cities.*

The Streamlined Sales Tax bill passed the Senate on a 45-3 vote and is currently in the House Rules Committee. This legislation is likely to go to the full House Floor for a vote after the March 14<sup>th</sup> cut-off.

**Local Infrastructure Financing** *Kirkland supports legislation that would make additional economic development tools available to local governments, including modifications to the LIFT statute to address additional competitive funds, removal of the limit of one LIFT project per county, streamlined process, more flexibility in funding sources and uses, and other changes.*

House Bill 1277 passed out of the House on a 96-0 vote and has been referred to the Senate Economic Development, Trade and Finance Committee. This bill continues to limit LIFT implementation to one project per county. The Senate Companion Bill (SB 5115) passed out of the Senate on a 47-0 vote. This bill is an entirely new striker bill that provides several technical changes that will make the authority more flexible.

**Incentives for Affordable Housing :** *Kirkland supports incentives for affordable housing, including property tax exemptions to new or rehabilitated multi-family housing.*

Kirkland worked with A Coalition for Regional Housing (ARCH) and AWC to draft House Bill 1737 that would expand cities' ability to grant property tax exemptions for new or rehabilitated multifamily housing, and in particular would allow for partial exemptions for rental housing. This bill did not make it out of committee. House Bill 1910 and Senate Bill 5404 require this property exemption program to be targeted to affordable housing units. The affordability requirement appears to have support in the legislature and would be consistent with Kirkland's application of the program. Neither of these Bills has made it out of Rules Committee.

**Telecommunications** *Kirkland supports maintaining local franchising and opposes any legislation that would create a statewide franchise. Kirkland recognizes the importance and need for local governments to manage their rights-of-ways and be able to deliver local programming.*

SB 6003, which removes local government franchising authority for competitive cable and video service providers, did not make it out of committee and is dead for this session.

Of more concern is the recent Federal Communications Commission ruling at the federal level. The Federal Communications Commission (FCC) released a final version of a rule on competitive video franchising which broadly pre-empts numerous longstanding local video franchising requirements and procedures. These new rules will have three profoundly negative impacts on local government:

1. Only a fraction of households will be served. The FCC Rule allows new providers to avoid upgrading facilities in poorer neighborhoods while affluent neighborhoods receive cutting-edge services and lower prices. Local regulations to eliminate "cherry-picking" of affluent customers and the resulting digital isolation of other neighborhoods are preempted.
2. Unreachable process deadlines are imposed, which would cause any negotiations to likely fail. Communities will have only 90 days to issue a franchise to new entrants. In Washington, this includes Verizon and Qwest, among other companies. If parties can't reach agreement within the 90-day time frame, the rules deem that a cable

franchise is automatically granted. This would clearly put local governments at a disadvantage in the negotiating process as telecommunications companies would not have any motivation to reach agreement.

3. Critical support for community services (schools, libraries and media) is eliminated. Fees to support public, educational and government (PEG) access would be deducted from the 5% franchise fees communities currently receive.

The National League of Cities, the National Association of Counties, NATOA and the Alliance for Community Media all oppose the rules and are expected to file for injunctive relief.

### **Gambling**

Senate Bill 5558, relating to gambling, requires that if a city that prohibits gambling annexes an area that includes a casino, it must adopt an ordinance to prohibit gambling in the annexed territory. This prohibition cannot take effect for eighteen months after ordinance adoption. In addition, the Bill appears to require a referendum vote on the gambling prohibition in the annexed area. This bill would complicate any effort to prohibit gambling in Kirkland's annexation area. The City Attorney's Office is working with AWC on amendments to the bill that would protect our interests and options on this issue.

**2007 Legislative Issues Update  
as of  
03/12/2007**

Kirkland Legislative Contacts

Senator Eric Oemig: <http://www.sdc.wa.gov/oemig.htm>

Rep. Roger Goodman: <http://www.housedemocrats.wa.gov/members/goodman/>

Rep. Larry Springer: <http://www.housedemocrats.wa.gov/members/springer/>

Senator Rodney Tom: <http://www.sdc.wa.gov/tom.htm>

Rep. Ross Hunter: - <http://www.housedemocrats.wa.gov/members/hunter/>

Rep. Deb Eddy: <http://www.housedemocrats.wa.gov/members/eddy/>

Bill Number	Legislative Issue	Current Status – from AWC and leg.wa.gov	Action Needed/Initiated
<b>MUNICIPAL FINANCE</b>			
SSB 5089	Streamlined Sales Tax	This bill would conform Washington's tax structure to the streamlined sales and use tax agreement.	Passed to Rules Committee for second reading Feb. 28.
HB 1072	Streamlined Sales Tax	This bill would conform Washington's tax structure to the streamlined sales and use tax agreement.	Passed to Rules Committee for second reading Jan. 29.
HB 1342 SB 5647	LTAC Flexibility	Clarifies the use of existing lodging tax revenues for tourism promotion. The bill would define “tourism promotion” to also include the operation of special events, not just marketing. It also allows cities to support tourism-related facilities owned by a nonprofit organization.	HB 1342: Dead. SB 5647: Passed to Rules Committee for second reading March 6.
SHB 1254	LTAC Flexibility	This bill expands the definition of “tourism related facilities” to include those owned by a nonprofit 501©6 organization. It allows municipalities to contract with nonprofit 501©6 organizations for tourism promotion activities.	Passed to Rules Committee for second reading Feb. 21.
HB 1369	City Fiscal Flexibility	This bill expands voter-approved multi-year property tax lid lifts to all local jurisdictions i.e. library and fire districts. It also removes non-supplanting language on the lid lifts for cities and counties.	Passed to Rules Committee for second reading March. 6.
HB 2309	Property Taxes	Would permit annual increases in property taxes at the rate of inflation.	Hearing in House Committee on Feb 26.
HB 1466	Tourism Promotion	This bill would expand “tourism promotion” to include expenditures to nonprofit organizations.	Dead.
HB 1825 SB 5729	Dedicated Funding for Public Health Services	This proposal to legislation would create a health financing account and direct revenues from the cigarette tax to the account which would be spent after appropriation.	SB 5729: Dead. HB 1825: Passed to Rules Committee for second reading March 5.
HB 1139 SB 5330	Local Sales Tax	These companion bills will modify the local sales and use tax that is credited against the state sales and use tax when a large annexation occurs.	HB 1139: Passed to Rules Committee for second reading March

			5. SB 5330: passed committee, is now in Ways & Means.
SSB 5404	Multi-Family Ten Year Property Tax Exemption	This bill will modify property tax exemption provisions relating to new and rehabilitated multiple-unit dwellings in urban centers to provide affordable housing requirements.	Passed Committee, referred to ways and means.
HB 1737	Multi-Family Ten Year Property Tax Exemption	This bill would lower the population threshold to 5,000 and allow a partial exemption to be used for rental properties, currently authorized for owner occupied units.	Dead.
HB 1910	Multi-Family Ten Year Property Tax Exemption	This bill lowers the population threshold to 15,000 and require an affordability component.	Passed to Rules Committee for second reading March 5.
SB 5558 HB 1477	Regulating House-Banked Social Card Games	This bill limits the number of licenses that may be issued for conducting house-banked social card games, grants local jurisdiction limited authority to determine the areas within which house-banked social card games may be conducted, and grandfathers existing city moratoriums that limit the number of card rooms.	SB: 5558: Passed to Rules Committee for second reading March 6. HB 1477: Dead
SB 5854	Utility Liens	If a landlord notifies a city, town, or county, in writing, of a tenant's complete and accurate mailing address, the jurisdiction may not place a lien against a landlord's property due to a tenant's delinquent or unpaid charges. Also, the jurisdiction has no right of action against the landlord.	Passed to Rules Committee for second reading Feb. 28.
HB 2334 HB 2117	Property Tax Bills	HB 2334 would allow cities to increase property taxes to 100% plus the implicit price deflator (IPD) in lieu of imposing impact fees. Proceeds above 101% would be used fro infrastructure needs. HB 2117: Would reenact the limitations on regular property tax growth adopted under 1-747.	HB 2334: Public hearing in the House Committee on Finance Feb. 26. HB 2117: Work session and public hearing in the House Committee on Finance Feb. 20 <sup>th</sup> .
<b>ENVIRONMENT AND GROWTH MANAGEMENT</b>			
	<b>Ecology Issues NPDES Phase II Permit</b>	<b>Stormwater permit which affects 101 cities in Washington. The permit includes details about stormwater management requirements.</b>	<b>32 cities have filed an appeal.</b>
HB 1726	Housing Density	Changes the OFM population forecasting method based to account for job growth –	Referred to

		will likely increase King County's share of Puget Sound growth. Also requires UGA to be sized for part-time, vacation, and second homes.	appropriations
SHB 1727	Housing Density	<p>Substitute Bill eliminates most objectionable language of the original bill. Establishes new requirements for the land use and housing elements of comprehensive plans adopted under the Growth Management Act.</p> <ul style="list-style-type: none"> <li>• Expands the statutory list of innovative land use management techniques that should be provided for in comprehensive plans to include zoning for mixed-use development and accessory dwelling units.</li> <li>• Authorizes cities and counties to establish subregions of adjacent cities and counties for specific purposes, including ensuring the existence of a sufficient amount of housing to meet the needs of projected population growth.</li> </ul>	Passed House 97-0
HB 1358	Requiring Performance and Reasonable Measures for the Purpose of Growth Management Planning	Requires all 29 GMA-planning counties to adopt policies and performance measures that regularly review progress towards accommodating 20-year population and employment growth projections.	Dead
SB 5871	Energy Element	Would require local governments to adopt an energy element as part of the Comprehensive Plan.	Dead
SB 5286	Funding Puget Sound Clean-Up	Establishes a more coordinated state process to prioritize state funds aimed at clean-up efforts.	Dead
SB 5372 HB 1374	Puget Sound Planning and Clean-Up Reorganization	Recreates the state agency, Puget Sound Action Team, to be called the Puget Sound Partnership. This partnership will be governed by a seven-member council appointed by the Governor and confirmed by the Senate. Bill creates an action agenda which directs and coordinates efforts to restore Puget Sound Health by 2020. This agenda will affect the activities put on in surrounding counties.	SB 5372: Passed 41-55. HB 1374: Passed 78-19
<b>ECONOMIC DEVELOPMENT and INFRASTRUCTURE</b>			
SB 5115 HB 1277	Local Infrastructure Financing Tool	<ul style="list-style-type: none"> <li>▪ Increases the competitive portion from \$2.5 million to \$5.0 million.</li> <li>▪ Repeals the one per county prohibition on using this authority.</li> <li>▪ Eliminates an assessed value per square foot requirement.</li> <li>▪ Provide several technical changes that will make the authority more</li> </ul>	SB 5115: Passed 47-0 HB 1277: 94-2

		flexible.	
HB 1091 SB 5090	Innovation Zones	Authorizes CTED to designate innovation zones that must include a university or college, a concentration of R&D firms, and training capacity. Innovation zones will be eligible for LIFT and possibly other funding sources.	SB 1091: Passed 48-0 SB 5090: Passed 96-0
HB 1361 Now HB 2331	Dedicating Existing Revenue Infrastructure Funding	New bill directs \$20 million to TIB for transportation improvements. Criteria for distribution of funds are being developed.	HB 2331: Passed to Rules Committee for second reading March 5.
SB 5762 HB 1790	Funding for Jobs, Economic Development, and Local Capital Projects	<ul style="list-style-type: none"> <li>• No more than 25 percent of financial assistance approved by CERB may consist of grants.</li> <li>• Financial assistance may be provided for the acquisition of real property not for projects located outside the jurisdiction of the applicant.</li> <li>• Applicants for CERB funds must demonstrate convincing evidence that a specific private development, consistent with economic development commission standards, is ready to occur.</li> <li>• Applicants in rural counties do not need to show that a specific private development is ready to occur but must demonstrate project feasibility and that the project is part of a local economic development plan.</li> <li>• Tourism projects in rural counties are also eligible for CERB funding.</li> <li>• Grants of up to \$50,000 are allowed for plans, studies, and analyses related to a project.</li> <li>• Applicants must demonstrate approval from a local jurisdiction, support from a local</li> <li>• Associate Development Organization, local participation, and local matching funds.</li> </ul>	HB 1790: Dead SB: Dead

TELECOMMUNICATIONS			
SB 6003	State-wide Cable Franchise	Creates a state-wide cable franchise. Cities are strenuously opposed to this bill.	Dead
SSB 5592	Revising regulation of telecommunications companies.	This bill was stripped of its original purpose and rewritten to call for an interim task force to study reform of telecommunications regulation, including a review of the local franchise process.	Passed to Rules Committee for second reading Feb. 28 <sup>th</sup>
ENERGY			
HB 1036	Creating Sustainable Energy Trust	Entails charging all electric and natural gas retail customers a benefit charge to be then used to develop sustainable renewable resources.	HB 1036: Passed to Rules Committee for second reading Feb. 27 <sup>th</sup> .
HB 1037	Transmission Siting Preemption	Allows a person developing new transmission in excess of 115 kilovolts to seek site certification through the Energy Facility Site Evaluation Council (EFSEC).  Substitute bill was passed with amendment brought forth.	Passed 88-3
SSB 6001	Mitigating Impacts of Climate Change	<ul style="list-style-type: none"> <li>• A green house gas performance standard is set that will affect energy generation facilities permitted after June 30, 2008.</li> <li>• Each even-numbered year, the Department of Community, Trade &amp; Economic Development will prepare a report for the Governor and the Legislator, detailing gas emissions for the preceding two years and identifying each major source sector.</li> <li>• Most of the Governor's green house reduction goals are adopted.</li> <li>• Electric utilities will be prohibited from entering into long term energy supply agreements unless the energy supplied from those agreements complies with the emissions performance standard established in the bill.</li> </ul>	Passed 35-13
LAW & JUSTICE			
HB 1669	Offender Supervision	Establishes a gross negligence standard of liability for a district or municipal court's provision of misdemeanor probation or supervision services, or monitoring of a misdemeanor defendant's compliance with a court order.	Passed House 97-0
SB 5353 SHB 1590	Municipal Courts Contracting Authority	This bill includes provisions to clarify city authority to contract for municipal court services only.	SB 5353: In Rules. SHB 1590: Passed House 97-0

HB 1561	Eminent Domain for Cascade Water Alliance	A watershed management partnership and a separate legal entity created by it to conduct the operation of the partnership may exercise the power of eminent domain if all of the public agencies that form the partnership do themselves have the power of eminent domain. This would give Cascade Water Alliance the authority to exercise eminent domain.	Passed House 75-21 vote.
HB 2244	Restricting Cities' Authority to Regulate Tent Encampments	<ul style="list-style-type: none"> <li>• Counties, cities, and towns are prohibited from restricting religious organizations from hosting homeless temporary encampments.</li> <li>• Local jurisdiction are prohibited from fining a religious organization unless it has clearly endangered the health and safety of the community.</li> <li>• Permit fees for temporary encampments are limited to \$500.</li> <li>• Permit applications must receive a response within 60 days.</li> </ul>	Passed to Rules Committee for second reading Feb. 23 <sup>rd</sup>
<b>TRANSPORTATION</b>			
HB 1858 SB 5767	Transportation Benefit Districts	Transportation Benefit Districts are currently authorized and funding mechanisms require a vote of the people. This bill would authorize an additional \$20 in Motor Vehicle License Fees by councilmanic vote. This would be approximately \$600,000 in revenue in Kirkland. AWC is in the process of collecting bill signatures in the House and Senate for a proposed modification to TBDs.	HB 1858: Passed to Rules Committee for second reading March 5. SB 5767: Dead
<b>PUBLIC RECORD</b>			
SSB 5435 HB 1444	Creating the Public Records Exemptions Committee	The bill calls for a thirteen-member committee consisting of members from four legislative caucuses, reps. of local media, local gov., the state Auditor, the state Attorney General, the Governor, and four members of the public.	SSB: Passed 48-0 HB: 1444: Dead
SB 5436 HB 1446	Correcting the Statute	This clarifies that the statute of limitations is one year for actions under the Public Records Act, including the failure to provide a response to a request for a public record, and for any other violation.	SB 5436: Placed on second reading by Rules Committee March 7 <sup>th</sup> . HB 1446: Passed 94-0
SB 5437 HB 1445	Recodification of the Public Records Act	This bill makes some corrections to the Public Records Act. It is not intended to change public records policy.	SB 5437: Placed on second reading by Rules Committee Feb 20 <sup>th</sup> . HB 1445: In the Senate -First reading, referred to Government Operations & Elections

			Feb 20 <sup>th</sup> .
SB 5420	Requiring Website Postings Within Five Days	This bill will require all public agencies to post ordinances, rules, regulations, orders, and directives adopted by its governing body with five days of their adoption.	Passed to Rules Committee Feb. 20 <sup>th</sup> .
<b>HOUSING/PROPERTY</b>			
SB 5444 HB 1458	Requiring Notice to Property Owners Before Condemnation Decisions	This bill would ensure better notice is given to the public for proposed eminent domain condemnation actions by either public or corporate entities.	SB 5444: In house -First reading, referred to Judiciary Feb. 5 <sup>th</sup> HB 1458: In Senate - First reading, referred to Judiciary March 9th.
HB 1359	Promoting Affordable Housing for All	This bill declares that a decent, appropriate, and affordable home in a healthy safe environment for every household should be a state goal and should be accomplished for every very low income household by 2020.	Passed 57-39
HB 1412	Extending Timelines to Update Shoreline Master Programs	This bill provides cities with the option of taking an additional year to complete their SMPs.	Passed 93-0
HB 1781	Allowing Shared Use of Best Available Science	This bill acknowledges that science used to figure out the best way to protect the environmental values in one community can be used by another community if it is applicable to the same types of land and conditions.	Dead
SB 5104 HB 1885	Lake Washington Technical College	Creates a pilot program for an applied Baccalaureate Degree at two technical colleges in the state.	SB 5104: Passed 47-1 HB 1885: Referred to Appropriations Feb. 28th
SB 5507 HB 1463	Changing Washington's Vesting Laws	This bill would align our laws with the majority of other states. Most other states establish the applicable rules and regulations for land use applications at the time of application.	SB 5507: Made eligible to be placed on second reading March 6 <sup>th</sup> . HB 1463: Dead
HB 1733	Siting State Community Justice	This bill would require cities and counties to establish agreed-upon siting criteria for a variety of community justice facilities.	Placed on second reading by Rules Committee March 8 <sup>th</sup> .
HB 1558	GMA Task Force	This bill will create a task force comprising various interests and legislators to explore a variety of "hot button" issues surrounding implementation of the Growth Management Act	Referred to Appropriations Feb. 27 <sup>th</sup>

Personnel & Labor Relations			
HB 1322 SB 5340	Definition of Disability	This bill expands the definition to encompass any impairment, temporary or permanent, that is medically cognizable or diagnosable, regardless of whether the impairment has any impact on the individual's work or life.	HB 1322: Passed 64-33 SB 5340: Passed 42-6



## KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES

March 06, 2007

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

Members Present: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Members Absent: Deputy Mayor Joan McBride.

Deputy Mayor McBride was absent as she is traveling.

3. STUDY SESSION

a. Joint Meeting with Park Board

Joining Councilmembers for this discussion in addition to City Manager David Ramsay were Director of Parks and Community Services Jennifer Schroder, Deputy Director of Parks and Community Services Carrie Hite, Park Planning and Development Manager Michael Cogle, Park Board members Chuck Bartlett, Kevin Hanefeld, Liesl Olson, Michelle Goerdel, Jeff Trager, Cindy Zech, Chair Robert Kamuda and Vice Chair Colleen Cullen.

b. Review Indoor Recreation Facility Plan Project

Lauren Livingston, Consultant for Sports Management Group, presented an overview of the proposed Kirkland Recreation Facility plan project.

4. EXECUTIVE SESSION

5. SPECIAL PRESENTATIONS

a. Pedestrian Safety Video

Public Works Director Daryl Grigsby and MultiMedia Communications Manager Janice Perry provided background and presented the video.

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding the Sound Transit

Evergreen Totem Lake transit center groundbreaking; Sound Transit Finance Committee meeting; Suburban Cities Public Affairs Committee meeting; Metropolitan Solid Waste Advisory Committee meeting; Annexation Public Forum; City Council special study session on the Downtown Transit Center design; Jail Advisory Group meeting; Suburban Cities dinner meeting; Friends of Youth luncheon; third year Tree City USA designation; Highlands City Council neighborhood meeting; and kudos to the Parks and Community Services department for the new Bike Rack at Marina Park.

b. City Manager

(1) 2007 Legislative Status Report

(2) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Cassandra Neal, 13680 NE 69th St, #647, Redmond, WA  
Bill Hirt, 2615 170th SE, Bellevue, WA  
Shirley Croes, 735 1st Street South, #103, Kirkland, WA  
Mark Jung, 224 7th Avenue, Kirkland, WA  
Sally Hansen, 8605 NE 136th, Kirkland, WA

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes

(1) February 20, 2007

(2) February 26, 2007

b. Audit of Accounts:

Payroll \$ 1,746,976.10  
Bills \$ 1,700,138.62  
run # 658 check # 486212  
run # 659 check #'s 486238 - 486445  
run # 660 check #'s 486448 - 486564

c. General Correspondence

(1) Pat Harris, Regarding the City's Emergency Preparedness

(2) Bill Hirt, Regarding Sound Transit

(3) Tammy Sully, Regarding AMPCO Parking

d. Claims

(1) ACME Construction

(2) DeLacy Larsen

(3) Sergio and Patricia Miralda

(4) April Oi

(5) Sunset Condominium Homeowners Association

e. Authorization to Call for Bids

(1) Heritage Park Phase 2 Improvements

f. Award of Bids

(1) The contract for the 2006 Sidewalk Maintenance Project was awarded to Taggart Construction, Inc. of Bothell, Washington in the amount of \$103,925.00.

g. Acceptance of Public Improvements and Establishing Lien Period

h. Approval of Agreements

i. Other Items of Business

(1) Resolution R-4629, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A WAIVER OF COMPETITIVE BIDDING FOR A BIO-DIESEL FUELED 2005 VOLKSWAGEN PASSAT STATION WAGON FROM THE GREEN CAR COMPANY AND AUTHORIZING THE PURCHASING AGENT TO MAKE SAID PURCHASE."

(2) Surplus Equipment Rental Vehicles/Equipment for Sale

<u>Fleet #</u>	<u>Year</u>	<u>Make</u>	<u>VIN/Serial Number</u>	<u>License #</u>	<u>Mileage</u>
99P-01	1999	Ford Taurus SE	1FAFP52U1XG253824	28042D	43,204
P04-12	2004	Ford Crown Victoria	2FAHP71W94X147019	39846D	76,878
PU-26	1999	GMC Sierra 3/4 Ton Pickup	1GTGC24R5XF093499	28102D	38,574
DARE	1977	Police DARE Trailer	1177111	n/a	n/a

(3) Acknowledging Parking Advisory Board Resignation

Member Joie Goodwin's resignation was acknowledged and correspondence thanking her for her service was authorized.

(4) Resolution R-4630, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS JAMES W. AND MARY ANN JESSEN."

(5) Resolution R-4631, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER, THE JESSEN FAMILY LLC."

(6) Resolution R-4632, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS CHESTER B. AND SUSAN K. CREGER."

(7) Resolution R-4633, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS CHESTER B. AND SUSAN K. CREGER."

(8) Resolution R-4634, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER WILLIAM J. SPAGNOLA."

Motion to Approve the Consent Calendar.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Dave Asher

Vote: Motion carried 6-0

Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

a. Investment Portfolio Review

Treasury Manager Michael Olson provided a brief summary of the review.

b. Downtown Strategic Plan Assessment and Update

Planning and Community Development Director Eric Shields described the Downtown Strategic Plan update process and plan for the committee.

Motion to authorize staff to move forward with formation and appointment of a citizen advisory committee for a term of six months with the task of developing recommendations on the downtown strategic plan update.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Dave Asher

Vote: Motion carried 6-0

Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

11. NEW BUSINESS

a. Change In Utility Billing Cycle

Treasury Manager Michael Olson briefed Council on the background and forthcoming change in the cycle.

b. Resolution R-4635, Approving the Issuance of a Process IIB Permit As Applied For In Department Of Planning Community Development By Stephen Starling Representing Lake Washington Technical College Being Within A PLA 14 Zone, And Setting Forth Conditions To Which Such Process IIB Permit Shall Be Subject.

Planner Tony Leavitt reviewed the issues for Council consideration. Stephen Starling and Chuck McWilliams, representatives for Lake Washington Technical College, also addressed the Council.

Motion to to suspend the rule to vote on the matter at the next meeting and vote on the application at this meeting.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Jessica Greenway

Vote: Motion carried 6-0

Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Motion to Approve Resolution R-4635, entitled "A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS IIB PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND

COMMUNITY DEVELOPMENT FILE NO. ZON05-00014 BY STEPHEN STARLING REPRESENTING LAKE WASHINGTON TECHNICAL COLLEGE BEING WITHIN A PLA 14 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PROCESS IIB PERMIT SHALL BE SUBJECT."

Moved by Councilmember Jessica Greenway, seconded by Councilmember Mary-Alyce Burleigh

Vote: Motion carried 6-0

Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

- c. Ordinance No. 4087, Relating to Zoning, Planning, and Land Use and Amending Title 23 (The Kirkland Zoning Code) of the Kirkland Municipal Code; Amending Certain Provisions Relating to Floor Area Ratios (F.A.R.) for Detached Dwelling Units in Low Density Residential Zones, and Amending Portions of Chapter 115 KZC (Miscellaneous Use Development and Performance Standards)

Planning and Community Development Director Eric Shields explained the background and issues involved in regard to the proposed ordinance.

Motion to to amend Ordinance No. 4087 by removing the designated one year end date for the ordinance.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Jessica Greenway

Vote: Motion carried 6-0

Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Motion to Approve Ordinance No. 4087, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING TITLE 23 (THE KIRKLAND ZONING CODE) OF THE KIRKLAND MUNICIPAL CODE; AMENDING CERTAIN PROVISIONS RELATING TO FLOOR AREA RATIOS (F.A.R.) FOR DETACHED DWELLING UNITS IN LOW DENSITY RESIDENTIAL ZONES, AND AMENDING PORTIONS OF CHAPTER 115 KZC (MISCELLANEOUS USE DEVELOPMENT AND PERFORMANCE STANDARDS) (FILE NO. ZON05-00019)." as amended.

Vote: Carried 6-0

Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

- d. Ordinance No. 4088, Relating to the Parking Advisory Board and Amending Sections 3.40.010 and 3.40.020 of the Kirkland Municipal Code

Motion to Approve Ordinance No. 4088, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE PARKING ADVISORY BOARD AND AMENDING SECTIONS 3.40.010 AND 3.40.020 OF THE KIRKLAND MUNICIPAL CODE."

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Dave Asher

Vote: Motion carried 6-0

Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

- e. Ordinance No. 4089, Relating to Youth and Boards and Commissions

Motion to Approve Ordinance No. 4089, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO YOUTH AND BOARDS AND COMMISSIONS."

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Jessica Greenway

Vote: Motion carried 6-0

Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

12. ANNOUNCEMENTS

13. ADJOURNMENT

The March 6, 2007 special meeting of the Kirkland City Council adjourned at 9:35 p.m.

---

City Clerk

Mayor

**CITY OF KIRKLAND****Department of Public Works****123 Fifth Avenue, Kirkland, WA 98033 425.587.3800****[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)**

---

**To:** Dave Ramsay, City Manager

**From:** Tami White, Parking Coordinator

**Date:** March 8, 2007

**Subject:** CORRESPONDENCE FROM GEORGIE KILRAIN OF LAKESHORE GALLERY & HER CUSTOMERS

**RECOMMENDATION:**

It is recommended that the City Council authorize the Mayor to sign a letter of response to Ms. Kilrain, who wrote the City concerning the Lake & Central lot becoming all pay parking.

**BACKGROUND DISCUSSION:**

Ms. Kilrain expresses her displeasure about the Parking Advisory Board's possible recommendations to changing the partially pay parking at the Lake & Central lot into all pay parking. She suggests a better remedy would be to make some of the peripheral parking areas pay parking. She explains the lot is unique and serves businesses on Central Way, Lake Street and Park Lane. The lot currently has four 30-minute and twenty 2-hour parking stalls, and Ms. Kilrain feels this is convenient for shoppers to make a quick visit. She also states that shopping has declined since the partially pay stalls went into place. Other than lunch time, she feels the lot remains mostly open.

In addition to her letter she included ten pages from her customers who affirm what she said about the Lake & Central lot and their non-support and displeasure about pay parking at that location.

Finally, Ms. Kilrain expresses concern about who serves on the Parking Advisory Board and wondered why there are no retailers.

The Parking Advisory Board is working on public process as a part of making a recommendation to Council on how more pay parking should be placed in the Lake and Central lot. The two main reasons for pay parking are improved parking management (more turnover, more stalls available) and providing funding for future parking supply. Because of wide public notification and direct recruiting from current Board members, the Council will be interviewing at least one retailer for a current opening on the Board.

February 15, 2007

TO: DAVID RAMSAY, CITY MANAGER  
✓TAMI WHITE, PARKING  
KIRKLAND CITY COUNCIL

FROM:  
GEORGIE KILRAIN  
LAKESHORE GALLERY

SUBJECT:  
LAKE AND CETRAL PARKING LOT

When I had a brief meeting with Tami White and the Parking Advisory Board members recently, they indicated they were considering recommending to City Council that the Lake and Central parking lot be made fully a pay-for-parking lot. I expressed my reservations about this action and suggested a better remedy would be to make some of the peripheral parking areas "pay parking."

Our central parking lot is unique. It serves businesses on Central, Lake Street, and Park Lane. To many it is almost like the town square. Shoppers can make a quick visit by using the half hour spots or can use the longer two-hour spots. Since making the lot partially a pay lot, shopping has declined in downtown. Few want to pay for parking in order to shop! The lot fills only at lunch time when no other spots are available. Otherwise they remain mostly open.

We thought we should also ask customers how they feel about this proposed action. To be fair, we worded the questionnaire so that it took no position. The following attached sheets reflect customer reactions.

Having been in business in Kir~~l~~and for 24 years, I can vouch for the fact that difficult parking has always been an issue with customers. The City has been aware of this all these years; but the problem has never been successfully resolved.

I met with interest that to my knowledge no retail business persons are on the Parking Advisory Board. Shouldn't there be one?

Again, I do not think the City should take action that further discourages downtown shoppers. Surely the City sees the decreased revenue . . . and the businesses that continue to fail for lack of customers.

Thank you for reviewing these customer comment sheets.



TO THE KIRKLAND CITY COUNCIL

WE UNDERSTAND IT IS BEING CONSIDERED THAT THE LAKE AND CENTRAL PARKING AREA  
BE MADE A TOTALLY PAY- FOR- PARKING LOT

THE FOLLOWING IS OUR CUSTOMER REACTION

NAME (TELEPHONE OPTIONAL)	FOR	AGAINST	COMMENTS
Shirley Cockrell		X	Awful idea - !!
Kent's Drew		X	
Patricia Drew		X	
Monika Perkins		X	hurting merchants!
W. Dwyer		X	people will drive right by these stores . . .
Arthur M. Gray		X	No way!
K. Kowalik		X	It is impacting the trade
Linca Smith		X	invite free parking Keep Kirkland's "village feeling"
Rachel Seelig		X	I oppose a totally pay for park lot
Geoffrey Morris		X	if you kill off business here, you will kill the appeal of this place
Barbara Washington		X	No more payment!
Dan Ruff		X	will hurt the merchants
Maryam Salhan		X	hurting merchants + me.
WALTER SKOWRONSKI		X	REASONABLE PARKING IS DISAPPEARING FA
Theresa ROBERSON		X	
AVRIL PATTENAUDE		X	need some free short time parking
BITCHIE TRYON		X	Bad idea
Fiorella Guai		X	Bad IDEA!!!
Susan Muse		X	
Donna Hainworth		X	Hurt merchants
<del>Carol Hest</del>		<del>X</del>	
Wendell Kwon		X	
William Shea		X	
Sybil Danoff		X	
Annice Reed		X	
<del>_____</del>		X	Please!!!

TO THE KIRKLAND CITY COUNCIL

WE UNDERSTAND IT IS BEING CONSIDERED THAT THE LAKE AND CENTRAL PARKING AREA  
BE MADE A TOTALLY PAY-FOR-PARKING LOT

THE FOLLOWING IS OUR CUSTOMER REACTION

NAME (TELEPHONE OPTIONAL)	FOR	AGAINST	COMMENTS
Marabdy Ramos		✓	
By Kocher		X	
Brad Barndt		X	
Al Grogg Sr		X	IT'S all about GREED AND DESTRUCTION OF DOWN TOWN BUSINESS
↓			
Paul Archer		X	
Melinda DeBuler		X	
J DeBuler		X	
JAMES MASSEY		X	
Lenette Backstrom		X	this will be a negative impact for local buisness
Laurel Zapke		✓	That would be money I woud be spending on local businesses
Ka. J. Nelson		X	
Rick Nelson		X	
Daryl Sheryn		X	
Gandi Sheryn		X	
Raven Shetta		X	Please don't! We'll have to stop coming here to eat.
Chak. M Shetta		X	"
Leza Simman		X	
Carol Kaiser		X	
Norman Heilstein		X	
Mary Nell		X	
Elaine		X	KIRKLAND NEEDS FREE ACCESS PARKING TO BRING IN MORE SHOPERS, NOT TAKE THEM AWAY
Janette P. Wilson		X	
Sharon Pove		X	WHAT A STUPID IDEA! PLEASE DON'T.
Shera Halsay		X	No!

# TO THE KIRKLAND CITY COUNCIL

WE UNDERSTAND IT IS BEING CONSIDERED THAT THE LAKE AND CENTRAL PARKING AREA  
BE MADE A TOTALLY PAY- FOR- PARKING LOT

THE FOLLOWING IS OUR CUSTOMER REACTION

NAME (TELEPHONE OPTIONAL)	FOR	AGAINST	COMMENTS
JAMES GORDON		X	
Kevin Schuler		X	
Paul Tillman		X	
Rebecca Simpson		X	
Sozi Simpson		X	
Alan A. Lee		X	
Bob Senter		X	
Ben to Deak		X	
<del>Willie White</del>		X	
Dandra Stice		X	
Hillem Taylor		X	
Cindy Namy		X	
RICHARD DEPOSIT		X	
Molly TORRES		X	
Evelyn V. Innes		X	I won't come to Kirkland if I can't park free!
Verena Hughes		X	
Wendy Rae Hongfalshi		X	
Janeal Kella		X	
Bonnie		X	
Barbara Brown		X	
Peggy Anita Schwab		X	
Wendy Selig		X	
Michelle Furoka		X	
<del>Willie White</del>		X	
Michelle Bieght		X	
Nelson J. Perez		X	

TO THE KIRKLAND CITY COUNCIL

WE UNDERSTAND IT IS BEING CONSIDERED THAT THE LAKE AND CENTRAL PARKING AREA  
BE MADE A TOTALLY PAY- FOR- PARKING LOT

THE FOLLOWING IS OUR CUSTOMER REACTION

NAME (TELEPHONE OPTIONAL)	FOR	AGAINST	COMMENTS
PATRICIA RICE		✓	
Gene Hershey		✓	
Kerij D. Ewert		✓	We need <u>more</u> free parking!
Shirley Miller		✓	
Ray Marshall		✓	
Andy Mc Gillivray		✓	
Steph Ndegge		✓	I like to browse + don't think I would pay to browse thru shops
Lyn Mcdegger		✓	we don't pay in Woodinville
K Sharpe		✓	we don't pay in Redmond!
<del>BT</del>		✓	
BRETT A. JONES		✓	HOW DO YOU EXPECT PEOPLE TO COME TO KIRKLAND IF YOU HAVE TO PAY TO PARK?
Anne Mc Gill		✓	will I. m. + my visit
Richard Cook		✓	We love Kirkland - make it convenient on us customers
Carol BANNER		✓	DON'T DRIVE BUSINESS AWAY
AP Cornell		✓	AS IF YOU DON'T COLLECT ENOUGH TAX
AL D. TM		✓	BAD IDEA, WILL REDUCE FOOT TRAFFIC
Therese Spotted		✓	
<del>BT</del>		✓	
Tyrone J. Jigok		✓!!!	Will impact business - People can go to Bellevue and park free!
Carmen Nagiula		✓	we need more free parking.
Margie Halabe		✓	don't hurt the shopkeepers <sup>or shoppers</sup>
<del>Quetta D. [unclear]</del>		✓	
Rebecca Janson		✓	Parking is bad enough!
Suzanne [unclear]		✓	Free parking.
Wendy [unclear]		✓	Free parking.

TO THE KIRKLAND CITY COUNCIL

WE UNDERSTAND IT IS BEING CONSIDERED THAT THE LAKE AND CENTRAL PARKING AREA  
BE MADE A TOTALLY PAY- FOR- PARKING LOT

THE FOLLOWING IS OUR CUSTOMER REACTION

NAME (TELEPHONE OPTIONAL)	FOR	AGAINST	COMMENTS
Pamela Matthews		✓	Will hurt merchants
David McKenna		✓	
Jane McKenna		✓	
Sharon [unclear]		✓	
S. Berkey		✓	
Blair [unclear]		✓	RETAIL NEEDS EASY PARKING
Kerri Hartman		✓	
Rain Keruch		✓	
Russel Keruch		✓	CHANGE THE PAY MACHINE SYSTEM - CONFUSING!
Julie Bender		✓	
Mike [unclear]		✓	
Karen Magally		✓	
Roger Fredrickson		✓	
Richard Quilley		✓	
[unclear]		✓	
Lori Vaaga		✓	
[unclear]		✓	
Dignee Swann		✓	
Jerry Lee [unclear]		✓	
Vivian [unclear]		✓	
Frank [unclear]		✓	
Pam Sheker		✓	
Rick Skekel		✓	Will go elsewhere
Lyman [unclear]		✓	
Moshe Meron		✓	
Eric Meron		✓	

WE UNDERSTAND IT IS BEING CONSIDERED THAT THE LAKE AND CENTRAL PARKING AREA  
BE MADE A TOTALLY PAY- FOR- PARKING LOT

THE CITY OF REDMOND, WASHINGTON

NAME (TELEPHONE OPTIONAL)	FOR	AGAINST	COMMENTS
MONICA Eiden		✓	
Paige Calnan		✓	
Mike Calnan		✓	Can't Park CAN'T Shop
Martin Lepore		✓	From Redmond to shop 2/3
Natalie Duffus		✓	Redmond doesn't pay to park!
Donna Homer		✓	
Carla DiPietro		✓	too hard to park now. If would hurt business !!!
Sascha Elsing		✓	
Shelly Boman		✓	Keep friendly, neighborhood freedom to sit & enjoy
Lilli Hood		✓	
CAROL McKee		✓	
KATE ARDEN		✓	Get a clue !!! ooo
Maree Nishida		✓	make it livable!
Linda Dunn		✓	don't discourage people from coming DT.
Geek Fischer		✓	"You'll lose money!"
Ann Buscher		✓	
Judy Kimball		✓	
Larry Kimball		—	
Sharon Higgins		✓	heard on business
Jon Yeo (HP)		✓	issue in Redmond, Bellevue, Bellevue
Rae M. Houser		✓	Redmond Town Center is free
Jaime Cook		✓	
Mark		✓	
Kurt		✓	

TO THE KIRKLAND CITY COUNCIL

WE UNDERSTAND IT IS BEING CONSIDERED THAT THE LAKE AND CENTRAL PARKING AREA  
BE MADE A TOTALLY PAY- FOR- PARKING LOT

NAME (TELEPHONE OPTIONAL)	FOR	AGAINST	COMMENTS
Nicki Goussy		X	
Walt Row W		X	
Bonnie Sutherland		X	Please No!!
Willa J J		X	
Diana Thomas		X	
Micheli Shapiro		X	
David K. Shaffer		X	
SAMANTHA SMITH		X	
Effie Palmer		X	
Constance Palmer		X	
Min Houchi		X	
Shirley McHew		X	
Marlene Beer		X	
Arson Burt		X	
J. J. O.		X	
Christine		X	
Linda J. J.		X	
Judith Bell		X	If I can't find free parking, I move on!
Kenneth F. McLowry		X	ditto
John Leckey		X	
Jim Jones		X	
Clare Skipton		X	I'm a regular out of town I will not like this
K. C.		X	
Broca Skelton		X	Don't be greedy!
Aeresa Dymagstad			
Timothy P. P.		X	NO THANKS!

TO THE KIRKLAND CITY COUNCIL

WE UNDERSTAND IT IS BEING CONSIDERED THAT THE LAKE AND CENTRAL PARKING AREA  
BE MADE A TOTALLY PAY-FOR-PARKING LOT

NAME (TELEPHONE OPTIONAL)	FOR	AGAINST	COMMENTS
Linda Sincoff		X	I want to shop in Kirkland - bad idea.
Emiko Greenidge		X	Want to shop eat in Kirkland
Leslie V. ...		X	There's already enough pay parking in Kirkland... let's leave this pay lot alone...
Out of line		X	Enough already. Support your local shopkeepers - help us keep our downtown
Gayle Allen		X	
Helen Beeler		X	
Mitchell Gonyea		X	There is plenty of pay parking already - Businesses will suffer
Judy Green		X	All parking in area should be free
Ann Rutler		X	Whether I continue to shop in this area depends on convenient FREE parking
Nancy Fiala (425-444-7806)		X	BAD IDEA - Business will
Claudia Campbell		X	Will eliminate my shopping in Kirkland
Barbara Burt			
Berthe Halib		X	We need some free parking
Ellen Bradley		X	Horrible idea!
Kita Jensen		XX	No!
Ellen Jensen		X	Ellen Jensen
Klause Cook		X	Don't do like Ballard - I don't go
Laura Pendergraft		X	Having free parking close to shops is important for sales.
Ed & Linda Graves		X	need free parking
Helen Teper		X	We need free parking
Roberts Dickson		X	This ain't Seattle
Sue Orshler		X	
Jane Nason		X	You're taking that from small
Wally & Jones		X	I shouldn't have to pay \$15 to enter Kirkland
Shirley		X	

TO THE KIRKLAND CITY COUNCIL

9

WE UNDERSTAND IT IS BEING CONSIDERED THAT THE LAKE AND CENTRAL PARKING AREA  
BE MADE A TOTALLY PAY-FOR-PARKING LOT

NAME (TELEPHONE OPTIONAL)	FOR	AGAINST	COMMENTS
Nancy Anton		✓	<del>Hi there</del> Please! ☺
Robert Simpson		✓	NO WAY !!!
Allison Weimrod		✓	No thanks!
Markus Tamm		✓	NO WAY
A. Jones		✓	
n Tangeman		✓	
Ken Moss-sible		✓	
Kevin P. Rice		✓	
Keverly J Simpson		✓	with so many <sup>taxable</sup> new residents being added, this should not pay to park
Carl C. Hubbs			
Paul R. Hill II			
Michelle			
Sam A. Herbert			
Mary Noble		✓	
S. H. Opat			
Will		✓	
Klenda Holmsten		✓	
Heidi Green		✓	NO WAY !!
Jan Rehe		✓	Don't drive away your <sup>owners</sup> shops with added
Amanda Hayburn		✓	real discount to citizens
Judy Harel		✓	OF Kirkland I
Janice Halpin		✓	I shop in Kirkland due to free parking & like to support my local business
Tara Halfon		✓	paid parking will negatively affect the economic vitality of
Jessica Rivkin		✓	The Kirkland Business district
Annie Rivkin		✓	NO WAY!

WE UNDERSTAND IT IS BEING CONSIDERED THAT THE LAKE AND CENTRAL PARKING AREA  
BE MADE A TOTALLY PAY-FOR-PARKING LOT

NAME (TELEPHONE OPTIONAL)	FOR	AGAINST	COMMENTS
Sanchez Kojum		/	
John R. Hanna		✓	Don't kill the goose!
Bessman Hanna		✓	Pls be kind to the business patrons
Glenn E. Alhadeff		X	DONT DO IT !!
Ester Haimon		✓	
Shannon Malin		X	NO!
Carrie Gillain		X	PUT PAY PARKING OUT OF THE PERIPHERY! NOT THE CENTER LOT!
Peg Cotte		X	NOT A GOOD THING
Robert C. Cooley		X	Bad Idea - Exp. Pls. is Key
Sharon Anderson		X	For coming to downtown Kirkland? Bad idea for retailers.
Shon Cook		X	Please keep some free parking for short stops
Kim Murchison		X	
Kelly McCreary		X	
Sharon Chambers		✓	will make shopping here more problematic
Peter Harbers		✓	PLEASE DON'T...
See Collector		✓	
Marty Gray		✓	
Cynthia Jones		✓	
Cynthia Jones		✓	Stop Chasing out CUSTOMERS!
Barry L. Smith		✓	PLEASE KEEP A BALANCE OF FREE & PAID
Charlotte H. Stone		✓	DONT DO IT!
SARAH Stone		✓	
HEATH CONNER		✓	

March 21, 2007

**DRAFT**

Ms. Georgie Kilrain  
Lakeshore Gallery  
107 Park Lane  
Kirkland, WA 98033

Dear Ms. Kilrain:

Thank you for your letter and customer responses regarding the Lake and Central parking lot. We are glad you are involved as a part of this process. Staff has passed your comments to the Parking Advisory Board (PAB). They are continuing to receive public input and an open house is planned for this week, we hope you can attend.

We asked the PAB to explore pay parking options for two reasons. First, research and practice show that pay parking is an effective management tool when parking lots become fully occupied. Secondly, revenue from pay parking will be critical in funding additional parking supply. We expect that the PAB will soon make a recommendation to us on their best thinking on how pay parking should be expanded in the Lake and Central lot. We will consider your comments as we review their recommendations.

Most people, when given the option between pay and free parking would choose free parking, all other things being equal. This sentiment is reflected by those who signed your comment sheets. It seems reasonable however, to expect that people would pay a small amount to have access to parking at a central location and that they would pay something to have more parking in the future. We believe that customers come and will continue to come to downtown Kirkland for the unique experiences provided by the Lakeshore Gallery and others. The space turnover and revenue created by pay stalls are intended to create more parking for visitors and for customer of downtown businesses.

As for PAB membership, we were pleased to receive the application of a retailer in response to our most recent recruitment effort. Staff will notify you of future board openings with the hope that you will encourage additional retailers to apply for membership.

Downtown parking is a challenge for many communities, and we rely on feedback like yours to help us continue to improve parking where we can. If you have any other parking comments or questions, you may contact Tami White at 587-3871.

Sincerely,  
KIRKLAND CITY COUNCIL

James L. Lauinger  
Mayor



**CITY OF KIRKLAND**

**Department of Finance and Administration**

**123 Fifth Avenue, Kirkland, WA 98033 425.587.3100**

**www.ci.kirkland.wa.us**

---

**MEMORANDUM**

**To:** David Ramsay, City Manager

**From:** Kathi Anderson, City Clerk

**Date:** March 14, 2007

**Subject:** CLAIM(S) FOR DAMAGES

**RECOMMENDATION**

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

**POLICY IMPLICATIONS**

This is consistent with City policy and procedure and is in accordance with the requirements of state law (RCW 35.31.(040)).

**BACKGROUND DISCUSSION**

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

- (1) ACME Construction Supply  
4747 1<sup>st</sup> Avenue S.  
Seattle, WA 98134

**Amount:** \$ 350.31

**Nature of Claim:** Claimant states damage to vehicle resulted from running over a large pothole in the street.

- (2) Mohammed Benarbia  
11004 1<sup>st</sup> Avenue NE  
Seattle, WA 98125

**Amount:** \$ 1,328.93

**Nature of Claim:** Claimant states damage to vehicle resulted from a City of Kirkland parking sign falling on the vehicle.

March 14, 2007

Claim for Damages

Page 2

- (3) Central Way Plaza LLC  
720 4<sup>th</sup> Avenue, Suite 102  
Kirkland, WA 98033

**Amount:** \$ 28,355.52

**Nature of Claim:** Claimant states damage to property resulted from faulty drainage system.

- (4) Kurt Geibel  
12809 NE 84<sup>th</sup> Street  
Kirkland, WA 98033

**Amount:** Unspecified Amount

**Nature of Claim:** Claimant states damage to property resulted during a criminal apprehension by the Kirkland police.

- (5) Susan M. Hayes  
715 13<sup>th</sup> Avenue W.  
Kirkland, WA 98033

**Amount:** \$ 10,000.00

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



## CITY OF KIRKLAND

### Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

## MEMORANDUM

**To:** David Ramsay, City Manager

**From:** Daryl Grigsby, Public Works Director  
Ray Steiger, P.E., Capital Projects Manager

**Date:** March 8, 2007

**Subject:** 2005 CROSSWALK UPGRADE PROGRAM – ACCEPT CONSTRUCTION

### RECOMMENDATION:

It is recommended that the City Council accept the construction work for the 2005 Crosswalk Upgrade Program Project as completed by Signal Electric, Inc. of Kent, Washington, and establish the statutory 45-day lien period.

### BACKGROUND DISCUSSION:

The Crosswalk Upgrade Program installs crosswalk improvements at various locations throughout the City on a biennial basis. Locations for safety improvements are determined using a nationally-recognized ranking system that considers traffic volume, speed limits, and the number of travel lanes. Other factors used in prioritizing the projects include connections in the pedestrian network, spacing between crosswalks on arterials, the overall level of pedestrian use and use by vulnerable populations, such as children and seniors.

The biennial project has a base total budget of \$70,000. With a contribution by the Neighborhood

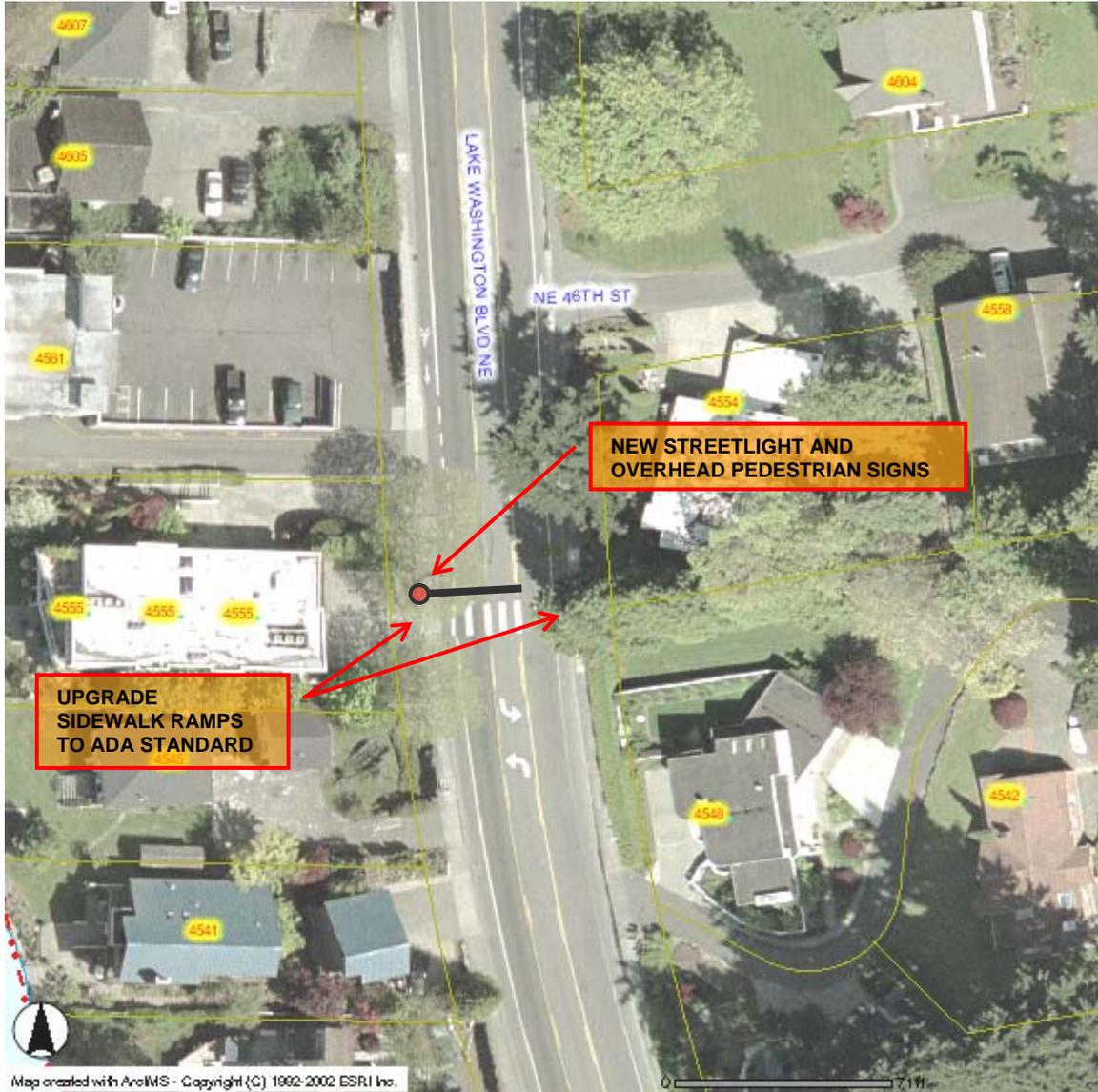
Connection Program of an additional \$30,194 for a lighted crosswalk at 4555 Lake Washington Boulevard the resultant total project budget for the 2005 Project was \$100,194. Of that total, approximately \$47,000 was used to construct and provide electric power to the lighted crosswalk (Attachment A) and \$23,800 was used to improve crossing safety on Lake Street by installing curb bulbs at the intersections at Park Lane and Kirkland Avenue (Attachment B); the Lake Street improvements were installed last spring as a component of the Central Way Improvement Project.

At the regular meeting of February 7, 2006 Council awarded the contract for the 2005 Crosswalk Upgrade Program Project to Signal Electric, Inc. in the amount of \$42,598.00. Construction began on July 24, 2006 and was completed on January 30, 2007. Total payment made to the contractor was \$38,343.41 (Attachment C) resulting in a construction contract reduction of \$4,254.59. The final expenses for the project amounted to the overall budget as shown in Attachment C.

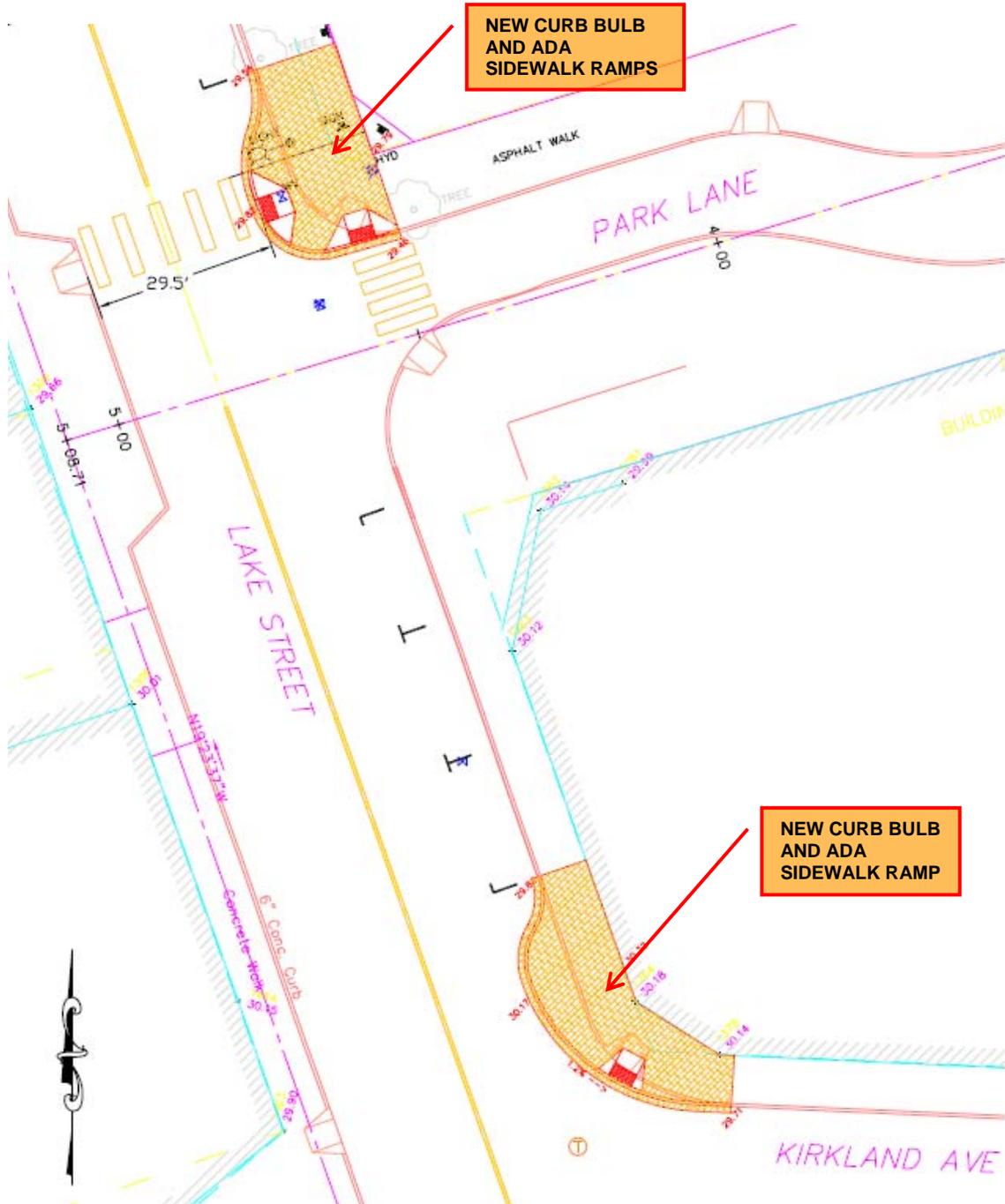
Attachments: (3)



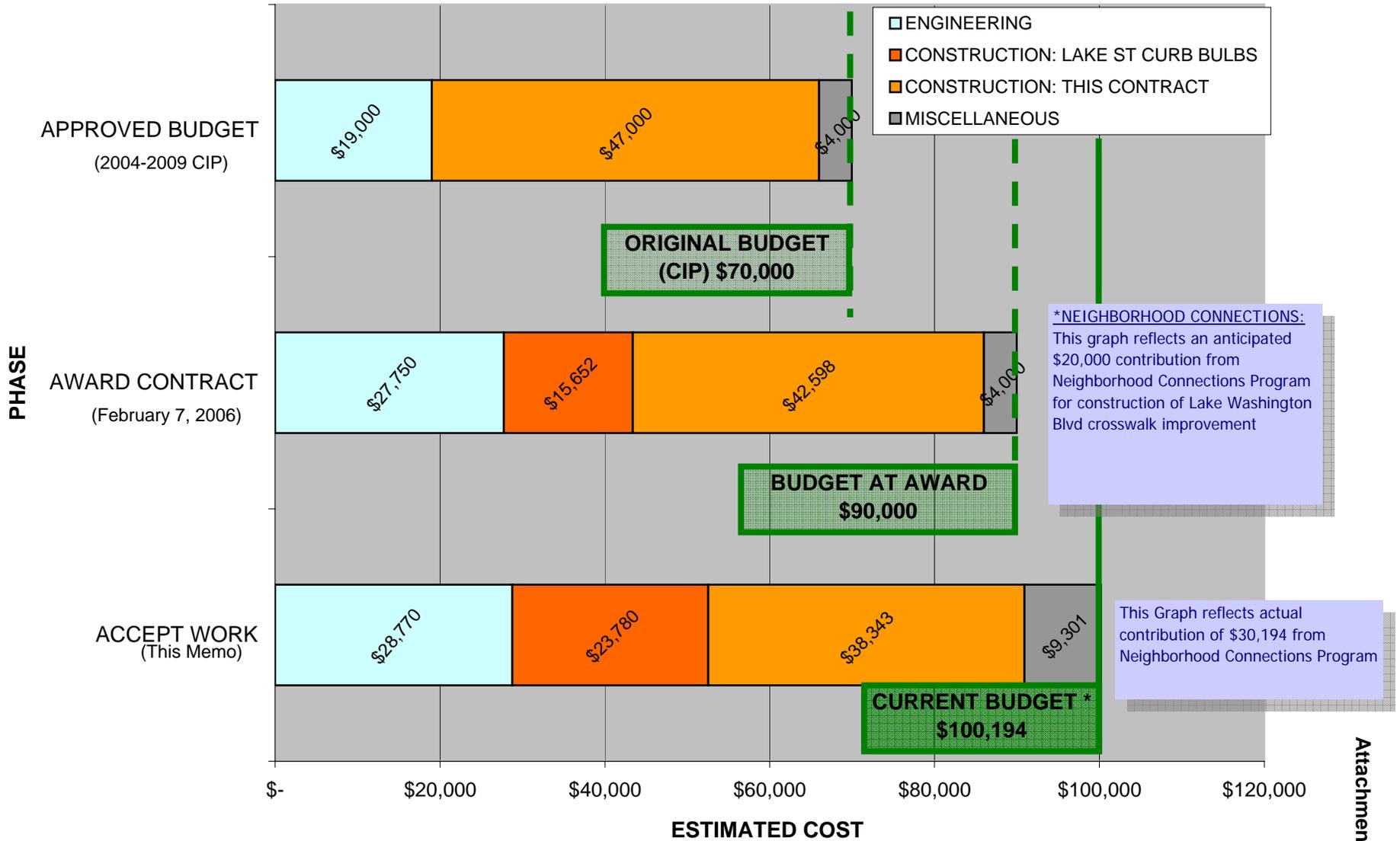
# 2005 CROSSWALK UPGRADE PROJECT 4555 LAKE WASHINGTON BOULEVARD



# 2005 CROSSWALK UPGRADE PROJECT LAKE STREET CURB BULBS



## PROJECT BUDGET REPORT CROSSWALK UPGRADE PROGRAM - 2005



**CITY OF KIRKLAND****Fire & Building Department****123 Fifth Avenue, Kirkland, WA 98033 425.587.3000****www.ci.kirkland.wa.us**

---

**MEMORANDUM**

**To:** Dave Ramsay, City Manager

**From:** Helen Ahrens-Byington, Deputy Chief

**Date:** February 16<sup>th</sup>, 2007

**Subject:** Hazard mitigation plan

**RECOMMENDATION:**

The City Council pass the resolution to accept and approve the King County multi-jurisdictional Hazard Mitigation Plan including the Kirkland Hazard Mitigation Plan Annex which was approved by FEMA on March 8<sup>th</sup>, 2005.

**BACKGROUND DISCUSSION:**

FEMA requires all public agencies to have a Hazard Mitigation Plan. King County determined that agencies within the county were at risk of similar hazards. They received approval from FEMA to write one County wide plan and each public agency within the County would write an annex to the plan. On November 18<sup>th</sup> 2003 the Kirkland City Council signed a resolution (R-4406) to develop an annex to the King County plan. The City of Kirkland annex was completed and sent to the County, State, and FEMA for approval. March 8<sup>th</sup>, 2005 FEMA formally accepted our plan and it has become part of the King County Hazard Mitigation Plan.

In January of 2007 the Department began to apply for a hazard mitigation grant. After being in contact with King County they said even though we have a FEMA accepted annex we were not compliant with the whole plan because it requires the City Council to pass the resolution to accept and approve the King County multi-jurisdictional Hazard Mitigation Plan including the Kirkland Hazard Mitigation Plan Annex and then to send our resolution to the County. The King County Hazard Mitigation Plan can be viewed at, [http://www.metrokc.gov/prepare/programs/hazmit\\_plan.aspx](http://www.metrokc.gov/prepare/programs/hazmit_plan.aspx).

Passage of the resolution will allow Kirkland to apply for grants to mitigate hazards within our community. Each action we take to mitigate hazards will reduce the impacts of disasters on our citizens and city.

Attachments: Kirkland Hazard Mitigation

12-20-2003

## **HAZARD MITIGATION STRATEGY**

City of Kirkland

### **Jurisdiction Profile**

The City of Kirkland was established in 1888 on the banks of Lake Washington. Incorporated in 1905, the 5.75 square mile community is the home to 45,054 residents. Kirkland is largely a residential community of professionals. The City of Kirkland has its own fire, building, police, and public works departments. The City of Kirkland is served by Lake Washington School District.

It is the strategy of the City of Kirkland to maintain continuity of government and emergency services in the event of a catastrophic incident within the city.

### **Vulnerability**

The City of Kirkland has identified areas of vulnerability within the city. These hazards are also profiled in the adopted County Regional plan. The primary threats to the City of Kirkland are:

- Earthquake
- Windstorm
- Mudslide

The City of Kirkland is home to industrial, retail, and educational facilities. Interstate 405 divides the city, separating North Rose Hill and Totem Lake Neighborhoods from the rest of the city. Vehicle and pedestrian overpasses connect the two areas. Many structures and overpasses in Kirkland are old, and were built before modern seismic standards were in place. Earthquakes, winter storms, ice and snow have a potential of causing mudslides, tree falling, structural damage or collapse, loss of life, and interruption of essential services such as fire, emergency medical, and utilities. Kirkland crosses the freeway using several bridges located at NE 132<sup>nd</sup> ST, NE 124<sup>th</sup> ST, NE 116<sup>th</sup> ST NE 85<sup>th</sup>, and NE 70<sup>th</sup>. Some of these are older bridges and are in danger of collapse in the event of a significant earth quake. Failure of some or all the bridges would isolate the North Rose Hill Fire Station from receiving additional Kirkland response units.

Juanita Drive is a winding road connecting the City to the Finn Hill response area. This road is heavily traveled and runs along an embankment to the west. Mud slides in that area would close the road and pose potential property damage and loss of life. Wind storms in Kirkland pose a threat of falling trees that may also cause power outages, delayed emergency response, and property damage.

## **Hazard History**

The City of Kirkland has experienced several mud slide and windstorm events, in past years, to various degrees of severity. The most significant event occurred in the late 1980's when a section of Juanita Drive slid down the embankment causing the complete destruction of a house and significant damage to other homes. This incident also caused severe injuries and near loss of life of one home owner. The road was closed for several months. The total monetary loss was in the millions of dollars.

Kirkland also experienced the Nisqually earthquake in February of 2001. Although Kirkland facilities were not heavily damaged some of the private businesses incurred minor to moderate damages. These damages were primarily contents rather than structural in nature.

Probabilities of future events for the City of Kirkland are consistent with the regional probabilities shown in the County Regional Plan.

## **Regional Goals**

The City of Kirkland's goals and objectives are consistent with the regional goals and objectives.

## **Funded Current Mitigation**

Kirkland is currently taking steps to mitigate natural and man-made disasters. The following mitigation efforts are ranked in order of priority and are partially or completely funded. They will be continued as long as funding is available. Funding is received from the CIP, current revenue, and available grants.

- Providing public education in preparing for disaster. Kirkland has a Public Educator to reach out to the community and schools within the area.
- Maintaining emergency food and supplies storage at its fire stations.
- Emergency power back up to some of its critical facilities
- Constructing a new fire Station on Finn Hill
- Seismic upgrades to several of the city owned buildings.
- Build a new Public Safety Building in Kirkland
- Secure critical electronic equipment in Kirkland critical facilities

The criteria used for the prioritization of the funded mitigation efforts are:

- Benefit /Cost review
- Protection of life
- Maintaining public safety emergency response
- Maintaining city services to the public
- Public education

### **Non-funded Future Mitigation**

Kirkland is currently taking steps to mitigate natural and man-made disasters. The following mitigation efforts are ranked in order of priority and are not currently funded. They will be continued as funding becomes available from the acquisition of new grants and increased revenues.

- Provide emergency generators for all Kirkland owned critical facilities.
- Provide emergency supplies containers for all Kirkland owned critical facilities.
- Secure and stabilize all critical electronic equipment (i.e.: radios, computers, etc.).
- Build a new fire station on Finn Hill to combine the services of two existing stations.
- Build a new Public Safety building which will also house the Emergency Operations Center

The criteria used for the prioritization of the non-funded mitigation efforts are:

- Benefit cost review
- Protection of life
- Maintaining public safety emergency response
- Potential of available funding sources
- Maintaining city services to the public
- Public education

### **Benefit Cost Review**

A Benefit to Cost review was done on each initiative to establish their prioritization. Loss of life is a primary, but not the only, consideration in prioritizing mitigation projects. The projects may change priority based on availability of funding.

The Benefit /Cost Review included replacement costs for critical facilities, retrofitting of existing buildings to modern earthquake standards, public education and supplying safety materials to existing facilities. The materials, manpower, and building supplies listed in the initiatives are based on 2004 prices. It is difficult to put a price on human life. The figure used in the initiatives for the saving of one life is \$2.3 million dollars. This figure is based upon the figure used after the World Trade Center terrorist attacks on September 11<sup>th</sup>, 2001.

### **Without Additional Funding**

Without additional funding the City of Kirkland will maintain its current level of disaster mitigation preparedness and continue to explore avenues of funding in order to improve preparedness. Kirkland will continue to be involved in regional planning and mutual aid agreements with neighboring agencies.

## **Regional Hazard Mitigation Plan City of Kirkland Government Administration**

### **Planning/Participation**

Members of the City of Kirkland formed a work group to develop the Hazard Mitigation Plan. The group was represented by members of the following city departments:

- Deputy Chief of Operations- Jack Henderson
- Battalion Chief- Mike Dettmer
- Senior Management Analyst- Tracy Burrows
- Director of Information Technology- Brenda Cooper
- Director of Public Works- John Hopauf

The work group provided technical information relating to their department and offered their technical skills in producing the mitigation plan. Participation included regular attendance at the Regional meetings by one or more members of the group.

A public meeting was held at Kirkland City Hall on Friday December 10<sup>th</sup>, 2005 at 11:00 AM for the purpose of soliciting public input on the plan. There were no attendees representing the public. In addition, the fire department has made site visits to public facilities to discuss emergency plans. Our public educator has fielded input from the general public on the topic of Kirkland's Hazard Mitigation Plan. On November 18<sup>th</sup> the plan was brought to the public through a public City Council Meeting where a resolution to adopt Kirkland's participation in the county plan was approved.

### **Plan Adoption**

The adoption process for Kirkland's annex to the King County Hazard Mitigation Plan included several steps. First, the work group reviewed and edited the plan. The plan was then forwarded to the Deputy Chief of Fire Department Operations for review and preliminary approval. The plan was then sent to the City's legal department for a review which took approximately two weeks. The document was then sent to the City Manager for review. Then a resolution was written recommending the participation in the King County Regional Hazard Mitigation Plan. Resolution number R-4406 was brought before the seven member city council on November 18<sup>th</sup>, where it received a unanimous vote for adoption.

### **Plan Implementation**

The City of Kirkland will implement its plan through the sources listed below. Larger projects will be implemented over multiple budget cycles or as funding sources become available.

- General Operating Budget
- Capitol Improvement Budget
- State and Federal Grants
- Bonds
- Public and Corporate Donations of money, supplies, and Manpower

### **Plan Maintenance**

Kirkland's Hazard Mitigation plan will be reviewed annually and revised as needed. The Deputy Chief of Fire Operations and the managers of the appropriate departments will review the plan. All significant changes will be made. The group will send a representative to attend the regional meetings. There will be an annual meeting of the local group in October of each year.

RESOLUTION R-4636

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ACCEPT AND APPROVE THE KING COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN, AS APPROVED BY FEMA, INCLUDING THE KIRKLAND HAZARD MITIGATION PLAN ANNEX AND FUTURE ADMINISTRATIVE CHANGES.

WHEREAS, the City of Kirkland is vulnerable to the human and economic costs of natural, technological, and societal disasters; and

WHEREAS, the Kirkland City Council supports disaster mitigation efforts and regional disaster planning as a means of reducing or eliminating those vulnerabilities for the overall good and welfare of the City of Kirkland and the region; and

WHEREAS, the City of Kirkland and other jurisdictions within King County participated in the development of the King County Multi-jurisdictional Hazard Mitigation Plan; and

WHEREAS, 48 public agencies including the City of Kirkland have annexes to the King County Multi-jurisdictional Hazard Mitigation Plan; and

WHEREAS, additional agencies are expected to join the King County Multi-Jurisdictional Hazard Mitigation Plan as annexes; and

WHEREAS, regular revisions and updates are required by FEMA; and

WHEREAS, a locally adopted plan reviewed and approved by FEMA is required under the Mitigation Act, 44 Code of Federal Regulations (CFR) Part 201; and

WHEREAS, the Kirkland Hazard Mitigation Plan Annex to the King County Multi-jurisdictional Mitigation Plan meets the FEMA mitigation requirements and makes the City of Kirkland eligible to apply for FEMA hazard mitigation programs;

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

1. The Kirkland City Council authorizes the City Manager to accept and approve the King County Multi-Jurisdictional Hazard Mitigation Plan as approved by FEMA on March 8, 2005, including the City of Kirkland Hazard Mitigation Plan Annex, and future administrative changes to the King County Multi-jurisdictional Mitigation Plan.

Passed by majority vote of the Kirkland City Council in open meeting  
this \_\_\_\_ day of \_\_\_\_\_, 2007.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk

**CITY OF KIRKLAND****123 Fifth Avenue, Kirkland, WA 98033 425.587.3000****www.ci.kirkland.wa.us**

---

**Memorandum**

**To:** David Ramsay, City Manager

**From:** Mike Metteer, Business Services Manager  
Jennifer Schroder, Director of Parks and Community Services  
Carrie Hite, Deputy Director of Parks and Community Services

**Date:** March 7, 2007

**Subject:** Revision to KMC regarding the boat launch for Council consent

Attached is a proposed revision to the KMC requesting changes regarding the Marina Park boat launch system. Our current ordinance limits our abilities to set a fair market price for boat launch use, requires Council approval to raise rates, and limits the system to a "magnetic card" to use the boat launch. The following changes will address two main areas:

**1. Pricing:** Currently the KMC defines price for residents and nonresidents. Although the current pricing is competitive with market rate, staff would like to request the administrative ability to change the pricing based on the market. The pricing change would be consistent with recent KMC changes we made to other price point issues for our recreation programming. The pricing for the coming season will remain the same as 2006 for residents (\$30) and non-residents (\$60), and by comparison, these prices are fair market value. We would like to develop and introduce a new commercial rate this year, consistent with local market pricing.

**2. Access system:** Currently we have a system in place that requires staff to issue cards every year. If this card is ever lost or stolen, we reissue another card, without the ability to deactivate the lost card. These cards are magnetic, and do not allow us to track usage trends. Council approved a service package to implement boat launch upgrades for 2007. The new system is in the processes of being installed. This new system will still have an "access card" which allows boaters to enter, but will be monitored by computer. We will have the ability to monitor usage by individual boaters, deactivate lost or stolen cards, and allow fee generating evening and weekend access via the Dock Master. Currently, we have no system in place to monitor usage. This new monitoring function will allow us to measure usage, compare trends, and will provide valuable information for business planning. The new cards will only need to be issued once, after that, they can be activated and deactivated annually. This will allow boaters to activate their cards by phone or online every year. Currently, every boater has to come in to the office and buy a card every year. This new system will provide better customer service, and save staff time.

The boat launch is set to open April 1, 2007. Therefore, it is timely to adopt these changes prior to opening.

ORDINANCE 4090

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BOAT LAUNCH FEES

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 14.36.083 is hereby amended to read as follows:

**14.36.083 Fee for use.**

Between April 1st and October 31st, inclusive, of each year, the launch ramp may be used only by persons who have paid to the city ~~the following an annual fee with distinct pricing for residents, non residents and commercial use.~~ The fee amounts shall be established by the director of parks and community services by department regulation.

- ~~(1) Residents of the city of Kirkland, thirty dollars;~~
- ~~(2) Nonresidents of the city of Kirkland, sixty dollars.~~

Upon payment of the annual fee, the city shall issue an access card ~~“magnetic pass-card”~~ enabling the holder thereof to open the access device installed within the launch ramp. The director of parks and ~~recreation~~ community services is directed to establish, by department regulation, a ~~ten-dollar~~ one-time-use fee along with a deposit charge ~~equal to the amount that a resident or nonresident would pay for a seasonal pass,~~ with strict limits being placed upon how many times an individual may use a single-use pass. ~~The director of parks and recreation is further directed to establish, by department regulation, pro rata reduction of fees after Labor Day each year, whereby fees for boat launch cards may be reduced from thirty dollars to fifteen dollars for residents, and from sixty dollars to thirty dollars for nonresidents.~~

At all other times during the year, the launch ramp shall be available for use at no charge.

Section 2. 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 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney

**CITY OF KIRKLAND**

123 Fifth Avenue, Kirkland, WA 98033 (425) 587-3000

[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

---

**To:** City Council

**From:** Transportation Commission, Daniel Fisher Chair

**Date:** March 8, 2007

**Subject:** Transportation Commission Work Plan

RECOMMENDATION:

It is recommended that the Council approve the Transportation Commission's proposed Work Plan.

BACKGROUND DISCUSSION:

After the joint study session with the City Council on February 20, the Transportation Commission met and refined our 2007 work plan based on Council direction. Our proposed Work Plan is shown in Table 1. The only modification from our original proposal is that two subjects:

- **Annexation** Depending on how the Council decides to proceed with Annexation, the Council may need support from the Commission.
- **Photo enforcement of red-light running** Pending the findings of the Public Safety Committee, and the interest of the entire Council, the Commission may be asked to comment on locations for installing photo enforcement cameras.

may be referred to the Commission for a recommendation if the Council feels it necessary. A separate category containing these items has been added to the work plan that was presented at the Joint Study Session.

TABLE 1 Final Transportation Commission 2007 Work Plan items as proposed by the Transportation Commission.

Where particular months have been identified for working on an issue, the months are noted in bold type.

<b>Items that occur each year</b>
<b>Joint meeting with City Council. February.</b>
<b>Legislative update April</b> (after the close of the legislative session)
<b>Comprehensive Plan</b> normal update, including concurrency and level of service discussion.
<b>Neighborhood Plans</b> Participate in preparation of neighborhood plans as needed (2007: Houghton and Lakeview)
<b>Grants</b> Review grant activity via regular written updates
<b>Planning Commission</b> Communication with Planning Commission on issues of joint interest.
<b>Retreat</b> Annual commission retreat.
<b>Elect officers December.</b>
<b>CIP</b> Support CIP development in a strategic manner. Review funding levels and sources as well as policies that guide priorities. Examine the funded project list at a high level. <b>May</b>
<b>Neighborhoods</b> Discuss role of transportation commission with neighborhood groups. Involve neighborhood coordinator
<b>New items</b>
<b>Economic Development</b> Explore the role of the Transportation Commission in promoting economic development, in cooperation with the economic development manager.
<b>Concurrency Update</b> Develop a major update to concurrency with an emphasis on multimodal considerations. <b>KEY ITEM</b>
<b>NE 132nd Preliminary design.</b> Review design and offer comments and direction at key milestones. <b>KEY ITEM</b>
<b>ITS Master Plan</b> Continue to own and champion this project. Goal for 2007 is to complete a master plan for ITS. <b>KEY ITEM</b>
<b>I-405</b> Understand and stay informed on future phases. Make sure that mitigation takes into account lessons learned from current phases. Be proactive and work with WSDOT on project manual.
<b>NTCP</b> Review current policies and recommend appropriate changes to Council.
<b>Pedestrian Safety</b> Advise and direct as necessary to support pedestrian safety initiative.
<b>Non-Motorized Plan</b> Commission will oversee development of an updated plan. <b>KEY ITEM</b>
<b>Items carried over from last year</b>
<b>Market Street Access</b> Receive formal reports on the work of the Market Street neighborhood access project. Make recommendations to Council. <b>February</b>
<b>Transit Center</b> Participate as a stakeholder in the Transit Center project.
<b>CTR</b> Review policy and make a recommendation to Council on new CTR/GTEC <b>KEY ITEM</b>
<b>Items that may be added by Council</b>
<b>Annexation</b> Depending on how the Council decides to proceed with Annexation, the Council may need support from the Commission.
<b>Photo enforcement of red-light running</b> Pending the findings of the Public Safety Committee, and the interest of the entire Council, the Commission may be asked to comment on locations for installing photo enforcement cameras.



**CITY OF KIRKLAND**  
**Department of Public Works**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800  
[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

---

**To:** Dave Ramsay, City Manager

**From:** Daryl Grigsby, Public Works Director  
David Godfrey, P.E., Transportation Engineering Manager

**Date:** March 8, 2007

**Subject:** PEDESTRIAN SAFETY

RECOMMENDATION:

This memo is for information only.

BACKGROUND DISCUSSION:

As directed by Council this memo represents the third of a series of memos describing our pedestrian safety initiative. The following items provide updates on several topics of interest.

**Flashing crosswalks**

- Inspection We are now on a regular inspection cycle looking at each location twice a month. This has already shown results as field crews have been able to identify and repair problems within one or two workdays.
- Parts The manufacturer (and sole supplier of parts) for most of our flashing crosswalks delivered 100 replacement heads in February. These heads were to be used to 1) build up our inventory of replacement stock and 2) repair heads that are currently out of service. The procurement of these parts marked a major step forward. Unfortunately, shortly after delivering the parts, they were recalled for a defect and are currently being reworked by the manufacturer. They will be resent to us in lots of 25 beginning in the next two weeks. Despite this setback, we have been able to repair the crosswalks noted below by using parts from our current inventory. Therefore, when we receive additional replacement heads they will be for future repairs.
- Locations that are out of service In our last report, 6 locations were out of service.
  - 1) Central Way and Market Street.
  - 2) Central Way and 4th Avenue.
  - 3) NE 68th Street and 111th Avenue NE.
  - 4) Market Street and 18th Avenue.
  - 5) Juanita Drive at Juanita Beach Park.
  - 6) NE 124th Street/105th Avenue NE

At this writing, all locations are working with the exception of locations 1 and 6. Signal Technicians from the Public Works Street Division were able to restore formerly scrapped components to repair most of these locations. A contractor completed the new installation at Central Way and 4th Avenue.

Memorandum to Dave Ramsay

March 8, 2007

Page 2

Central Way and Market Street is scheduled to be operational by the end of March. The contractor is scheduled to begin work during the week of March 12. Due to the traffic volumes and the extent of the work, repairs are estimated to be complete by end of the month. An extensive traffic detour plan will be implemented, and the repairs include new conduit, controllers and lights. Location 6 has a certain brand of in-pavement lights that are secured to the pavement by epoxy. This is the only such location in the City. Because the epoxy can only be used during warm and dry weather, timely repairs are limited. Our plan is to abandon the in-pavement lights at this location and to hang flashing lights from the mast arms that are currently in place in the median. These lights would be activated by the same push button that formerly activated the in-pavement lights. This will serve as an experimental type of crossing treatment that, if successful, could be used elsewhere. The project should be completed by the end of April. Once these two projects are completed we will have repaired all the locations first reported to Council in the beginning of the year.

### **Pedestrian Safety Task force**

As reported earlier we established a Pedestrian Safety Task Force to monitor and evaluate programs, review new proposals, and make recommendations for improvement. The task force is comprised of representatives from Public Works, Police, IT, Parks, and representatives from the Youth Council and Peter Kirk Center. In addition, other staff and departments will be available depending upon the issue. It should be noted that in addition to the Task Force, Public Works has an internal team reviewing our pedestrian safety infrastructure. Others, including the City Attorney, have been involved as issues arise. The task force met on February 13th and the next meeting is scheduled for March 21st. At the February meeting we discussed plans for a youth oriented educational video and reviewed facts of the most recent pedestrian accident which happened on February 6. At the March meeting, we will discuss distribution of the "Ped Safety for Dummies" video. We will be joined by Andrea Okomski who's organization Pedestrian InRoads is involved with pedestrian safety education.

### **Ped Flag research**

We are working on grant funded research to determine how to increase usage of pedestrian flags. During late March and early April, an observer will be gathering data on who uses ped flags and why. This information will be used to understand barriers and incentives to flag usage which can then be used to develop changes to the ped flag program and ultimately increase use. Research has shown that ped flags are effective in providing an increased level of safety for those who use them.

### **Street Lighting**

We are entering into a small professional services contract to have a lighting expert conduct a fairly general review of lighting on Kirkland's arterials with special emphasis on crosswalks. This will result in recommendations for immediate and longer term improvements. We expect the results of this work in late spring.

### **Education**

Council reviewed the recently produced "pedestrian safety for dummies" video at their March 6 meeting. As mentioned above, the Task Force is developing other education efforts and working on distribution of the "dummies" video. In addition, we are following up with Council direction to insure the brochure is distributed to schools and neighborhood groups. Public Works' variable message board has been deployed on several occasions to display pedestrian safety messages.

**CITY OF KIRKLAND**

City Attorney's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3030

[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)**MEMORANDUM**

**To:** David Ramsay, City Manager

**From:** Robin S. Jenkinson, City Attorney

**Date:** March 8, 2007

**Subject:** Campaign Donation Limits/Limits on Campaign Expenditures

As the Council is aware, the Kirkland Municipal Code currently does not address limitations on campaign contributions nor expenditures. In the fall of 2006, the City Council requested examples from other cities concerning these types of limits. A memorandum was provided to the Council describing the limitations set by the only two jurisdictions which I could locate which set limits on campaign contributions: Seattle and King County. Similarly, I was only able to locate two cities which set limits on campaign expenditures: Seattle and Richland. For ease of reference the relevant provisions from the respective codes are set forth below.

**City of Richland**

Under the Richland Municipal Code, a candidate for the City Council is advised, by the City Clerk, of the City's Council's recommended maximum campaign expenditure for a City Council position. For the general election only, the maximum amount is 35% of the annual salary for the council position at the time of filing. For the primary and general election, the maximum amount is 50% of the annual salary for the council position at the time of filing. The City Clerk is responsible for monitoring the expenditures of the candidates. When a candidate exceeds the recommended limits, the City Clerk publishes a display advertisement in a local newspaper weekly until the City Council campaign has ended. Richland Municipal Code, Sections 1.01.055 – 1.01.070. (Attached as Attachment A.)

**City of Seattle**

The Seattle Municipal Code includes limitations on the amount that may be contributed to candidates. No "person," defined as an individual, business, or corporation, may currently contribute more than \$700.00 to any candidate for Mayor, City Council, or City Attorney during an "election cycle." An election cycle is a four-year period. It begins on May 1 three and a half years before the general election and ends on April 30 of the year following the general election for the office the candidate is seeking. The dollar limit is reevaluated by the Seattle Ethics & Election Committee in March of every even-numbered calendar year based upon changes in the Implicit Price Deflator of the United States Domestic Product. There are exceptions to the contributions dollar limit for contributions from a spouse's separate property and the value of in-kind labor. In addition, candidates may only accept or receive a campaign contribution during

an election cycle. The Code also addresses the reporting and disposition of campaign funds after election, including the handling of surplus funds. Seattle Municipal Code, Sections 2.04.340 -2.04.375. (Attached as Attachment B.)

The Seattle Municipal Code still contains sections on voluntary campaign expenditure limitations and matching public funds, although the use of public funds for state or local office to finance political campaigns was prohibited with the approval of Initiative 134, by the voters, in 1992. This prohibition has been codified in RCW 42.17.128. Under the Seattle public financing provisions, a candidate who agreed to limit his or her personal contributions and meet the applicable expenditure limits in any campaign year was eligible to receive public matching funds. Following the approval of Initiative 134, the Seattle program, while still appearing in the Code, has not been used. Seattle Municipal Code, Sections 2.04.400 – 2.04.470. (Attached as Attachment C.)

### **King County**

The King County Code includes mandatory limitations on campaign contributions. The limitations apply to elections for the offices of King County Executive, Council, Sheriff, and Assessor. Currently, all persons and organizations, including political committees, are prohibited from making contributions which total more than \$1,400 in the aggregate during the “election cycle.” The election cycle is the time between the general election, primary, or special election for the office in question and the date an individual becomes a candidate for such office and ends when the campaign is closed. At the beginning of each even-numbered calendar year, the dollar limit is increased or decreased by the King County Records and Election Division based upon changes in the inflationary index used by the Public Disclosure Commission. King County Code, Chapter 1.05. (Attached as Attachment D.)

### **Implications for Kirkland**

Currently, candidates for office in the City of Kirkland, simply file their campaign disclosure forms with the Washington State Public Disclosure Commission (PDC). The primary issues or concerns that I see with respect to local limitations on campaign financing are: 1) How are the limitations enforced?; and 2) Who is responsible for enforcement?

You will note that in the City of Richland, once a candidate exceeds the recommended limits on campaign expenditures, the City Clerk publishes a display advertisement in a local newspaper until the City Council campaign has ended. *See* Richland Municipal Code, Section 1.070, “Publication.”

In Seattle, the Seattle Ethics and Elections Commission (SEEC) is responsible for enforcing the City’s Ethics, Elections, Elections Pamphlet, and Whistleblower Protection Codes. The SEEC is an independent, seven-member committee of citizen volunteers. The Mayor and City Council each appoint three members and the SEEC members select the seventh. The members serve for three-year terms. The SEEC is assisted by a paid, professional staff. In 2006, the SEEC had 5.2 full-time equivalent employees and a budget of \$563,242.

In King County, candidates for Executive, Assessor, Sheriff and County Council file duplicate copies of what their campaigns file with the State PDC. When a candidate exceeds the campaign contribution limit, the campaign coordinator in the Records, Elections and Licensing Services Division notifies the campaign

treasurer by telephone of the overage. This might necessitate issuing a refund to the contributor and reporting the correction on the appropriate PDC form. (Form C4, "Campaign Summary Receipts and Expenditures.") If a campaign fails to comply with the limits after notification, a certified letter is sent. If the campaign still does not comply, the matter is referred to the Prosecuting Attorney's Office, a separately elected official. Because King County has hard copies of the completed PDC forms on file, people are able to make public records requests of the County for these forms.

If the City Council considers adopting campaign donation limits for the City of Kirkland, the means of enforcing the limits will require some careful thought.

Please let me know if you have any questions.

#### Attachments

Richland Municipal Code, Sections 1.01.055 – 1.01.070  
Seattle Municipal Code, Sections 2.04.340 – 2.04.375  
Seattle Municipal Code, Sections 2.04.400 – 2.04.470  
King County Code, Chapter 1.05

Attachment A  
Attachment B  
Attachment C  
Attachment D

## GENERAL PROVISIONS

## TITLE 1

**1.01.050 Holding Office Positions in Outside Organizations**

Council Members who seek appointment or run for office in regional, state, national or international organizations where the possibility exists that they may be required to attend meetings outside our local area at City expense, shall obtain council approval prior to accepting an appointment or seeking an office in the outside organization. (Ord. 37-91).

**1.01.055 Notification**

Following the filing with the Benton County Auditor by a candidate for the office of City Council, and the receipt by the Richland City Clerk of said filing, the City Clerk shall advise the candidate of the City Council's recommended maximum expenditure for a City Council position. (Ord. 2-93).

**1.01.060 Reasonable Maximum Expenditure**

The Richland City Council has set the following limits as being reasonable maximum expenditures for campaigns for City Council:

- A. General Election only - maximum of 35% of the annual salary for the council position at the time of filing for that position;
- B. Primary and General Election - maximum of 50% of the then current annual salary for the council position at the time of filing for that position.

The City Clerk, in making calculations, shall round up to the nearest ten dollars. This monetary limit may be modified by the City Council by amendment to this code section following the procedure for ordinance adoption. (Ord. 2-93).

**1.01.065 Monitoring of Campaign Expenditures**

The Richland City Clerk shall be responsible for monitoring expenditures by candidates and shall follow the procedure below:

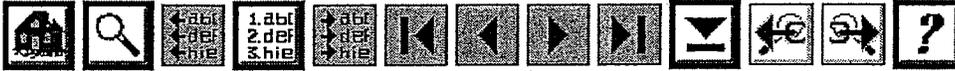
- A. All candidates for the Richland City Council shall file copies of their financial reports with the Richland City Clerk at the same time they file them with the Washington State Public Disclosure Commission and the Benton County Auditor.
- B. The City Clerk shall keep a running tally of each candidate's campaign expenditures, based on the campaign financial reports.
- C. When one or more candidates exceed the recommended limits, as applicable, the City Clerk shall prepare an announcement of that fact as described in Section 1.01.070 that includes the name(s) and amount(s) spent on the campaign by any and all candidates whose campaign spending has exceeded the amount specified in this ordinance.
- D. Once a candidate has exceeded the limit, the City Clerk shall review all candidates' to-date expenditures and reissue the announcement with applicable additions and/or changes weekly. (Ord. 2-93).

**1.01.070 Publication**

Once a candidate exceeds the recommended limits, the City Clerk shall publish a display advertisement in a local newspaper weekly until the City Council campaign has ended. This notice shall include the following information:

- A. A statement that certain candidates for City Council have spent beyond the limits recommended by City ordinance.
- B. A list of all positions and respective candidates together with their respective to-date expenditures. The names of those candidates who have exceeded the recommended limits shall be highlighted with an asterisk or other symbol and an appropriate footnote shall provide the meaning of the symbol.
- C. A statement of the City Council policy. If a candidate exceeds the established limit during a primary and does not qualify for the general election, his/her name and expenses need not be placed in the published notice thereafter except the post election notice described herein. If any candidate has exceeded the established limits during the campaign, the City Clerk shall prepare a final updated notice similar to the others and issue it after the date on which the candidates must file their final financial reports with the public disclosure commission. The City Clerk shall confirm the final amounts with the public disclosure commission prior to publication of the final notice to the public. (Ord. 2-93).

## ATTACHMENT B



## Seattle Municipal Code

*Information retrieved September 15, 2006 11:26 AM*

Title 2 - ELECTIONS

Chapter 2.04 - Election Campaign Contributions

Subchapter IV Campaign Contributions Limited

### SMC 2.04.340 Personal use of contributions -- When permitted.

Contributions received and reported under this chapter may be transferred to the personal account of a candidate, or, in the case of a ballot proposition political committee, to the personal account of a treasurer or other individual, or expended for such candidate's, treasurer's or individual's personal use only under one (1) or more of the following circumstances:

A. As reimbursement for or loans to cover lost earnings incurred as a result of campaigning or services performed for the political committee. Such lost earnings shall be verifiable as unpaid salary, or when the individual is not salaried, as an amount not to exceed income received by the individual for services rendered during an appropriate, corresponding time period. All lost earnings incurred shall be documented and a record thereof shall be maintained by the individual or the individual's political committee. The political committee shall maintain such information in the campaign records;

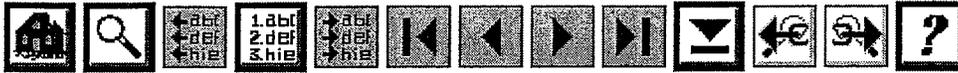
B. As reimbursement for direct out-of-pocket election campaign and post-election campaign related expenses made by the individual. To receive reimbursement from the political committee, the individual shall provide the political committee with written documentation as to the amount, date, and description of each expense, and the political committee shall maintain such information in the campaign records;

C. As repayment of loans made by the individual to political committees, which repayment shall be reported pursuant to Section 2.04.250 . Contributions may not be used, however, to reimburse a candidate for loans made by the candidate to the candidate's own political committee or campaign in an amount totaling more than the amount provided in RCW 42.17.125(3) and WAC 390-05-400;

D. As payment of salary, wages and benefits or any other payment for services rendered by an individual to a campaign, but not in payment for services rendered by a candidate to that candidate's campaign.

(Ord. 118569 Section 17, 1997.)

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by*



## Seattle Municipal Code

Information retrieved September 15, 2006 11:26 AM

Title 2 - ELECTIONS  
Chapter 2.04 - Election Campaign Contributions  
Subchapter IV Campaign Contributions Limited

### SMC 2.04.350 Findings of fact -- Limitations to be imposed.

A. The City finds that, in the interest of the public health, safety and welfare, the municipal election process and municipal government should be protected from undue influence by individuals and groups making large contributions to the election campaigns of candidates for Mayor, City Council and City Attorney.

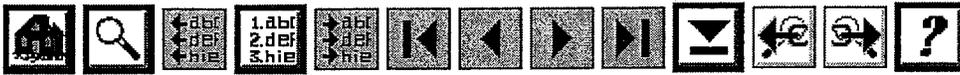
B. The City finds that, in the interest of the public health, safety and welfare, the municipal election process and municipal government should be protected from even the appearance of undue influence by individuals or groups contributing to candidates for Mayor, City Council and City Attorney.

C. The City therefore finds that limitations on contributions of money, services and materials by individuals or groups to municipal election campaigns should be imposed by law to protect the public health, safety and welfare. These limitations, however, should be reasonable, so as not to discourage personal expression.

(Ord. 116368 Section 20, 1992; Ord. 110909 Section 2(part), 1982; Ord. 107772 Section 1(part), 1979; Ord. 106653 Section 13-A, 1977.)

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*





## Seattle Municipal Code

*Information retrieved September 15, 2006 11:27 AM*

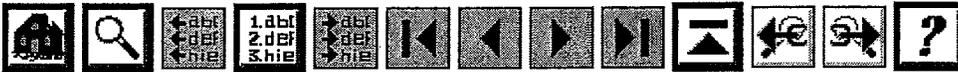
*Title 2 - ELECTIONS  
 Chapter 2.04 - Election Campaign Contributions  
 Subchapter IV Campaign Contributions Limited*

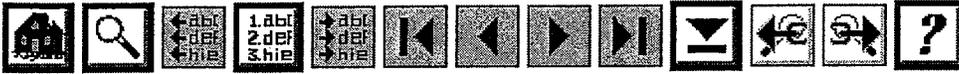
### SMC 2.04.360 Application.

Sections 2.04.350 through 2.04.370 and 2.04.400 through 2.04.480 only to candidates in any primary, general or special election for the offices of Mayor, City Council and City Attorney of The City of Seattle.

(Ord. 116368 Section 21, 1992; Ord. 110909 Section 2(part), 1982; Ord. 107772 Section 1(part), 1979; Ord. 106653 Section 13-B, 1977.)

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*





## Seattle Municipal Code

*Information retrieved September 15, 2006 11:28 AM*

Title 2 - ELECTIONS

Chapter 2.04 - Election Campaign Contributions

Subchapter IV Campaign Contributions Limited

### **SMC 2.04.370 Mandatory limitations on contributions.**

- A. No person shall make a contribution to any candidate for Mayor, member of the City Council, or City Attorney of the City, except in the election cycle for that candidate as defined in Section 2.04.010 (7).
- B. No person shall contribute more than Six Hundred Dollars (\$600) to any candidate for Mayor, member of the City Council, or City Attorney of the city, in any election cycle.
- C. A candidate for Mayor, member of the City Council, or City Attorney of the City, may only accept or receive a campaign contribution during an election cycle as defined in Section 2.04.010 (7).
- D. No candidate for Mayor, member of the City Council or City Attorney of the City shall solicit or receive campaign contributions of more than Six Hundred Dollars (\$600) from any person in any election cycle; provided:
1. a. The limitations imposed by this section shall not apply to a candidate's contributions of his or her own resources to his or her own campaign, or contributions to the candidate's campaign by the candidate or the candidate's spouse of assets of their marital community;
  - b. The limitations imposed by this section apply to contributions of the candidate's spouse's separate property;
  2. The limitations imposed by this section shall not apply to independent expenditures as defined by this chapter; and
  3. The limitations imposed by this section shall not apply to the value of in-kind labor; and
  4. The limitations imposed by this section shall not apply to contributions consisting of the rendering of clerical or computer services on behalf of a candidate or an authorized political committee, to the extent that the services are for the purpose of ensuring compliance with City, county, or state election or public disclosure laws.
- E. Adjustment Index.

1. In March of each even-numbered calendar year, the Commission shall promulgate a rule in accordance with Chapter 3.02 of the Seattle Municipal Code. This Rule may increase the dollar amount in subsection A based on changes in economic conditions as reflected by the Implicit Price Deflator of the United States Domestic Product as published by the United States Department of Commerce Bureau of Economic Analysis (IPD). If application of the IPD would result in a decrease in the dollar amount, the dollar amount shall remain unchanged.

2. The new dollar amounts established by the Commission shall be determined by multiplying the base amount provided in this section (Six Hundred Dollars \$600) by the percentage change in the most recently published IPD since January 1, 2000. The resulting amount shall be added to the amount derived from the multiplication of the base amount, and the amount resulting from that calculation shall be rounded to the nearest whole dollar amount that can be divided by fifty (50). In cases where the unrounded amount derived from this procedure is exactly Twenty-five Dollars (\$25) different from the two (2) nearest numbers evenly divisible by Fifty Dollars (\$50), the amount shall be rounded up to the next number evenly divisible by Fifty Dollars (\$50). The new dollar amount shall become effective May 1st of the even-numbered calendar year. Once adopted, any increase in the contribution limit shall be effective for all election cycles that have not ended by May 1st of that even-numbered year.

3. This subsection shall expire six (6) years after the effective date of the enabling ordinance.1

(Ord. 120831 Section 11, 2002; Ord. 120321 Section 1, 2001; Ord. 120145 Section 11, 2000; Ord. 118569 Section 18, 1997; Ord. 117308 Section 13, 1994; Ord. 116368 Section 22, 1992; Ord. 110909 Section 2(part), 1982; Ord. 107978 Section 1, 1979; Ord. 107772 Section 1(part), 1977; Ord. 106653 Section 13-C, 1977.)

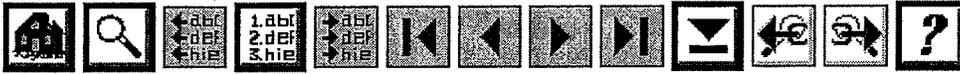
1. Editor's Note: Ordinance 120321 was passed by the City Council April 9, 2001.

Editor's Note: Ethics and Election Commission Rules regarding the adjusted contribution limit can be found on the Seattle City Clerk's website (<http://clerk.ci.seattle.wa.us>) by clicking the link entitled Seattle Election Code Administrative Rules. These rules may also be found in the Seattle City Clerk's Office.

---

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*





## Seattle Municipal Code

*Information retrieved September 15, 2006 11:28 AM*

Title 2 - ELECTIONS

Chapter 2.04 - Election Campaign Contributions

Subchapter IV Campaign Contributions Limited

### **SMC 2.04.375 Reporting and disposition of campaign funds after election.**

A. 1. Each candidate or supporting committee for a candidate for City office, including the offices of Mayor, City Attorney or member of the City Council, shall cease receipt of campaign contributions and dispose of the funds remaining in the campaign account in accordance with subsection B below, on or before the thirtieth day of April in the year following the date of the election for the office the candidate sought, except for special elections. In the case of a special election, each candidate or supporting committee for a candidate shall cease receipt of campaign contributions and dispose of the funds remaining in the campaign account, in accordance with subsection B below, on or before the thirtieth day of the fifth month after the special election for the office the candidate sought. By the tenth day of May in the year after the election for the office the candidate sought, each candidate or supporting committee for a candidate shall file a final report reflecting the disposition of the remaining funds, except for special elections. In the case of a special election, each candidate or supporting committee for a candidate shall file that final report by the tenth day of the sixth month after the special election for the office the candidate sought.

2. If a candidate or supporting committee for a candidate for City office has campaign debt outstanding on April 30th in the year following the date of the general election for the office the candidate sought, or on the thirtieth day of the fifth month after the special election for the office the candidate sought, the debt may be transferred to a new campaign of the same candidate for the same office.

3. Except for supporting committees for candidates that are governed by subsection A1 of this section and continuing political committees, each political committee (hereafter in this subsection A3 "committee") shall cease receipt of contributions and dispose of the funds remaining in the campaign account, in accordance with subsection B below, on or before the thirtieth day of April in the year following the date of the election for which the committee received contributions or made expenditures, except for special elections. In the case of a special election, each committee shall cease receipt of contributions and dispose of the funds remaining in the campaign account, in accordance with subsection B below, on or before the thirtieth day of the fifth month after the special election for which the committee received contributions or made expenditures. By the tenth day of May in the year after the election fore which the

committee received contributions or made expenditures, each committee shall file a final report reflecting the disposition of the remaining funds, except for special elections. In the case of a special election, each committee shall file that final report by the tenth day of the sixth month after the special election for which the committee received contributions or made expenditures.

4. Except for supporting committees for candidates that are governed by subsection A2 of this section and continuing political committees, if a political committee (hereafter in this subsection A4 "committee") has campaign debt outstanding on April 30th in the year following the date of the general election for which the committee received contributions or made expenditures, or on the thirtieth day of the fifth month after the special election for which the committee received contributions or made expenditures, the debt may be transferred to another political committee or to a continuing political committee, which shall, until such debt has been paid or forgiven, file the reports that would have been required of the committee transferring the debt had that committee not filed its final report under subsection A3 of this section.

B. The surplus funds, including each capital asset for which the campaign paid Two Hundred Dollars (\$200) or more, or reported as an in-kind contribution with a value of Two Hundred Dollars (\$200) or more, of a candidate, of a political committee supporting a candidate, of a political committee supporting or opposing a ballot proposition, and of a continuing political committee may be disposed of only in one (1) or more of the following ways:

1. Return the surplus to contributors in respective amounts not to exceed each contributor's original contribution;
2. Transfer the surplus to the personal account of a candidate, or of a treasurer or other individual as reimbursement for lost earnings incurred as a result of the election campaign. Such lost earnings shall be verifiable as unpaid salary or, when the candidate, treasurer or individual is not salaried, as an amount not to exceed income received by the candidate, treasurer, or individual for services rendered during an appropriate corresponding time period. All lost earnings incurred shall be documented, and a record thereof shall be maintained by the candidate, treasurer, or individual or by the political committee as the lost earnings accrue. The committee shall maintain such information as a part of the campaign records;
3. Transfer the surplus to a political party or to a caucus of the state legislature;
4. Donate the surplus to a charitable organization registered in accordance with RCW Chapter 19.09;
5. Transmit the surplus to the state treasurer for deposit in the general fund;
6. Hold the cash surplus in the campaign depository or depositories designated in accordance with RCW 42.17.050 and in the case of capital assets hold them in the custody of the candidate or officer of the campaign committee for possible use in a future election campaign for the same office last sought by the candidate or for a future election campaign for a ballot proposition on the same topic, and report the transfer of such funds or assets as a disposition in accordance with

RCW 42.17.090 and SMC Section 2.04.260 [REDACTED]. If the candidate subsequently announces or publicly files for office, or if a ballot proposition political committee is established for a future proposition on the same topic, information as appropriate shall be reported in accordance with RCW 42.17.040 through 42.17.090 and SMC Sections 2.04.170 [REDACTED] through 2.04.260 [REDACTED]. If a subsequent office is not sought, or if a subsequent election campaign for a ballot proposition on the same topic does not occur, the surplus held shall be disposed of in accordance with the requirements of this chapter;

7. A candidate who was elected to the office sought, or that candidate's political committee, may hold the surplus campaign funds in a separate account for that individual's nonreimbursed expenses of that public office and report any such disposition in accordance with SMC 2.04.480 [REDACTED] (F). The separate account required under this subsection shall not be used for deposits of campaign funds that are not surplus or of office funds solicited or received under SMC Section 2.04.480 [REDACTED];

8. A ballot proposition political committee may become a continuing political committee and use the funds to support or oppose candidates and ballot propositions and must report in accordance with SMC Sections 2.04.230 [REDACTED] through 2.04.290 [REDACTED]; or

9. With the written approval of the contributor, a candidate or the candidate's political committee may use or permit the use of contributions, whether or not surplus, solicited for or received by the candidate or the candidate's political committee from that contributor to further the candidacy of the individual for an office other than the office designated on the statement of organization. If the contributor does not approve the use of his or her contribution to further the candidacy of the individual for an office other than the office designated on the statement of organization at the time of the contribution, the contribution must be considered surplus funds and disposed of in accordance with this chapter.

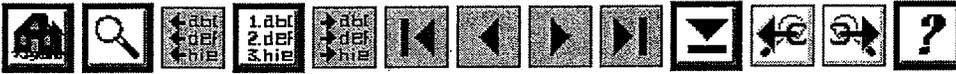
(Ord. 120145 Section 12, 2000; Ord. 118569 Section 19, 1997; Ord. 117308 Section 14, 1994.)

---

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*



ATTACHMENT C



### Seattle Municipal Code

*Information retrieved September 15, 2006 11:29 AM*

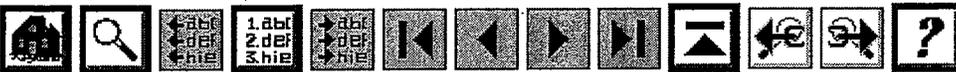
Title 2 - ELECTIONS  
 Chapter 2.04 - Election Campaign Contributions  
 Subchapter V Voluntary Expenditure Limitations

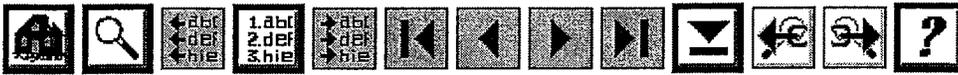
#### SMC 2.04.400 Findings of fact -- Program for public matching funds.

The City finds it is in the public interest to encourage the widest participation of the public in the electoral process, to reduce the dependence of candidates on large contributions, and to increase public knowledge of the candidates and of election issues. The City finds that voluntary campaign expenditure limitations coupled with provisions of public funds for campaign purposes are necessary to further these public interests at a reasonable cost to the City and that such a program should be established.

(Ord. 112005 Section 2(part), 1984.)

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*





## Seattle Municipal Code

Information retrieved September 15, 2006 11:29 AM

Title 2 - ELECTIONS  
 Chapter 2.04 - Election Campaign Contributions  
 Subchapter V Voluntary Expenditure Limitations

### SMC 2.04.410 Campaign contract.

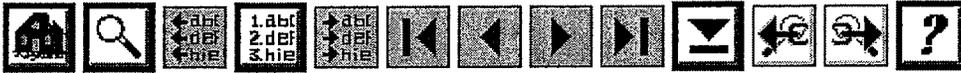
A. Effective with elections for City officers in 1987, a candidate for Mayor, City Council or City Attorney may sign a contract with the City agreeing to abide by limitations on candidates' contributions, limitations on campaign expenditures, and limitations on the use of all contributions as specified in this chapter in exchange for public matching funds.

B. The campaign contract must be signed by the individual candidate either within thirty (30) days after the individual becomes a candidate as defined in RCW 42.17.020, or at the time of filing for said office, whichever is earlier.

(Ord. 116368 Section 23, 1992; Ord. 112005 Section 2(part), 1984.)

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*





## Seattle Municipal Code

*Information retrieved September 15, 2006 11:29 AM*

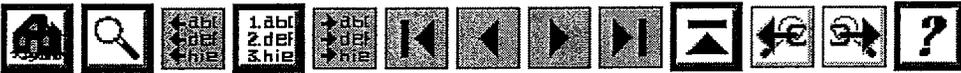
Title 2 - ELECTIONS  
 Chapter 2.04 - Election Campaign Contributions  
 Subchapter V Voluntary Expenditure Limitations

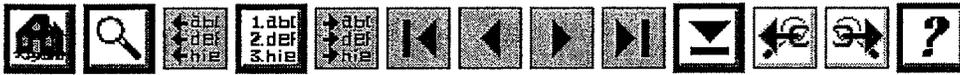
### **SMC 2.04.420 Candidates' contribution limitations.**

A candidate who signs a campaign contract shall make no contribution to his/her own campaign or political committee which in the aggregate exceeds three (3) percent of the applicable expenditure limit in any campaign year.

(Ord. 112005 Section 2(part), 1984.)

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*





## Seattle Municipal Code

Information retrieved September 15, 2006 11:29 AM

Title 2 - ELECTIONS  
Chapter 2.04 - Election Campaign Contributions  
Subchapter V Voluntary Expenditure Limitations

### SMC 2.04.430 Expenditure limitations.

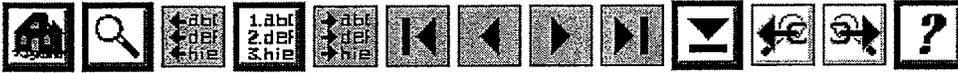
A. A candidate who signs a campaign contract in accordance with Section 2.04.410, shall not, during the campaign year, make expenditures exceeding the aggregate amount of Two Hundred Fifty Thousand Dollars (\$250,000) for the office of Mayor or One Hundred Ten Thousand Dollars (\$110,000) for the offices of City Councilmember or City Attorney. Provided, that no more than seventy-five (75) percent of the applicable expenditure limitation shall be expended through the day of the primary election.

B. Independent expenditures, as defined in this chapter, shall not be included in the computation of a candidate's expenditures.

(Ord. 116368 Section 24, 1992; Ord. 115017 Section 1, 1990; Ord. 112005 Section 2(part), 1984.)

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*





## Seattle Municipal Code

*Information retrieved September 15, 2006 11:29 AM*

Title 2 - ELECTIONS

Chapter 2.04 - Election Campaign Contributions

Subchapter V Voluntary Expenditure Limitations

### **SMC 2.04.440 Eligibility for public matching funds.**

A. To be eligible to receive public matching funds, a candidate for Mayor, City Council or City Attorney must meet the requirements of the City Charter<sup>1</sup> and during the campaign year:

1. For the office of Mayor receive three hundred (300) contributions of Ten Dollars (\$10) or more;
2. For the offices of City Council or City Attorney receive two hundred (200) contributions of Ten Dollars (\$10) or more.

B. For the purposes of establishing eligibility under this section, only those contributions received from residents of the City shall be counted toward the requirement.

C. Candidates must submit evidence of meeting the eligibility requirements of this section to the Office of Election Administration for verification. Upon verification of eligibility, a candidate who has signed a campaign contract shall be eligible to receive public matching funds; provided that no such funds shall be disbursed to any qualified candidate prior to January 1st of the campaign year in which the election is held; and provided further, that any candidate who received public matching funds and later fails to file for public office or withdraws his/her candidacy after filing, shall return to the appropriate City account an amount equal to the public funds disbursed to that candidate.

(Ord. 116368 Section 25, 1992; Ord. 112005 Section 2(part), 1984.)

1. Editor's Note: The Charter is included at the beginning of this Code.

Cases: Seattle campaign financing ordinance held valid against contention that it authorized a public gift or subsidy in violation of Article 8, Section 7 of the Washington State Constitution or allowed use of public office or agency facilities for campaigns in violation of RCW 42.17.130 and the Seattle Charter. *City of Seattle v. State*, 100 Wn.2d 232, 668 P.2d 1266 (1983).

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by*



## Seattle Municipal Code

Information retrieved September 15, 2006 11:30 AM

Title 2 - ELECTIONS  
Chapter 2.04 - Election Campaign Contributions  
Subchapter V Voluntary Expenditure Limitations

### SMC 2.04.450 Public matching funds -- Specifications.

A. Effective with elections for City offices in 1987 a candidate who has met the eligibility requirements for public matching funds and who has signed a campaign contract shall be entitled to receive One Dollar (\$1) in public matching funds for every One Dollar (\$1) from any individual during the year preceding the date of the applicable general election to a maximum public match of Fifty Dollars (\$50) per individual contributor. Neither loans nor the transfers of anything of value other than money to the candidate or his/her political committee shall be matched with public funds.

B. A candidate who signs a campaign contract is eligible to receive public matching funds until it is determined that such candidate has no opponent at the close of the filing period or after the primary election as provided by law. For purposes of this section, a write-in candidate shall not be considered an opponent.

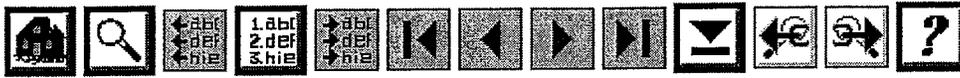
C. If following the election wherein the candidate is elected or defeated, the candidate has unexpended campaign funds, one-half ( 1/2) of such surplus shall be returned to the appropriate City account within ten (10) days of certification of the election.

D. A candidate who has signed a campaign contract may void his/her contract within fifteen (15) days after the close of filing; provided, an opponent of that candidate does not enter into a campaign contract pursuant to this chapter and provided further, that the candidate returns all public funds received pursuant to this chapter.

(Ord. 112005 Section 2(part), 1984.)

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*





## Seattle Municipal Code

*Information retrieved September 15, 2006 11:30 AM*

Title 2 - ELECTIONS  
 Chapter 2.04 - Election Campaign Contributions  
 Subchapter V Voluntary Expenditure Limitations

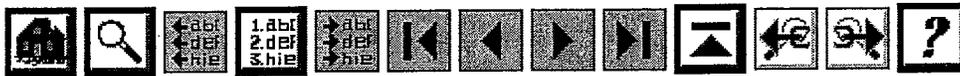
### **SMC 2.04.460 Payment of matching funds.**

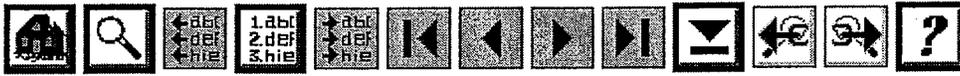
A. There is hereby established in the City Treasury a campaign matching fund account into which shall be deposited whatever sums the City may receive or allocate from time to time or during the annual budget process for campaign matching purposes.

B. Candidates entitled to public matching funds shall be paid upon the voucher of the Administrator.

(Ord. 112005 Section 2(part), 1984.)

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*





## Seattle Municipal Code

*Information retrieved September 15, 2006 11:30 AM*

Title 2 - ELECTIONS  
 Chapter 2.04 - Election Campaign Contributions  
 Subchapter V Voluntary Expenditure Limitations

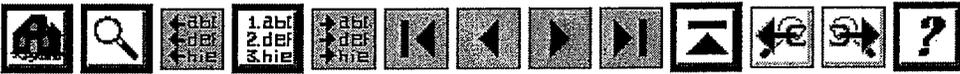
### **SMC 2.04.470 Permitted uses of public matching funds.**

Public matching funds may be expended only for the receiving candidate's direct campaign purposes such as, but not limited to, purchasing campaign literature or media space or time, mailings, renting campaign headquarters, or paying for campaign headquarters telephones. A candidate who signs a campaign contract may use neither contributions nor matching funds for indirect campaign purposes such as, but not limited to, providing a candidate's personal support, or for donation to another's campaign. Permissibility of an expenditure of public matching funds shall be determined by the Office of Election Administration.

(Ord. 112005 Section 2(part), 1984.)

Cases: Seattle campaign financing ordinance held valid against contention that it authorized a public gift or subsidy in violation of Article 8, Section 7 of the Washington State Constitution or allowed use of public office or agency facilities for campaigns in violation of RCW 42.17.130 and the Seattle Charter. *City of Seattle v. State*, 100 Wn.2d 232, 668 P.2d 1266 (1983).

*Link to Recent ordinances passed since 6/19/06 which may amend this section. (Note: this feature is provided as an aid to users, but is not guaranteed to provide comprehensive information about related recent ordinances. For more information, contact the Seattle City Clerk's Office at 206-684-5175, or by e-mail at [clerk@seattle.gov](mailto:clerk@seattle.gov))*



**1.05.010 Findings of fact.**

A. The county finds that, in the interest of the public health, safety and welfare, it is necessary to safeguard the integrity of the political process. Therefore, the county election process and county government should be protected from undue influence by individuals and groups making large contributions to the election campaigns of candidates for executive, county council, sheriff, and assessor.

B. The county finds that, in the interest of the public health, safety and welfare, it is necessary to safeguard the confidence in the political process. Therefore, the county election process and county government should be protected from even the appearance of undue influence by individuals or groups contributing to candidates for executive, county council, sheriff, and assessor. The confidence of the public in a fair and democratic election process is vital. In the high cost of election campaigning, there can be the problem of improper influence, real or perceived, exercised by campaign contributors over elected officials. It is the policy of this county to foster broad-based citizen involvement in financing election campaigns. The county further finds that public confidence can also be enhanced by broadening public disclosure requirements with respect to the transfer and use of surplus campaign funds.

C. The county therefore finds that limitations on contributions of money, services and materials by individuals or groups to county election campaigns should be imposed by law to protect the public health, safety, welfare and the integrity of the political process. These limitations, however, should be reasonable, so as not to discourage personal expression.

D. The county, therefore, finds it is in the public interest to encourage the widest participation of the public in the electoral process, to reduce the dependence of candidates on large contributions and to increase public knowledge of the candidates and of election issues. The county finds that campaign expenditure limitations are in the best interest of the public. Recognizing that public matching funds for campaign purposes are necessary for voluntary expenditure limitations to be successful and voluntary programs are the only limitations constitutionally permissible, the council finds a program of public matching funds should be established. The council recognizes, however, that effective December 3, 1992, Washington Initiative 134 passed by the voters at the November 3, 1992 general election prohibits the use of public funds to finance political campaigns for state or local office. (Ord. 12662 § 1, 1997; Ord. 11348 § 1, 1994).

**1.05.020 Definitions.** For purposes of this chapter the following definitions shall apply:

A. "Candidate" means any individual who seeks election to a public office set out in K.C.C. 1.05.030 whether or not successfully. An individual shall be deemed to be seeking election when he or she first: receives contributions or makes expenditures or reserves space or facilities with intent to promote his or her candidacy for office, announces publicly or files for office, whichever occurs first.

B. "Contribution" means a loan, loan guarantee, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services, for less than full consideration. "Contribution" does not include interest on moneys deposited in a political committee's account, ordinary home hospitality, volunteer in-kind labor or incidental expenses not in excess of twenty-five dollars personally paid for by a volunteer campaign worker. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the "contribution". Sums paid for tickets to fundraising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter by the actual cost of consumables furnished in connection with the purchase of such tickets, and only the excess over actual cost of such consumables shall be deemed a contribution.

C. "Election cycle" means the combination of the general or special election and the primary election for the office in question and begins on the date an individual becomes a candidate for such office and ends on the date that candidate files his or her final report pursuant to RCW 42.17.080(2).

D. "Expenditure" means a payment, contribution, subscription, distribution, loan advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. "Expenditure" also includes a promise to pay; and a payment or transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For purposes of this chapter, expenditures other than money or its equivalent shall be deemed to have a monetary value equal to the fair market value of the expenditure. "Expenditure" shall not include:

1. The partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported; or

2. The value of in-kind labor; or

3. Fines paid as a result of any penalties imposed on a candidate for violating this chapter.

E. "Fair advertising" means any publication, literature or media advertising, which bears the clear and conspicuous identification of the sponsoring candidate's name.

F. "In-kind labor" means services provided by a person who volunteers all or a portion of his/her time to a candidate's election campaign, and who is not paid by any person for such services.

G. "Independent expenditure" means an expenditure on behalf of, or opposing the election of, any candidate, when such expenditure is made independently of the candidate, his/her political committee, or agent, and when such expenditure is made without the prior consent, or the collusion, or the cooperation, of the candidate or his/her agent or political committee.

H. "Own resources" means a candidate's personal funds or property; provided, however, that it shall not include:

1. A candidate's surplus campaign funds as defined in RCW 42.17.020 from a prior campaign for an elected position, except for such surplus funds as have been transferred to a candidate's personal account pursuant to RCW 42.17.095(2).

2. Excess campaign funds as defined in 2 U.S.C., Section 439(a) and 11 CFR, Section 113.2, or

3. Contributions received for a campaign for any other office.

I. "Person" means any individual, association, corporation, candidate, committee, political committee, political party, partnership or other entity.

J. "Political committee" means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or in opposition to, any candidate and which has also filed as a political committee pursuant to RCW 42.17.

K. "Political party" shall mean a major political party or a new or minor party which is established pursuant to RCW 29.42.

L. "Resident" means an individual natural person whose domicile is within the boundaries of King County. (Ord. 11348 § 2, 1994).

**1.05.030 Application.** These limits shall apply only to candidates in any primary, general or special election for the offices of King County executive, council, sheriff, and assessor. (Ord. 12662 § 1, 1997; Ord. 11348 § 3, 1994).

**1.05.040 Mandatory limitations on contributions.**

A. No person other than a political committee shall make contributions during the election cycle totaling more than one thousand two hundred dollars in the aggregate to any candidate for executive, county council, sheriff, or assessor, nor shall any political committee make contributions during the election cycle totaling more than one thousand two hundred dollars in the aggregate to any candidate for executive, county council, sheriff, or assessor.

B. No candidate for executive, county council, sheriff, or assessor shall accept or receive during the election cycle campaign contributions totaling more than one thousand two hundred dollars in the aggregate from any person other than a political committee, nor shall any such candidate accept or receive during the election cycle campaign contributions totaling more than one thousand two hundred dollars in the aggregate from any political committee.

C. The limitations in this section shall not apply to:

1. A candidate's contributions of his/her own resources to his/her own campaign; the limitations imposed by this section shall apply to the contributions of all others; and
2. Independent expenditures as defined by this chapter; and
3. The value of in-kind labor; and
4. Contributions to or expenditures from public office funds made consistent with the provisions of RCW 42.17.243.

D. Surplus campaign funds, as defined in RCW 42.17.030, from a candidate's prior campaign and contributions received by a candidate in connection with a campaign for another office may be used by that candidate for the candidate's current campaign only to the extent that such funds are derived from contributions that were within the dollar limitations imposed by this chapter. If such funds are from a campaign not governed by this chapter, a candidate may use only so much of each contribution previously received as would have been allowable as a contribution under this chapter if it had applied to that campaign. The source of a candidate's surplus campaign funds shall be determined to be derived from the most recent contributions received by such candidate or that candidate's political committee which in total equal the amount of the surplus campaign funds. A candidate must file a statement with the records and elections division and the Public Disclosure Commission which identifies any funds used pursuant to this section. The statement shall include the following information for each amount transferred: The original contributor, original date of contribution, amount originally contributed, and the portion of each contribution transferred to the current campaign. (Ord. 13932 § 1, 2000; Ord. 12662 § 3, 1997; Ord. 11348 § 4, 1994).

**1.05.105 Adjustment of dollar amounts in chapter - establishment by records and elections division.** At the beginning of each even-numbered calendar year, the records and elections division shall increase or decrease all dollar amounts in this chapter based on changes in economic conditions as reflected in the inflationary index used by the Washington state Public Disclosure Commission under RCW 42.17.370. The new dollar amounts established by the records and elections division under this section shall be rounded off by the division to amounts as judged most convenient for public understanding and so as to be within ten percent of the target amount equal to the base amount provided in this chapter multiplied by the increase in the inflationary index since the effective date of this ordinance. (Ord. 13932 § 3, 2000).

**1.05.115 Rules.** The records and elections division shall adopt rules consistent with this chapter. Until new rules are adopted, the rules adopted by Ordinance 10742, as amended by Ordinance 11348, remain in effect. (Ord. 13932 § 2, 2000; Ord. 12662 § 4, 1997; Ord. 11348 § 6, 1994).

**1.05.120 Penalties.** The violation or failure to comply with the provisions of this chapter shall constitute a civil violation for which a monetary fine of up to one thousand dollars shall be assessed. Each violation shall be a separate violation and shall be subject to the fine. An action seeking to establish the fact of a violation and imposition of a monetary fine under this section shall be commenced with the assistance of the county prosecuting attorney. (Ord. 11348 § 5, 1994).

**1.05.140 Severability.** Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 11348 § 9, 1994).

(King County 12-2005)

**CITY OF KIRKLAND****Planning and Community Development Department****123 Fifth Avenue, Kirkland, WA 98033 425.587.3225**[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

---

**To:** David Ramsay, City Manager

**From:** Eric Shields, Planning Director

**Date:** March 9, 2007

**Subject:** FEES FOR PROCESS I HOME OCCUPATION APPLICATIONS, FILE ZON05-00001

RECOMMENDATION:

Adopt the proposed ordinance to establish a new \$1000 fee for Process I home occupation applications.

BACKGROUND DISCUSSION:

On February 6, the City Council adopted Ordinance 4072 which enacted numerous amendments to the Kirkland Zoning Code, including revisions to home occupation regulations. One of the home occupation amendments added a new size limit of 500 square feet. Another amendment changed the review process from Process IIA to Process I for home occupations seeking an exception from the basic regulations (including the size limit).

As a result of the new size limit, representatives of the Kirkland Chamber of Commerce expressed a concern that there will be an increase in the number of home occupations that will have to go through a zoning review process and, despite the change in the review process, the fees for the zoning permits will be burdensome for many home businesses. The Chamber supported an alternative fee of \$1000.

During the discussion of O-4072, the City Council tentatively agreed to the Process I home occupation fee reduction with the understanding that the fee would be reviewed again during the update of all development fees scheduled to occur during the later half of 2007. The attached ordinance would enact the \$1000 fee.

Cc: Bill Vadino, Kirkland Chamber of Commerce

ORDINANCE 4091

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PLANNING DEPARTMENT FEES AND AMENDING KMC SECTION 5.74.070 BY ADDING A FEE FOR HOME OCCUPATIONS.

The City Council of the City of Kirkland do ordain as follows:

Section 1. The schedule contained in KMC 5.74.070 for Process I Review is hereby amended to read as follows:

FEE TYPE	FEE AMOUNT
<b>Process I Review</b>	
Short Subdivision	
Fixed fee .....	\$3,000.00
Fee per lot .....	\$700.00
Innovative Short Subdivision	
Fixed fee .....	\$4,900.00
Fee per lot .....	\$700.00
General Moorage Facility .....	\$7,560.00
Wireless Process I Review .....	\$7,560.00
Other Process I Review	
Residential	
Fixed fee .....	\$3,000.00
Fee per new unit .....	\$350.00
Nonresidential	
Fixed fee .....	\$3,000.00
Fee per square foot new GFA .....	\$0.21
Mixed Use	
Fixed fee .....	\$3,000.00
Fee per new unit .....	\$350.00
Fee per square foot new GFA .....	\$0.21
<u>Home Occupation</u>	<u>\$1,000.00</u>

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
 MAYOR

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney

**CITY OF KIRKLAND**

123 Fifth Avenue, Kirkland, WA 98033 425.828.1100

[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)**MEMORANDUM**

**To:** David Ramsay, City Manager

**From:** Daryl Grigsby, Public Works Director  
Ray Steiger, P.E., Capital Projects Manager

**Date:** March 20, 2007

**Subject:** 2007 EMERGENCY SEWER PROGRAM

**RECOMMENDATION:**

It is recommended that the City Council:

- approve the proposed 2007 Emergency Sewer Program which will serve four reported septic failures,
- authorize an additional \$350,000 from water/sewer reserves to complete this year's program, and
- authorize staff to advertise for bids

**BACKGROUND DISCUSSION:**

The Emergency Sewer Program (ESP) was adopted in 1998 giving the City the authority to extend sewer lines to those areas of Kirkland where septic systems are aged (30-40 years old) and beginning to fail. At that time, there were an estimated 1500 properties that were served by septic systems. One of the primary benefits of the ESP is to safeguard the environment which could be detrimentally impacted by poorly maintained or failed septic systems. The ESP is unique in that beneficiaries of the sewer line construction can enter into a low interest loan agreement (currently 4.68 %) with the City to pay back their share of the construction cost over ten years rather than having to remit full payment of the assessment at the time of construction completion.

The first four programs of ESP were constructed in 1999, 2001, 2003 and 2005. The fifth program is slated for construction in summer of 2007. The purpose of this report is to update the Council on the progress of the previous ESP repayments and to propose the 2007 ESP projects.

*Previous Emergency Sewer Programs*

In the first programs of the ESP, 324 properties were provided with access to sewer lines. To date, over 17,500 feet of sewer lines have been constructed under the ESP. Of the 324 properties, 131 (40%) have connected to the new sewer lines and are no longer on septic systems.

The total cost of the previous programs was \$4,064,000 (\$516,000 in '99, \$726,000 in '01, \$1,436,000 in '03, and \$1,326,000 in '05), and individual assessments have ranged from \$8,000 to \$16,000 per property. To date, approximately \$2,242,000 (55%) has been reimbursed to the utility: 177 property owners have paid in full, 70 property owners have active ten year loans agreements with the City, and 72 are "inactive" accounts. An inactive account, allowed under the terms of the program, is one which there has been no action on the part of the property owner to

Memorandum to Dave Ramsay

March 20, 2007

Page 2 of 2

pay to connect to the sewer, however at ten years after construction, the City requires that payments begin to be made. All unpaid properties have information recorded on their title reports indicating the presence of these assessments. Due to the continuation of a strong housing market, including single family redevelopment and refinancing, more ESP assessments are being paid in full than had been originally anticipated when the program was created; this trend will likely continue (Attachment 1).

*Proposed 2007 Emergency Sewer Program*

In October of 2006, in anticipation of the 2007 ESP program, a survey was sent to approximately 800 residents currently served by septic systems to get feedback on the state of their systems. This survey is also posted on the City website and can be filled out and emailed directly to the ESP project engineer. Of the 800 surveys, 53 property owners expressed an interest in the Program, and four failures were reported. In December, 2006, an open house was held at Rose Hill Elementary to invite responding property owners to learn more about the 2007 Emergency Sewer Program; approximately 15 residents attended.

Based on the level of support for the program, and to address failures that have been reported, four sewer extensions are being proposed (Attachments 2 – 5). The proposed 2007 ESP will provide 78 connections and install 4,100 feet of sewer pipe; the estimated assessment per property owner is approximately \$18,000. In addition to serving the reported failures, the proposed 2007 scope of work will allow the City to serve "Area 2"; an area with high residential participation and interest which was an additive alternate in 2005, but was not constructed due to the bid results.

The individual assessments of the ESP continue to trend upwards for two reasons: construction costs continue to rise over time, and the areas being served are becoming more isolated with more and more challenging parameters. An example of this is in this year's program in "Area 4" (Attachment 5). In this situation, properties along the west side of 115<sup>th</sup> Place NE already have service provided via a sanitary sewer west of their property; properties being served by the 2007 ESP lie only along the east side of 115<sup>th</sup> Place NE and must shoulder the costs. These conditions are however discussed with residents at the various meetings.

The estimated project cost to construct the four proposed 2007 sewer extensions is \$1,400,000; the CIP has a budget of \$1,050,000 for the program. Staff considered bidding a portion of "Area 3" as an alternate (that portion along NE 72<sup>nd</sup> Street) which would keep the 2007 program within the CIP budget, however based on the continued escalation of costs, impacts to the neighborhood during construction this summer, and the proximity of known failures, this area was recommended to stay within the program and be completed.

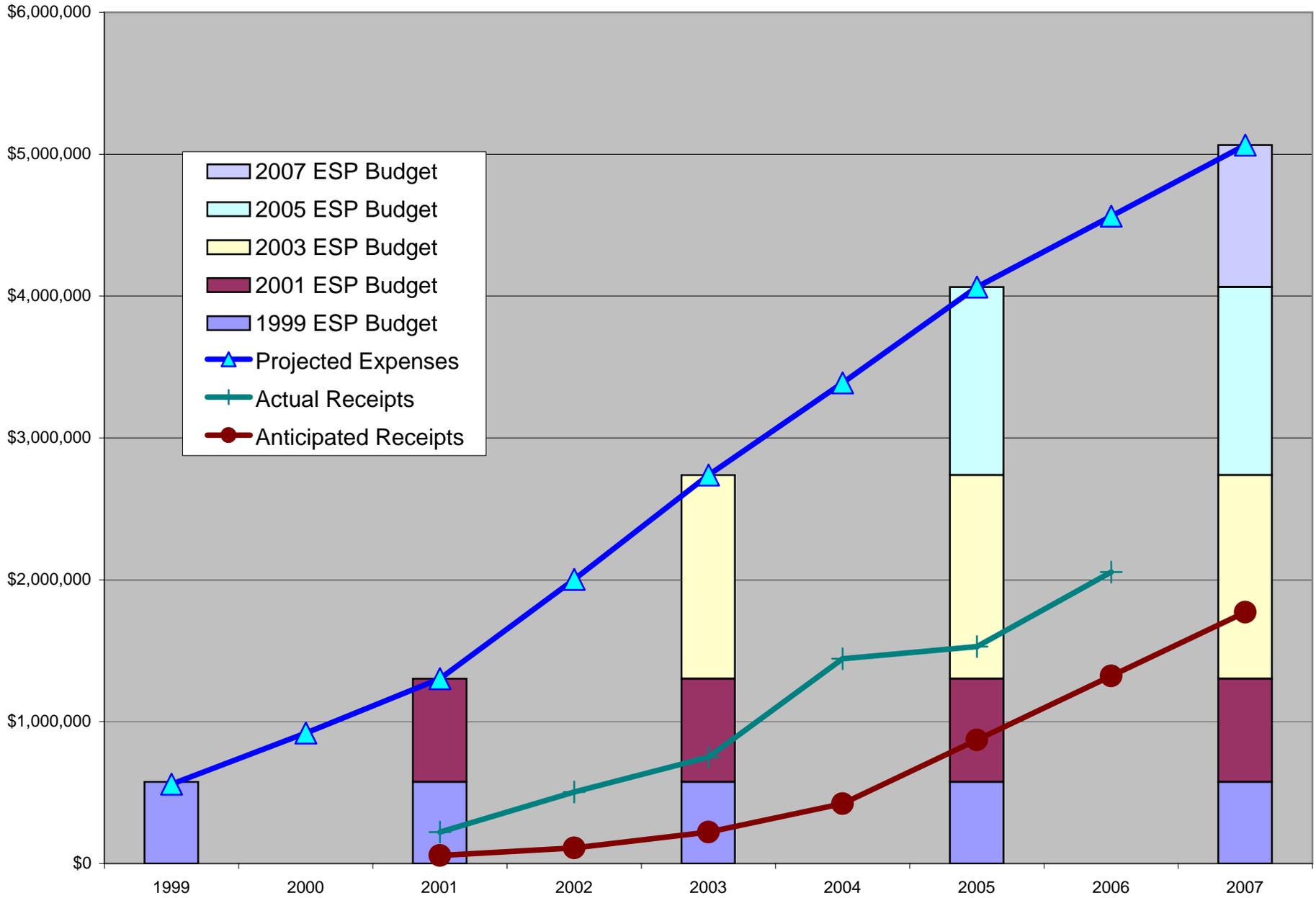
It is recommended that Council increase the CIP funding of the 2007 ESP by \$350,000 from water/sewer utility reserves (Attachment 6,7), and authorize staff to proceed with the bid process. With approval of the scope of the 2007 Emergency Sewer Program at this time, it is anticipated that bids would be opened in early May, construction would begin in June, and be complete by the end of December, 2007.

Attachments:

- 1 – Emergency Sewer Program Repayment Report
- 2 – Overall Vicinity Map
- 3 – Detail of Area 1
- 4 – Detail of Area 2 and 3
- 5 – Detail of Area 4
- 6 – 2007 ESP Project Budget Report
- 7 – Fiscal Note

cc: Sandi Hines, Financial Planning Manager  
Mike Reardon, Senior Public Works Accountant  
Ray Steiger, Capital Projects Manager

# Emergency Sewer Program Repayment Report

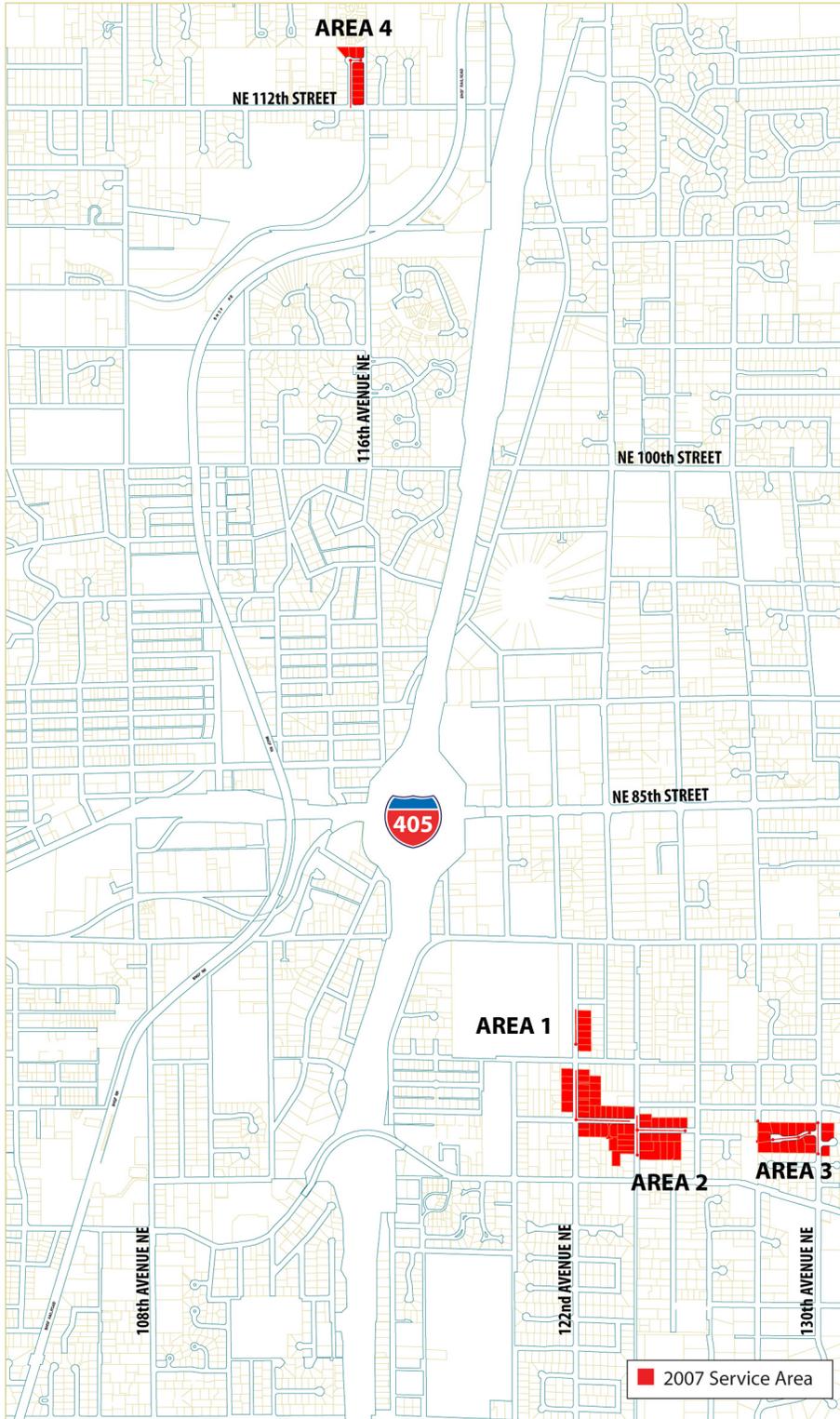




CITY OF KIRKLAND

# 2007 EMERGENCY SEWER PROGRAM

ATTACHMENT 2

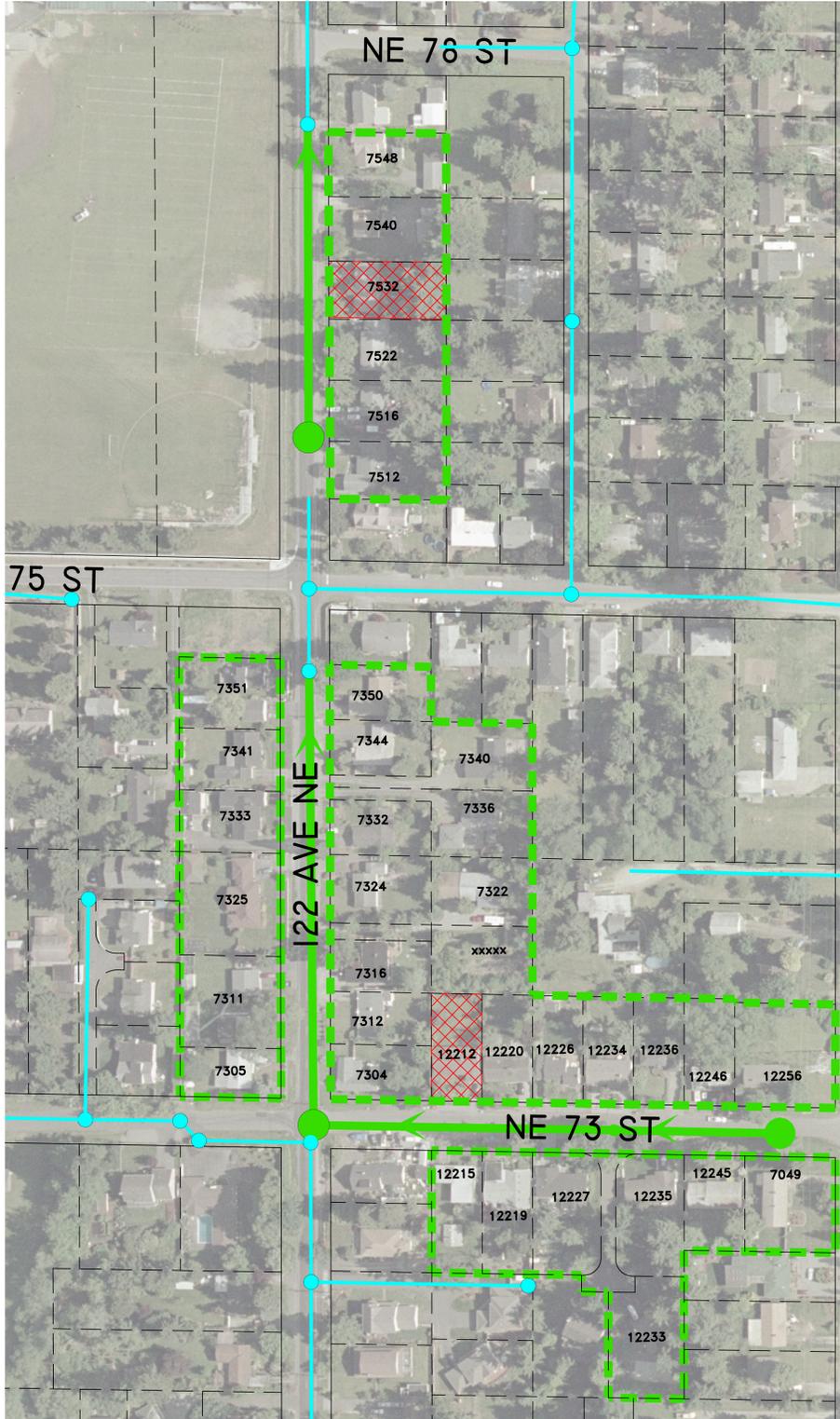




CITY OF KIRKLAND

# 2007 EMERGENCY SEWER PROGRAM

## ATTACHMENT 3



**LEGEND**

- REPORTED FAILURE
- SERVICE AREA
- PROPOSED SANITARY SEWER ALIGNMENT
- EXISTING SANITARY SEWER MAIN

Area I

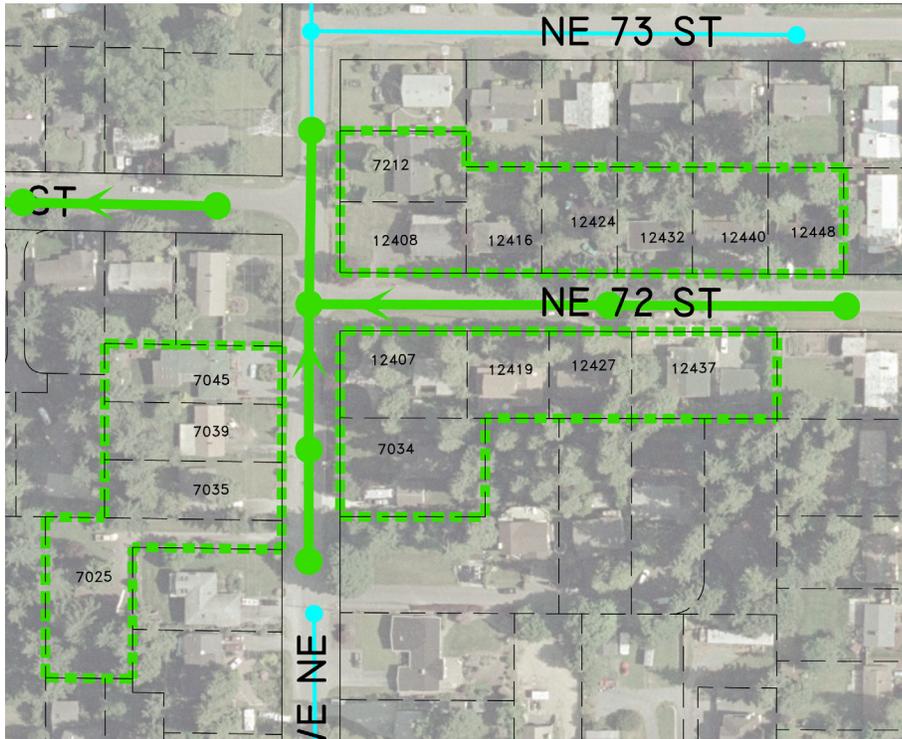




CITY OF KIRKLAND

# 2007 EMERGENCY SEWER PROGRAM

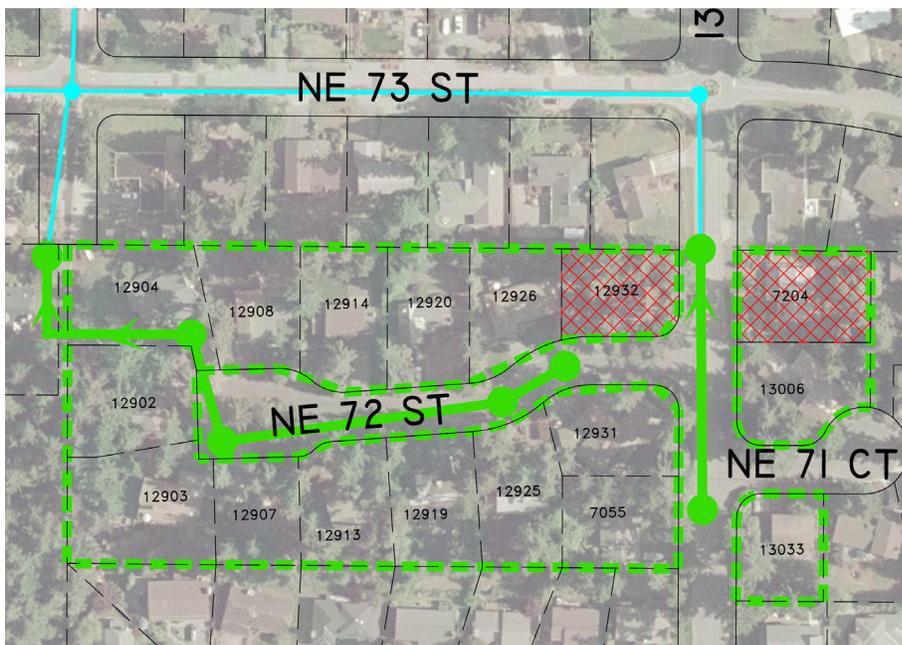
## ATTACHMENT 4



**LEGEND**

- REPORTED FAILURE
- SERVICE AREA
- PROPOSED SANITARY SEWER ALIGNMENT
- EXISTING SANITARY SEWER MAIN

Area 2



Area 3

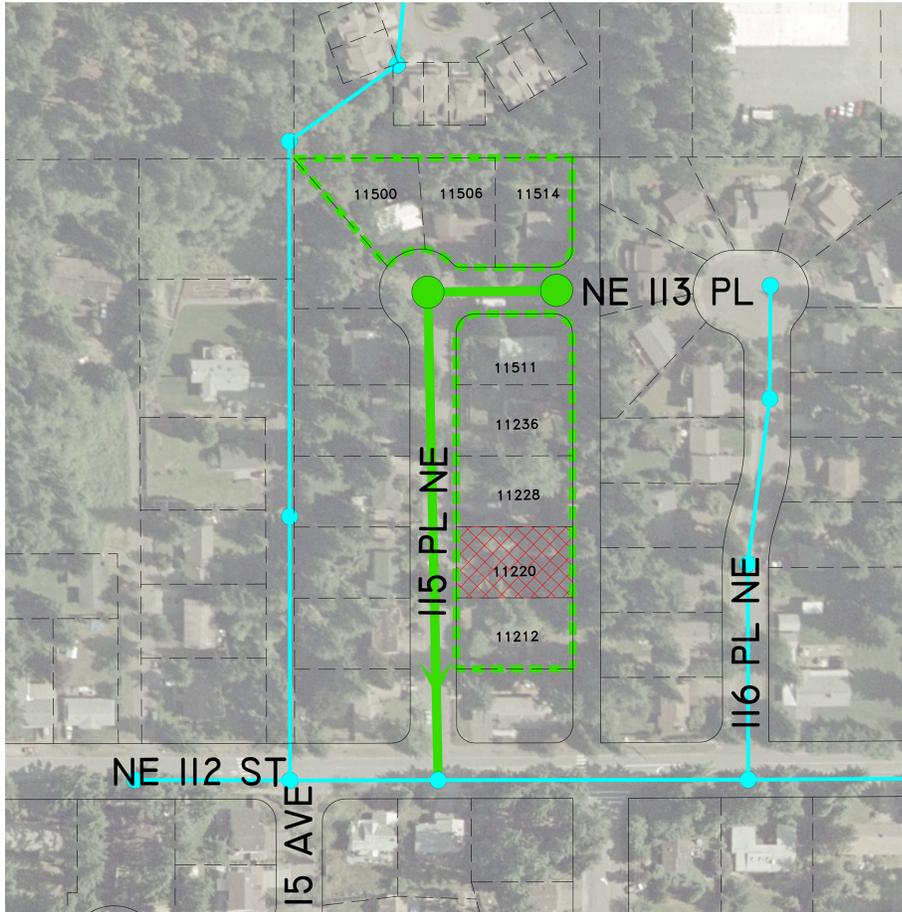




CITY OF KIRKLAND

# 2007 EMERGENCY SEWER PROGRAM

## ATTACHMENT 5



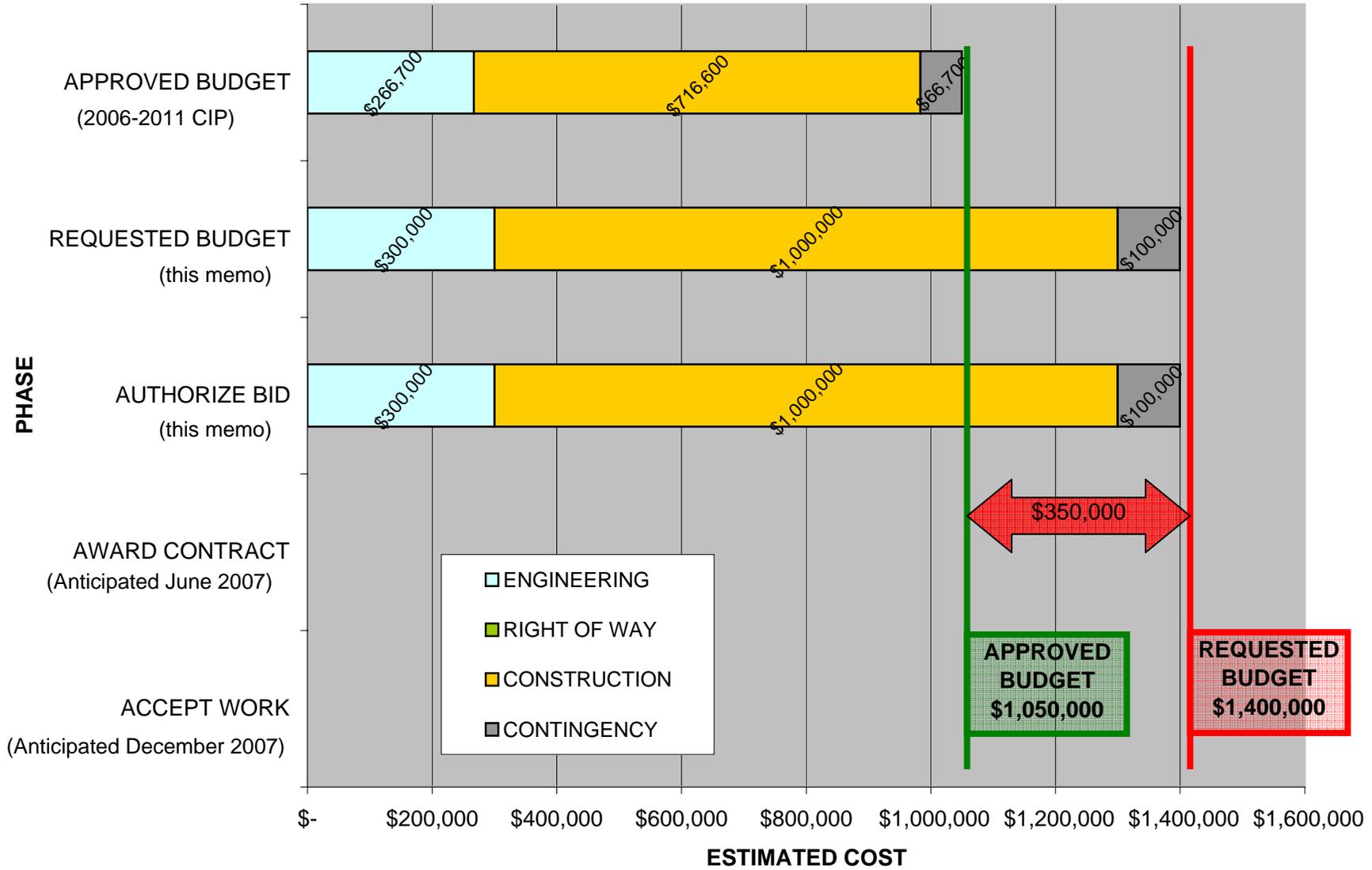
**LEGEND**

-  - REPORTED FAILURE
-  - SERVICE AREA
-  - PROPOSED SANITARY SEWER ALIGNMENT
-  - EXISTING SANITARY SEWER MAIN

**Area 4**



## 2007 EMERGENCY SEWER PROGRAM PROJECT BUDGET REPORT



**FISCAL NOTE**

CITY OF KIRKLAND

Source of Request							
Daryl Grigsby, Public Works Director							
Description of Request							
Request for additional funding of \$350,000 from the Utility Construction Reserve for the 2007 Emergency Sewer Program to complete areas in the South Rose Hill and Juanita neighborhoods and to address four failed septic systems. The estimated total project cost to address the four failures and install 4,100 feet of sewer pipe & 78 connections is higher than the current CIP budget.							
Legality/City Policy Basis							
The Emergency Sewer Program was established to provide financing for sewer extensions to allow properties that are currently on septic systems to connect to the City's sanitary sewer system. The program provides for repayment to begin within ten years of the improvement or when a property either connects to the sewer extension or changes ownership.							
Fiscal Impact							
<b>One-time use of \$350,000 of the Utility Construction Reserve designated for future capital projects.</b> The reserve is fully able to fund this request. No future water/sewer CIP projects are delayed or eliminated due to this request.							
Recommended Funding Source(s)							
<b>Reserve</b>	Description	2008 Est End Balance	Prior Auth. 2007-08 Uses	Prior Auth. 2007-08 Additions	Amount This Request	Revised 2008 End Balance	2008 Target
	Utility Construction Reserve	8,738,358	0	0	350,000	8,388,358	see below
The Utility Construction Reserve accounts for capital contributions from utility rates and connections charges and is used to fund capital projects. Capital replacement cycles require that reserves accumulate to pay for future replacement of infrastructure to supplement the use of debt. The liability against this reserve occurs in future years as capital replacement needs peak.							
<b>Revenue/Exp Savings</b>							
<b>Other Source</b>							
Other Information							

Prepared By	Sandi Hines, Financial Planning Manager	Date	March 8, 2007
-------------	---	------	---------------