



CITY OF KIRKLAND CITY COUNCIL

James Lauinger, Mayor • Joan McBride, Deputy Mayor • Dave Asher • Mary-Alyce Burleigh
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AGENDA KIRKLAND CITY COUNCIL MEETING City Council Chamber Tuesday, March 17, 2009 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, 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. Joint Meeting with Planning Commission and Planning Work Program
4. *EXECUTIVE SESSION*
5. *SPECIAL PRESENTATIONS*
 - a. Special Recognition - Gary Zwick, Public Works Department
 - b. Cascade Water Alliance, Chief Executive Officer Chuck Clarke
 - c. Green Tips
6. *REPORTS*
 - a. *City Council*
 - (1) Regional Issues
 - b. *City Manager*
 - (1) 2009 Legislative Status Report 5
 - (2) Calendar Update
7. *COMMUNICATIONS*
 - a. *Items from the Audience*

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

b. Petitions

8. *CONSENT CALENDAR*

a. Approval of Minutes: March 3, 2009

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

c. General Correspondence

- (1) Ron Parker, Regarding Purchasing from Local Firms
- (2) Brendan Read, Regarding Environmental Impact Statement for Sound Transit East Link Project

d. Claims

- (1) Seija Linnee-Matthews

e. Award of Bids

- (1) Supply Station No. 2 Improvements Project, Award Construction, Inc. (ACI) of Ferndale, Washington – Award Bid and Approve Additional Funding

f. Acceptance of Public Improvements and Establishing Lien Period

- (1) Slater Avenue NE/NE 100th Street Crosswalk Improvement Project

g. Approval of Agreements

- (1) Resolution R-4750, Authorizing the City Manager to Sign an Amendment to the Interlocal Agreement Between the City of Kirkland and the City of Mercer Island Entitled, "Communications Services Agreement Between the Cities of Kirkland and Mercer Island"

h. Other Items of Business

- (1) Ordinance No. 4187, Amending the Biennial Budget for 2009 – 2010
- (2) City Ministries Affordable Housing Agreement
- (3) Surplus Vehicles for Sale
- (4) Report on Procurement Activities

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. Resolution R-4749, Approving the Transmittal of Notice of Intention to the King County Boundary Review Board for the Proposed Bridle View Annexation in Accordance with its Procedures, as to the Area Described in the Petitions to Annex Filed with the City, By Owners of Not Less than Sixty Percent in Assessed Value of the Property for Which Annexation is Sought
- b. Orni Private Amendment Request:
 - (1) Ordinance No. 4184 and its Summary, Relating to Comprehensive Planning and Land Use and Amending the Comprehensive Plan, Ordinance 3481 as Amended, to Implement Changes to the Planned Area 5 Section of the Moss Bay Neighborhood Plan, and the Moss Bay Neighborhood Land Use Map, and Approving a Summary for Publication, File No ZON07-00012
 - (2) Ordinance No. 4185 and its Summary, Relating to Comprehensive Planning and Land Use and Amending the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code) Use Zone Chart in Chapter 60 and the Kirkland Zoning Map, Ordinance 3710 as Amended, and Approving a Summary for Publication, File No ZON07-00012
 - (3) Ordinance No. 4186 and its Summary, Relating to Land Use and Planning; Establishing a Planned Action for an Area in the Moss Bay Neighborhood Generally Located East of 6th Street, and North of Kirkland Way Pursuant to the State Environmental Policy Act, RCW 43.21C.031
- c. Kirkland City Council Policies and Procedures
- d. Downtown Maintenance Pilot Program
- e. Bank of America Project Review Process

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.

11. NEW BUSINESS

- a. Cultural Council Terms
- b. Growth Targets Updates
- c. Off-leash Areas Within the City of Kirkland Park System

12. ANNOUNCEMENTS

13. ADJOURNMENT



CITY OF KIRKLAND
Planning and Community Development Department
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MEMORANDUM

Date: March 3, 2009

To: David Ramsay, City Manager

From: Paul Stewart, Deputy Planning Director
Eric Shields, Planning Director

Subject: City Council/Planning Commission Joint Meeting and 2009-2011
Planning Work Program (File MIS09-00010)

RECOMMENDATION

Staff recommends the following:

- Conduct the annual joint meeting with the Planning Commission
- Review the proposed 2009-2011 Planning Work Program and direct staff to bring back a final work program for adoption
- Discuss other items as appropriate

BACKGROUND

At their annual retreat on February 12, 2009 the Planning Commission reviewed the Draft 2009-2011 Planning Work Program and recommended it to the City Council. Attachment 1 is the transmittal memo from the Planning Commission to the City Council. Attachment 2 is the *Draft 2009-2011 Planning Work Program* as reviewed and recommended by the Planning Commission. Attachment 3 is a summary of the tasks noted in the work program. (Note: For background purposes, Attachment 4 is the previous 2008-2010 work program adopted by the City Council on April 15, 2008).

Attachment 5 is the listing of the topics that were on the Commission agendas for 2008. Last year the Commission met on 28 occasions compared to 19 meetings in 2007. Twenty of the twenty-eight meetings (70%) were devoted to private amendment requests – primarily the Touchstone, Altom and Orni PAR which included amendments to the Comprehensive Plan and Zoning Code and a Planned Action Ordinance. The other major topics the Commission worked on in 2008 included the Costco PAR, the South Kirkland Park and Ride amendments and the Shoreline Master Program.

PROPOSED 2009-2011 PLANNING WORK PROGRAM

Introduction

The proposed Planning Work Program as reviewed by the Planning Commission is shown in Attachment 2. The work program outlines the major long range planning projects for the next 3 years with the focus on 2009. It also includes the timing for the each task

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along with the project manager and the staffing level. The major projects for 2009 include:

- Minor updates to the Comprehensive Plan
- Updating the Lakeview and Central Houghton Neighborhood Plans
- Affordable housing regulations
- South Kirkland Park and Ride Zoning Code amendments and design guidelines
- Shoreline Master Program
- Tree and landscaping regulations
- Low Impact Development regulations

For a more detailed description of these tasks and the other projects listed in the work program please refer to Attachment 3: *Summary of Tasks*. Some of the key projects are highlighted below.

Comprehensive Plan Amendments (Task 1)

Most of the city-initiated amendments being considered in 2009 are minor which should not take a significant amount of staff or Commission time unless the Transportation Commission brings forward the multi-modal concurrency amendments. However, beginning in 2010, we will need to begin the general update to our Comprehensive Plan as required by the Growth Management Act. This will involve a new planning horizon year (2031) along with new housing and employment targets and a revised transportation network.

Still to be determined are the response to the two private amendment requests. One is a carryover from 2007 (the Plaza at Yarrow Bay to expand the allowed uses such as a hotel and restaurant). The other is a new request to amend the plan and zoning for the Bridle Trails Shopping Center to be able to create a mixed use urban village similar to Juanita Village. The Planning Commission will be conducting the threshold review of the PAR's at their March 26th meeting and making a recommendation to the City Council. The Council is scheduled to consider this at the April 21st meeting.

Neighborhood Plans (Task 2)

At the retreat the Commission spent the most time discussing neighborhood plans and private amendment requests. Attachment 6 is the "Neighborhood Plan Update Schedule". As noted on the work program, we can begin the Lakeview and Central Houghton Neighborhood Plans in mid-2009 with current staffing levels. Staff will note that due to budget reductions there is no additional funding for neighborhood planning efforts such as special studies or consulting services. All work will need to be done by available staff. In addition, if the Council chooses to undertake the private amendment requests, work on the neighborhood plans will have to be deferred. The Commission has suggested that a priority be placed on neighborhood plans and that we complete the plans in a more timely manner.

Downtown (Task 3)

Attachment 7 is a list and description of potential Zoning Code amendments dealing with the Downtown. These are the so-called "parking lot" items suggested by Council

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members during deliberations on the recent group of Downtown code amendments. The listed items address a broad variety of issues, with varying degrees of complexity, priority and resource needs. Some of the items would likely also involve Comprehensive Plan amendments.

In Attachment 7, staff has grouped the issues by category and attempted to provide an initial assessment of the work program scope in terms of applicable codes and which boards or commissions would be involved. The budget column indicates potential relative cost (indicated by \$) and potential relative time to process (indicated by ⊕). The final column is simply intended to provide Council members space to prioritize the list, either individually or as a group.

At the March 3 Council meeting, the Council discussed the need to review the list and determine an approach and priority for addressing each issue. Given the time that such a discussion is likely to take, it is suggested that this not be done at March 17 study meeting with the Planning Commission. However, having such a discussion soon would facilitate finalizing the Planning Work Program.

Housing (Task 4)

Staff would recommend that this continue to be a priority for 2009. Staff has been working with the Council's Housing Committee on a variety of strategies. In particular, we have been exploring with ARCH the possibility of an affordable housing project with the property owners and St. Andrews for a site in Totem Lake. On March 26th, staff will also be discussing with the Planning Commission the schedule and work program for Zoning Code amendments regarding incentives and requirements for affordable housing as part of Chapter 112 and in several Totem Lake zoning districts.

In 2008, the Council approved amendments to the Comprehensive Plan for the South Kirkland Park and Ride. We anticipate being able to move forward in 2009 with zoning code amendments and design guidelines, however it depends on the interest and timing with Bellevue. Staff has prepared a letter from Mayor Lauinger to Mayor Degginger to be transmitted to the Bellevue City Council encouraging them to place this on their work program.

Natural Resources/Environmental Stewardship (Task 7)

This also is a high priority for the City. Aside from the on-going efforts by the City's Green Team, there are four tasks noted on the work program for 2009. These include:

- A major update to the City's Shoreline Master Program
- Potential revisions to our tree regulations (Chapter 95 of the Zoning Code)
- The continuation and expansion of the Green Building Program
- A new project to develop a more cohesive approach to incorporating low impact development amendments into the Zoning Code and development standards

Several of these efforts involve multiple departments. The Green Team has scheduled its annual study session for May 19th with the Council on environmental stewardship and the Climate Action Plan.

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Staff and the Planning Commission are deep into the Shoreline Master Program and this will take considerable time over the next several months. Staff has previously provided the Council with status reports on the progress and issues being considered. We intend to provide a briefing to the Council in the next month or two. The current schedule calls for completing the work by the Planning Commission this summer with Council action in early fall. However, once the Council takes action, the SMP is transmitted to the State for their comments and then comes back to the City for revision.

Conclusion and Policy Questions

Staff is comfortable that the work program for 2009 as proposed can be accomplished with available staffing levels. However, other factors that have yet to be determined could influence the schedule and priority. These include the potential private amendment requests, downtown code amendments, and potential annexation. This also assumes the current level of staff resources.

Policy questions for the Council are:

- Do these projects reflect the priority for the Council?
- Are there other projects or issues that should be considered?
- Is the timing and schedule appropriate given staffing levels, resources and Planning Commission workload?

Attachments

1. Transmittal memo from the Planning Commission
2. Draft 2009-2011 Planning Work Program
3. Summary of Work Program Tasks
4. Adopted 2008-2010 Planning Work Program
5. Planning Commission 2008 Agenda Topics
6. Neighborhood Plan Update Schedule
7. Downtown "parking lot" matrix



CITY OF KIRKLAND
Planning and Community Development Department
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MEMORANDUM

Date: March 6, 2009

To: Kirkland City Council

From: Byron Katsuyama, Chair

Subject: Joint Meeting with the City Council and Planning Work Program

Introduction

On behalf of the Planning Commission, we are looking forward to our annual joint meeting with the City Council on March 17, 2009. At the joint meeting we would like to review the proposed 2009-2011 Planning Work Program and discuss other items of interest as appropriate.

On February 12, 2009 we held our annual retreat to review the past year's efforts, consider the draft work program as proposed by staff and to discuss key issues. Based on that review the Commission is recommending the City Council adopt the Planning Work Program as proposed.

Of special note is recognition of Matt Gregory. Matt has been on the Commission since being appointed on March 22, 1999 and has served for 10 years. His term will expire this month. He has been an outstanding member of the Commission over that time and has dedicated many personal hours and night meetings in service to the community. We will miss his insightful perspective, institutional memory and invaluable contributions.

2008 Major Projects

The Commission had a demanding work load in 2008. We met 28 times in 2008, 9 more than in 2007 – a 30% increase in our meeting time. Attachment 5 is a summary of our meetings and topics. The review and consideration of private amendment requests took up the majority of Commission meeting time over the course of 2008. This was due largely to the Park Place proposal which included amendments to the Comprehensive Plan and Zoning Code along with a Planned Action Ordinance – the first Planned Action Ordinance the City had considered.

This PAR generated considerable public interest as we received hundreds of comments both pro and con. Although this particular PAR dominated our meeting time, considering the size and scale of the proposal in the downtown, we also realize that this was a unique situation that is not likely to occur again. We were pleased that the Council concurred with our recommendation for approval on Touchstone. At our retreat,

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we did discuss the role of the Design Review Board as part of this review process. You may recall that the Touchstone proposal went through a series of meetings before the DRB prior to it coming to the Planning Commission. This did result in some question and confusion on exactly what the role of the DRB was in this process and the purpose of their comments or recommendations. The Commission would suggest that in the future, it may be better for the Planning Commission to begin the process and scope out the issues and, if applicable, refer specific questions to the DRB for a response.

The projects the Commission worked on in 2008 included:

- Nakhjiri Private Amendment Request (Planning Commission recommended approval and City Council approved request with a delayed effective date)
- Kirkland Congregational Church Private Amendment Request (Planning Commission recommended denial and Council agreed and did not approve the request)
- Gordon Hart Private Amendment Request (Planning Commission recommended approval subject to specific revised conditions and Council agreed with the Commission's recommendation)
- Touchstone & Altom Private Amendment Request (Planning Commission recommended approval and the PAR's and Planned Action Ordinance were adopted by Council)
- Orni Private Amendment Request (Planning Commission recommended approval subject to a requirement that at least 50% of the project be residential. Council action is pending)
- Costco Private Amendment Request (Planning Commission recommended approval and Council agreed subject to specific conditions)
- Shoreline Master Program (in progress)
- South Kirkland Park & Ride Comprehensive Plan amendments (Planning Commission recommended approval and the amendments were approved by both the Council and the HCC)
- Miscellaneous Code Amendments (Planning Commission recommended approval and they were approved by the Council and the HCC)

As a result of the time devoted to private amendment requests we were unable to work on other key projects such as neighborhood plan updates, affordable housing regulations, small lot standards and updating our tree regulations. We would note that the projects outlined in the proposed work program merit attention in 2009.

Proposed 2009-2011 Planning Work Program

The Commission reviewed the work program at our retreat and concurred with the proposed list of projects and general schedule. Our efforts for 2009 will be to focus on the following:

- Minor updates to the Comprehensive Plan
- Neighborhood Plans (Lakeview and Central Houghton)
- Affordable housing regulations

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- South Kirkland Park and Ride Zoning Code amendments and design guidelines
- Shoreline Master Program
- 2-year update to the tree and landscaping regulations
- LID regulations

Over the past couple of years we have been unable to work on neighborhood plans due to our efforts on private amendment requests. We would recommend that we get back on track with neighborhood plans some of which have not been updated in the last 20 years. We would also like to move more quickly and efficiently with the Lakeview and Central Houghton plans so that we can get to the other neighborhoods in a timelier manner. At last year's joint meeting, we suggested the following ideas when updating the neighborhood plans and bring those forward again for consideration when we begin the update for Lakeview and Central Houghton later this year.

- Encourage the neighborhood to read and understand the existing neighborhood plan early on in the process.
- Start with visioning.
- Identify and focus on key issues (land use, density, traffic).
- Simplify and shorten the neighborhood plans by focusing on issues that are of particular interest to the neighborhood and not on issues that have citywide applicability
- Have a template of standard text and outline for the non-major items.
- Don't let individual zoning amendments drive the process – consider them later after the basic framework is in place.
- If an advisory group is formed, make sure the majority of participants are from the neighborhood.
- Have staff undertake some up-front work on background information and general plan content.

Another major project that is currently before the Planning Commission is the Shoreline Master Program (SMP). The SMP update is a requirement from the state which will result in new standards and regulations addressing shoreline use and development including bulkheads, setbacks, piers and habitat. The Commission has been working on this for over a year and it involves a high degree of complexity trying to balance use of property with maintaining or improving ecological function along Lake Washington. The Planning Commission is presently considering the specific regulations that make up the SMP. This item will be a priority for the Commission for the next several months and we hope to complete our work by this summer and then will forward our recommendation to the City Council.

Two other tasks are still in the "uncertain" category. There are two private amendment requests up for consideration. One is a new request (Bridle Trails Shopping Center) and the other is a carry-over (Plaza at Yarrow Bay). In early 2008, we had previously recommended that the Plaza at Yarrow Bay be incorporated into the Lakeview Neighborhood Plan. They both will be considered by the Planning Commission at the threshold review meeting on March 26th.

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The second issue is the downtown. At the Council's discretion, the Commission was not involved with the recent downtown amendments. We understand that there is a "parking lot" of potential amendments that the Council may want to be considered this year. Until we have a better understanding of the scope and timing of these amendments, it is difficult to know how they fit in or affect our schedule and work load. Although the Commission has not discussed this in any detail, generally speaking the Commission would likely prefer that this not be a major planning effort that would detract from the Commission's ability to work on other tasks such as neighborhood plans.

Final Comments

We appreciate the Council giving us the opportunity to present our recommendations to the Council as well as being able to participate in the discussion when these items come before you. We hope we are meeting the expectations of the Council and would be open to any ideas to improve our process or communication. As with any civic body, we don't always agree but we sincerely try to explore all possible options and give serious consideration to everyone's comments and concerns. The Commission is also interested in the Council's perspective on the transmittal of our recommendation to the Council. Would the Council want to hear the recommendation from the majority along with minority opinions?



2009-2011 PLANNING WORK PROGRAM

Summary of Tasks

Planning & Community Development

February, 2009

2009 – 2011 PLANNING WORK PROGRAM Summary of Tasks

POLICIES, PLANS & REGULATIONS

Task 1: Comprehensive Plan Update (.3 FTE)

Comprehensive Plan

In 2007 we initiated a number of amendments to the Comprehensive Plan including minor housekeeping amendments, new goals and policies on environmental stewardship (climate change, sustainability and LID) and an updated Capital Facilities Plan. The amendments were adopted in December 2008.

In 2009, the City has some additional city-initiated amendments to propose although almost all are fairly minor. In 2010, the City will need to begin its required 7-year major review and updated of the Comprehensive Plan pursuant to the Growth Management Act to plan that includes new household and employment targets. The state requires the plan to be updated by the end of 2011.

The City is currently engaged in a process to allocate new housing and employment targets for 2031 to all the cities and King County through the countywide planning process. As part of the 2010-2011 plan update Kirkland will need to determine how and where to accommodate the targets in the land use plan. Preliminary target allocation will be presented to the City Council this spring with adoption by the Growth Management Planning Council later in the year.

Public Works has indicated an interest on the part of the Transportation Commission to once again undertake an effort to address multi-modal concurrency in 2009 although the approach and timing have not been determined. This may result in additional amendments to the Comprehensive Plan.

Private Amendment Requests

2009 is also the year when private amendment requests are once again considered (every two years). In 2007-08 the Planning Commission and City Council processed several private amendment requests which required a substantial time commitment from the staff and the Commission.

We received one private amendment request prior to the December 1 cutoff date for applications. The request is from the property owners of the Bridle Trails shopping center (Totem Bowl Investment & the Joshua Green Corporation) to allow for a mixed use “urban village concept similar to Juanita Village.” The property is in the Bridle Trails Neighborhood.

We also have a carry-over private amendment request from the Plaza at Yarrow Bay. The proposal is to change the Comprehensive Plan and Zoning Code to allow a wider range of commercial uses (hotel, restaurant, bank). This was submitted as part of the 2007 PAR review process. At that time the Commission recommended it be deferred to the Lakeview Neighborhood Plan update.

The City Council generally agreed but also indicated that if the neighborhood plan did not move forward as planned they could re-consider the timing of this PAR. The threshold review for the private amendment requests will likely come before the Commission and Council in March and April.

Task 2: Neighborhood Plans (2.0 FTE)

The City Council adopted the Market and Norkirk Plans in 2006 after three years of work. The follow-up zoning and design regulations were adopted in mid 2007. The next neighborhood plans on the schedule are the Lakeview and Central Houghton Neighborhoods. Due to work on the private amendment requests, we were unable to initiate any effort on the neighborhood plans in 2007 or 2008. If these are priority, the work program anticipates that we can begin the neighborhood plans in the latter part of 2009 with an estimated completion by the end of 2010 depending on the level of effort and scope of the issues to be addressed.

Task 3: Downtown (.3 FTE)

The City has two downtown projects being concluded in first quarter 2009 that could generate 2009-2010 tasks.

CBD zoning amendments

As the City Council works through the issues and solutions, they have developed a “parking lot” of issues that may merit further consideration but are not part of the work scope identified by this project. Examples include CBD 2 zoning issues of height, public access and view corridors; parking requirements; retail use standards, etc.

It should also be noted that the Parking Advisory Board has previously requested a work program task to study CBD parking standards.

Downtown retail strategy

Staff anticipates that the Downtown Advisory Committee (DAC) and consultant Eric Hovee will deliver the study and recommendations to the City Council in April. Direction from Council will be needed to determine if any projects or programs should be pursued in the work program. Depending on which or if project/program recommendations move forward, leading the effort could be one group or a combination of Planning Commission, Parking Advisory Board, staff, DAC, KDA, or Chamber.

Task 4: Code Amendments

2009 Miscellaneous Fast Track Zoning Code Amendments

The City has a bundle of fast track amendments that are currently being processed through the Houghton Community Council and City Council (Process IVA). These are typically minor amendments that are not substantive policy or code issues (i.e. amendments to promote clarity, eliminate redundancy or correct inconsistencies).

Future Miscellaneous Code Amendments

We continue to maintain an extensive list of potential amendments and, as new issues arise, we are constantly adding to and updating the list. In the second half of 2010, we will want to consider another round of amendments.

Task 5: Housing (1.2 FTE)

Affordable Housing

Affordable housing continues to be a priority for the City. Last year the City Council created a Council subcommittee on housing. In 2004, the City adopted a package of incentives including density bonuses, tax exemptions and fee waivers, however to date the voluntary incentives have not been used. The work program reflects efforts in 2009 to review the incentives as well as the areas within the city that have no affordable housing regulations. As part of the review, the approach would also consider options for creating mandatory affordable housing requirements.

This task will include the study of three areas where amendments to the Zoning Code may provide increased opportunities for affordable housing. They include:

- a. Chapter 112: This chapter of the Zoning Code allows density bonuses and other regulatory flexibility for multifamily projects that voluntarily include affordable housing units. The regulations only apply in zones that currently have a density limit. This task would explore the opportunities to make mandatory affordable housing regulations in these zones in exchange for additional density. It would also explore the expansion of mandatory requirements to other zones that do not currently have density limits.
- b. TL 10 Subareas: Three subareas (TL 10B, TL 10C and TL 10D) limit where “stand-alone” housing may be located. The Comprehensive Plan included these subareas among those identified as Housing Incentive Areas. Housing was later limited when the zoning regulations were adopted due to concerns from the City Council that an incentive for housing might limit the market for office and high technology uses. This task would study the expansion of the area where “stand-alone” housing is allowed in these areas.
- c. TL 4 and TL 8: The TL 4A, TL 4B and TL 4C subareas allow housing as part of a mixed commercial and residential development, while the TL 8 zone allows housing as a stand-alone permitted use. The height limit in these areas is 45 feet, with no incentive for additional height in exchange for affordable housing. This task will include the study of increased building height as an incentive for affordable housing in these zones.

Transit Oriented Development (TOD) at Park and Ride Facilities

In December 2008, the City Council adopted amendments to the Comprehensive Plan that support “transit oriented development” including affordable housing at the South Kirkland Park and Ride facility. On January 26th, the Houghton Community Council approved the amendments but expressed strong interest in ensuring that their concerns and issues are addressed to their

satisfaction with the zoning and design regulations. Bellevue deferred action on both the Comprehensive Plan and Zoning Code amendments. Bellevue is not sure at this point when they will initiate this task. Staff will be working with them in a cooperative effort to complete this in 2009.

Affordable Housing Strategies

There are a number of other on-going staff efforts on housing including working with ARCH (A Regional Coalition for Housing) on the Housing Trust Fund, preservation of affordable housing, funding programs, and education.

Task 6: Community Character

In 2007 small lot and historic preservation regulations were adopted for the Market and Norkirk neighborhoods. In exchange for retaining smaller or historic homes, lot sizes can be reduced subject to stringent criteria. The Commission has suggested that we may want to consider expanding the program to retain smaller lots with size-restricted homes to other neighborhoods. This task will initially consist of analyzing the lot sizes, patterns and characteristics to determine if this could apply in other areas of the city. This could be a special project or incorporated as part of individual neighborhood plan updates. The work program notes this as occurring in 2010 if it is to be a special project.

Task 7: Natural Resources/Environmental Stewardship (1.8 FTE)

Shoreline Master Program (SMP)

State law requires Kirkland to revise our Shoreline Master Program to achieve consistency with new shoreline rules adopted by the Washington State Department of Ecology (DOE). During 2006, an inventory and analysis of Kirkland's Lake Washington shoreline was prepared by consultants. We also conducted two panel discussions and a shoreline tour. Coordination with DOE will occur throughout the project. Proposed amendments to shoreline goals, policies, regulations, and programs are being reviewed by the public, Planning Commission, and Houghton Community Council. Staff anticipates completing the SMP with City Council adoption by mid-year. However, following adoption the SMP will be transmitted to the State for their approval. Given the track record of other cities, it is likely that the State will provide comments and recommendations to the City and the City will need to modify the SMP to meet their requirements. This could take several months and may result in additional Commission and Council action in the latter part of 2009 or in 2010.

Critical Area Regulations

The City will need to amend its Critical Area Regulations by 2011. Based on experiences in other jurisdictions and comments from the Department of Ecology, our regulations will need to be revised particularly to address buffer widths and our classification system. This may require funding resources to assist in this update to the technical, scientific and environmental issues that need to be addressed. This project may also be the appropriate time to review our slope regulations.

Tree and Landscaping Regulations

In 2006, new tree protection regulations went into effect with the adoption of a completely revised Chapter 95 of the Zoning Code. An update to the City's tree regulations was scheduled for 2008 but due to staffing changes and workload, we were unable to undertake this task. In August, 2008 staff provided a report to the City Council on the status of the regulations and requested direction on the proposed amendments. The Council directed staff to pursue minor amendments and moderate changes in policy direction rather than implementing new policy directions or fundamentally changing the standards and requirements. The City now has a full time Urban Forester and staff will begin the work on the updated regulations. It is anticipated that this project will take six to nine months to complete.

Low Impact Development (LID)

Efforts to adopt new standards to promote low impact development techniques have been deferred due to staffing resources. The state Pollution Control Hearings Board issued a ruling in 2007 that requires certain sized cities (including Kirkland) to adopt stormwater rules to incorporate low impact development into their regulations and standards. The timing for this is flexible. However, it has been Kirkland's intent to move forward when feasible. Staff is available in 2009 to undertake this task in conjunction with the Public Works Department.

Green Building Program

In late 2007 the Council approved a green building program. The first phase entailed providing priority processing for certified "green" single family homes that have to meet either a Built Green or LEED standard (Leadership in Energy and Environmental Design). To date, five homes have been reviewed through this process. In the fall of 2008, staff provided a report to the Council and received direction to continue the program and to expand it to include multi-family and commercial buildings.

Natural Resource Management Plan and Environmental Stewardship

In 2003 the City adopted a Natural Resources Management Plan. The City has in place a "Green Team" consisting of representatives from several City departments that meet on a regular basis. Over the past year, the team has been coordinating its efforts on implementation actions (education, funding, and programs). We have also broadened our role to address greenhouse emissions in response to the US Mayors Climate Protection Agreement, of which the City is participating. A major effort for 2009 involves creating a climate action plan for the City Council to review and adopt.

In 2009, our staff team will be focusing on a variety of environmental stewardship efforts including sustainable communities, green buildings, green businesses and community outreach. In January, we held a "community conversation" on environmental stewardship and sustainability. A second "conversation" on the climate action plan was held on February 24, 2009.

Task 8: Database Management (.2 FTE)

Database management consists of a number of sub-tasks such as our Community Profile, land use inventory, capacity analysis, housing data, etc. that are used for a variety of purposes including neighborhood plans and the Comprehensive Plan. In addition we are required to provide data on buildable lands and benchmarks to King County. The upcoming 2010 decennial census will require some staff work over the next couple of years.

Task 9: Regional Coordination (.1 FTE)

This task involves participating on a variety of countywide and regional forums including the Puget Sound Regional Council, the King County Growth Management Planning Council, the Suburban Cities Association and Sound Transit.

Task 10: Annexation (.2 FTE)

Bridle View Annexation

The proposed Bridle View/Snyder's Corner Annexation is located in unincorporated King County in the southeast area of the city's boundaries. With a total of 56 acres, it consists primarily of 54 residential lots in the Bridle View Subdivision, and the four acre Snyder's Corner open space owned by the City of Kirkland. It has a population of approximately 135 people. When annexed, it will be zoned RSX 35, the most comparable zoning, and will be considered part of the Bridle Trails Neighborhood.

The Bridle View subdivision is located east of 132nd Ave. NE between NE 70th and 80th Streets. It is located in a small unincorporated pocket of land that has long been designated as part of Redmond's potential annexation area (PAA). For several years the cities of Kirkland and Redmond have been approached by Bridle View residents stating their preference to annex to Kirkland. The Kirkland City Council has been open to this, but did not want to push Redmond to relinquish the area. Finally, in 2008 Redmond agreed to adjust the potential annexation boundary to move the Bridle Trails subdivision from Redmond's to Kirkland's PAA. The adjustment required an amendment to the Countywide Planning Policies, which was approved late last year.

Annexation petitions were recently submitted by property owners and the annexation is now in process. Approval by the King County Boundary Review Board will be required before a final annexation ordinance is submitted to the City Council. It is likely that completion of the annexation will occur prior to the end of 2009 or early 2010.

Potential Annexation Area

In 2007 and 2008, the City Council went through a detailed process to evaluate the potential of annexing the City's potential annexation area (PAA) located north of the current City limits. The current PAA encompasses the unincorporated neighborhoods of Finn Hill, north Juanita and Kingsgate, containing a population of nearly 35,000. In mid 2008, the Council voted not to proceed with annexation due to financial uncertainties of providing the City's levels of service to the

annexed area. Prior to the vote, the Planning Department had prepared a proposed zoning plan. We held several community meetings on zoning issues, but a final public hearing on the proposed zoning was not held. The Kirkland Council is currently revisiting the annexation issue. If the Council decides to proceed with annexation, the Planning Department will need to complete the work on zoning as well as assist in other work to prepare for an annexation election.

				2008												2009				2010			
TASK		PROJECT MANAGER	2008 STAFF	J	F	M	A	M	J	J	A	S	O	N	D	1st	2nd	3rd	4th	1st	2nd	3rd	4th
SPECIAL TASKS																							
8	Downtown	McMahan	.4 FTE																				
9	Impact Fees	Swan																					
10	Database Management	Goble	.2 FTE																				
11	Regional Plans	Shields	.1 FTE																				
12	Annexation	Shields/Swan	1.0 FTE																				
	• Potential Annexation Area																						
	• Bridleview Annexation																						

Attachment 5
Planning Commission Agenda Topics for 2008

Meeting Date	Topic	Meeting Type
January 10	Planning Commission Retreat	
January 24	Nakhjiri & Kirkland Congregational Church PAR Hart PAR TL9 Totem Lake Neighborhood Plan Implementation	Hearing Hearing Hearing
February 13	Joint Meeting with City Council	
February 28	Kirkland's Shoreline Master Program Update	Study Session
March 13	Kirkland's Shoreline Master Program Update	Study Session
March 27	Park Place (Touchstone), Orni, Altom PARs Design Review Board Recommendation – Park Place	Study Session Study Session
April 10	Kirkland's Shoreline Master Program Update Park Place (Touchstone), Orni, Altom PARs	Study Session Study Session
April 24	Park Place (Touchstone), Orni, Altom PARs	Study Session
May 8	Kirkland's Shoreline Master Program Update Park Place (Touchstone), Orni, Altom PARs	Study Session Study Session
May 22	Park Place (Touchstone), Orni, Altom PARs	Study Session
May 29	Park Place (Touchstone), Orni, Altom PARs	Study Session
June 12	Park Place (Touchstone), Orni, Altom PARs	Study Session
June 18	2009-2014 CIP / CFP Study South Kirkland Park & Ride	Study Session Study Session
June 26	Park Place (Touchstone), Orni, Altom PARs	Study Session
July 10	Park Place (Touchstone), Orni, Altom PARs Policy and Code Approach to Park Place PAR	Study Session Study Session
July 31	SEPA, LSM & Cottage Housing Code Amendments Park Place (Touchstone), Orni, Altom PARs	Study Session Study Session
August 14	Draft Policy & Codes for Park Place PAR	Study Session
August 28	Costco Wholesale PAR to Allow a Gas Pump Facility Orni & Altom PAR Park Place (Touchstone) PAR	Study Session Study Session Study Session
September 11	Kirkland's Shoreline Master Program Update	Study Session
September 23	Park Place (Touchstone) PAR	Study Session
September 25	South Kirkland Park & Ride Park Place (Touchstone), Orni, Altom PARs	Study Session Study Session
October 2	Park Place (Touchstone) Updated Draft Code, Draft Master Plan & Guidelines	Study Session
October 9	Kirkland's Shoreline Master Program Update	Study Session
October 22	South Kirkland Park & Ride Draft Amendments to Comprehensive Plan Orni & Altom PAR	Hearing Hearing
October 23	Park Place (Touchstone), Orni, Altom PARs	Hearing
November 13	Park Place (Touchstone) PAR Costco Wholesale PAR	Hearing Hearing
November 20	Kirkland's Shoreline Master Program Update	Study Session
December 11	Kirkland's Shoreline Master Program Update	Study Session

COMPREHENSIVE PLAN & NEIGHBORHOOD PLAN UPDATE SCHEDULE

February 2009

Note: Schedule Subject to Change

Lakeview & Central Houghton	2009-2010
Comprehensive Plan Update	2010-2011
Bridle Trails and South Rose Hill	2012-2013
Everest and Moss Bay	2014-2015
North & South Juanita	2016-2017
Totem Lake	2018
Comprehensive Plan Update	2019-2020

ISSUE	AFFECTED CODE	BOARD/COMMISSION	BUDGET ¹	TIME ²	COUNCIL PRIORITY
Retail Requirements	KZC	Planning Commission, City Council	0	⊕⊕	1...2...3...4...5
<ul style="list-style-type: none"> Address retail requirements (depth, allowed uses, etc) following Hovee/DAC report³ Tighten/loosen allowances for retail service and office uses on ground floor 					
Review CBD parking requirements – examples:					
<ul style="list-style-type: none"> Waive retail parking requirements to encourage redevelopment potential 	KZC	Parking Advisory Board, Planning Commission, City Council	\$\$\$	⊕⊕⊕	1...2...3...4...5
<ul style="list-style-type: none"> Parking modifications authority⁴ 	KZC	Planning Commission, City Council	0	⊕	1...2...3...4...5
<ul style="list-style-type: none"> Adjust residential parking standards per PAB suggestions⁵ 	KZC	Parking Advisory Board, Planning Commission, City Council	0	⊕	1...2...3...4...5
Incentives:⁶					
<ul style="list-style-type: none"> Parking waivers for lower buildings 	KZC	Parking Advisory Board, Planning Commission, City Council	\$\$\$	⊕⊕⊕	1...2...3...4...5
<ul style="list-style-type: none"> Green building incentives 	KZC	Planning Commission, City Council	\$\$	⊕⊕	1...2...3...4...5
<ul style="list-style-type: none"> Incentivize pedestrian crossings, pedestrian connections, and public plazas 	KZC	Design Review Board, Transportation Commission, Planning Commission, City Council	\$\$	⊕⊕	1...2...3...4...5
Resolve CBD 2 issues:					
<ul style="list-style-type: none"> Reality check on whether redevelopment is even feasible 	NA	Consultant, City Council	\$\$\$	⊕⊕	1...2...3...4...5
<ul style="list-style-type: none"> CBD 2 public/private master plan 		Task Force	\$\$\$\$\$	⊕⊕⊕⊕⊕	1...2...3...4...5
<ul style="list-style-type: none"> Parking waiver 	KZC	Parking Advisory Board, Planning Commission, City Council	\$\$	⊕⊕⊕	1...2...3...4...5
<ul style="list-style-type: none"> Height trade-offs for pedestrian access and view corridors 	KZC	Planning Commission, City Council	\$\$\$	⊕⊕⊕⊕	1...2...3...4...5
Review Sidewalk cafes	KMC	City Council	0	⊕	1...2...3...4...5
<ul style="list-style-type: none"> Review current allowances Are they a good thing? Minimum sidewalk width Analyze relationship with public realm 					
Review economics of redevelopment (reality check) – what can we expect under regulations (CBD 1 and 2)	NA	Consultant	\$\$\$\$	⊕⊕	1...2...3...4...5
Design guideline for intersection of Third Street and Central Way	KMC	Design Review Board, Planning Commission, City Council	0	⊕	1...2...3...4...5
Review DRB appeal process (Council or Hearing Examiner)⁷	KZC	Planning Commission, City Council	0	⊕⊕	1...2...3...4...5
Discuss façade preservation through new development	KZC?	Design Review Board, Cultural Council, Planning Commission, City Council	\$	⊕⊕	1...2...3...4...5

¹ Relative estimated cost with more \$ signs indicating higher cost

² Relative time commitment, with more ⊕ signs indicating more time

³ Hovee report to Council on 4/7/2009

⁴ Previously administrative decision, inadvertently assigned to DRB during prior code amendment

⁵ PAB has collected data on parking utilization and recommended a change to the code to avoid parking modifications on a project by project basis

⁶ Council should identify potential incentives. Assume some economic analysis for any scenario to determine if the policy/regulation will actually incentive desire outcome.

⁷ Council deferred until after Bank of America process debrief, scheduled for 4/7/2009



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager
From: Daryl Grigsby, Public Works Director
Date: March 6, 2009
Subject: Council Recognition of Gary Zwick

On Tuesday, February 24th, Street Division employee Gary Zwick was driving to his work assignment on NE 85th near Lee Johnson Chevrolet when he noticed a person lying on the sidewalk. He stopped the vehicle, went to aid the victim, and asked his partner Scott Helsel to call 9-1-1. Gary Zwick administered CPR for several minutes until the Emergency Response Unit arrived.

City of Kirkland aid units arrived, took over CPR, and transported the individual to the hospital. When Fire Emergency crews left the hospital, the victim had a pulse and had regained consciousness. We learned later the individual died in the hospital from a massive heart attack.

It appears the individual was a truck driver delivering cars, and apparently had fallen near the truck from the heart attack. During the fall he also suffered a gash wound to the head.

Despite those conditions, Gary Zwick did not hesitate to do all he could to insure the individual had every opportunity to survive. We therefore request that the City Council recognize Gary Zwick for his unselfish courage and quick reaction to a medical emergency. His actions were far beyond his job description and normal assignment of duties.

We all know that times are hard on many levels, and there is much concern and worry. In that context, Gary Zwick's actions remind us of what is important and what it means to set aside your own fears to help someone else. By his actions that day, Gary exemplifies what it means to be a public servant and a caring human being.

March 6, 2009

Mr. Gary Zwick
22832 102nd Avenue SE
Woodinville, WA 98072

Subject: FEBRUARY 24, 2009

Dear Mr. Zwick:

On behalf of the City Council, I am pleased to recognize you for your actions on February 24, 2009. On that day, you came to the aid of a person lying motionless on the sidewalk. Not only did you rush to see what the problem was, but you immediately utilized your skills at CPR on the victim. The presence of a head wound did not delay or hinder your response. In fact, you continued CPR until the City of Kirkland Fire Department arrived.

Therefore, on behalf of the City Council I am commending you for your actions that day. During these difficult times, where there is much worry and concern; you demonstrated the importance of unselfish courage and care for others. Your actions exemplified what it means to be a public servant, a person who works each day on behalf of the community and in times of crisis steps forward to do what needs to be done.

The City Council, on behalf of all the employees of the City family and the citizens of the community, gives you our heartfelt thanks and appreciation.

Sincerely,

KIRKLAND CITY COUNCIL

By James L. Lauinger
Mayor

**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: Erin J. Leonhart, Intergovernmental Relations Manager

Date: March 4, 2009

Subject: SPECIAL PRESENTATION – CHUCK CLARKE, CASCADE WATER ALLIANCE CHIEF EXECUTIVE OFFICER (CEO)

Mr. Chuck Clark, CEO of the Cascade Water Alliance ("Cascade"), will attend the Council meeting to introduce himself and speak briefly about Cascade.

BACKGROUND INFORMATION

The City of Kirkland has been a Cascade member since 1999 we have been receiving drinking water through Cascade since 2004. In addition to purchasing a block of water from Seattle Public Utilities, Cascade is responsible for developing new supply for the long-term needs of all its members:

- City of Kirkland
- City of Bellevue
- Covington Water District
- City of Issaquah
- City of Redmond
- Sammamish Water & Sewer District
- City of Tukwila
- Skyway Water & Sewer District

Chuck Clarke was selected as Cascade's CEO and began these duties on January 20, 2009. Mr. Clarke came to Cascade from Seattle Public Utilities, where he served as director since 2002. He had also served as a deputy mayor in the City of Seattle. Prior to that, Mr. Clarke was the regional administration with the United States Environmental Protection Agency, the agency secretary of the Vermont Agency of Natural Resources, and Director of Washington's Department of Ecology. His experience ranges from strategic planning, regional relationships, the ability to negotiate complex agreements and the ability to manage the day to day operations of a water organization. Clarke graduated from Pacific Lutheran University where he obtained a Bachelor of Arts in Biology and a Masters of Business Administration.

Mr. Clarke's experience is a welcome addition to Cascade, particularly as the organization embarks on a resource planning update as well as continued relationship-building within the region.


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: Erin J. Leonhart, Intergovernmental Relations Manager
Date: March 9, 2009
Subject: 2009 LEGISLATIVE UPDATE 5 – MARCH 17, 2009

As of the March 17th Council meeting, the 2009 Legislative Session will be in its tenth week. The third legislative cutoff date, when bills must have progressed out of their originating body, is March 12th, with the exception of bills that are "Necessary to Implement the Budget." This is an update on the City's interests as of March 9th. A matrix with the current status of topics on the legislative agenda will be available at the Council meeting.

COUNCIL LEGISLATIVE COMMITTEE 3/2

The Council Legislative Committee met with Mike Ryherd on March 2nd to discuss the status of bills as the second cutoff approached. The primary topics of conversation were:

- Tolls on SR-520 Corridor Bill (HB 2211) – King County is concerned that the bill excludes the ability to use toll revenues for transit operations and requested Kirkland's support. Action: The Committee recommended staff prepare a letter for consideration at the March 3rd Council meeting.
- Authorizing King County cities to provide & contract for supplemental transportation (HB 2179) – The City of Bellevue requested Kirkland support for this bill. Action: The Committee requested additional information about the funding source and if service would be provided by an established provider.
- Annexation Bill (HB 2249) – Representative Hunter's original bill included language that would require cities in King County that did not annex PAA's by 1/1/2012 to share sales tax revenues with the County. Action: The Committee requested additional information about the impacts that would have on Kirkland. [Note: The Substitute Bill that passed out of committee did not include this language. See details in report below.]
- Limitations on Rental Housing Inspections Bill (HB 1296/SB 5495) – Mike Ryherd provided additional information about this bill. Action: The Committee requested analysis from the City Attorney.
- Federal Appropriations Requests – Staff reported that Jake Johnston was meeting with Kirkland's Congressional Delegation in Washington, DC on March 3rd. Staff will be meeting and conducting tours of the 116th Non-motorized and 120th Street Extension projects on March 9th and 13th. An invitation would be sent to the Committee from staff. Deputy Mayor McBride expressed an interest in attending.

COUNCIL LEGISLATIVE COMMITTEE 3/9

The Council Legislative Committee met with Mike Ryherd on March 9th to discuss the status of bills as the third cutoff approached. The primary topics of conversation were:

- Regulating House-Banked Social Card Rooms (HB2162) – Staff heard from AWC that the bill was on hold in Rules. Mike thought the Muckleshoot Indian Tribe and AWC were still in discussions. Mike will check and confirm status.
- Tolls on SR-520 Corridor Bill (HB2211) – Staff reported follow-up to March 3rd Council meeting that the City of Seattle's tolling position is that revenues can be used for transit operations;

however, Seattle is not taking a position on HB2211. Action: The Committee supported staff sending emails to legislators consistent with the City of Kirkland tolling statement.

- Use of Real Estate Excise Tax for Operations & Maintenance (SHB1744) – Jennifer Schroder requested that the Committee direct Mike to make a request of Representative Eddy to pull the bill from Rules. Mike indicated that there was a hold on the bill in Rules but he would follow up.
- Rental Housing Inspections (SSB5495) – The House Bill is on hold in Rules but the Senate bill has been made eligible for second reading. Mike said he felt it would eventually be “killed.” Action: Committee did not feel the bill was still an issue for Kirkland.
- Annexation (SHB2249, SSB5321) – The Committee asked about the status of annexation bills. So far, these two are still alive. The Substitute House Bill has been placed on the second reading calendar. The Substitute Senate Bill was made eligible for second reading. Action: Committee asked that Mike keep watching both.
- Reducing greenhouse gas emissions through land use and transportation requirements (SHB1490) – The Committee asked if the bill was still progressing. Mike said still under negotiations between AWC, counties and environmental community but was on the second reading calendar.
- JDF Grant Update – Mike reported on the previous week’s meeting between Kirkland staff and House Capital Budget staff. Mike will follow up with Rep. Dunshee (House Capital Budget Chair) this morning and is working to get the same messages through Senators Tom and Oemig to Senator Fraser (Senate Ways & Means, Capital Budget Vice-Chair). Action: Committee asked that Mike keep working to ensure that Kirkland does not lose the funding – needs to be resolved by the end of the legislative session.
- Federal Appropriations Update – Jake Johnston’s meetings in Washington, D.C. went well. The Mayor and Deputy Mayor will coordinate follow-up calls to staff in D.C. Meetings with District staff scheduled today and Friday.

ANNEXATION & KING COUNTY BUDGET ISSUES

Substitute House Bill 2249, modifying local government revenue options in King County is sponsored by Representative Hunter and has been placed on second reading. Two sales and use tax issues were removed from the substitute bill; it still contains these issues:

- Provide an extension for cities to qualify for the annexation sales tax credit until January 1, 2012;
- Allow the county to impose a utility tax until 2012 in the unincorporated area;
- Authorize cities to impose a utility tax on water-sewer districts (if potential annexation areas have been annexed);
- Allow cities and counties to use the 2nd quarter real estate excise tax for park maintenance and operations;
- Modify non-supplant requirements for multi-year levy lid lifts for 2009, 2010, and 2011; and
- Require the State Auditor do a performance audit of King County by January 1, 2011.

Substitute Senate Bill 5321, relating to extending a local sales and use tax for annexation has multiple sponsors, including Senator Tom. This bill has been made eligible to be placed on second reading. The substantive change to the substitute bill was to allow a city that has commenced annexation of enough areas prior to 2010, which would have allowed them to exceed the 0.2 percent limit, may receive an additional 0.1 percent sales tax credit beginning July 1, 2011.

CLIMATE CHANGE & ENVIRONMENT

House Bill 1490 establishes land-use and development patterns to achieve and support state and federal greenhouse gas emissions reduction requirements. It has multiple sponsors including Representative Goodman. The first substitute bill has been placed on second reading. AWC continues working with the proponents of this bill to express strong concerns or opposition to parts of it that don’t work for cities and press for funding and incentives to translate into reality, well-intentioned plans for development around transit stations.

Second Substitute House Bill 1165 and Senate Bill 5279 (Secure Medicine Return Bill) establishes a producer-provided medicine return program that is convenient, safe and secure for residents throughout

the state. The bill has multiple sponsors including Representatives Hunter and Goodman and Senator Oemig. The Second Substitute House Bill passed out of committees to Rules. The Senate Bill did not make the first cutoff.

EMINENT DOMAIN

Substitute Senate Bill 5910 and Substitute House Bill 1332 would grant authority of a watershed management partnership (Cascade Water Alliance) to exercise powers of its forming governments, including eminent domain. The Substitute Senate Bill was placed on second reading. The Substitute House Bill passed out of the House into the Senate and is scheduled for public hearing on March 13th.

GAMBLING

Substitute House Bill 2162 permits local jurisdictions to limit the number of house-banked social card games to those locations licensed as of the effective date of the act. This bill has multiple sponsors including Representative Goodman. The bill passed out of committee to Rules.

HOMELESSNESS & HOUSING

Substitute House Bill 1141 provides an exemption in the form of a refund for state sales and use taxes paid by qualifying entities related to the construction of "eligible affordable housing developments" exempts state & local taxes on affordable housing projects receiving public funding. This bill did not make the second cutoff.

Substitute House Bill 1173 creates the Affordable Housing for All program to be implemented and administered by CTED with the goal of providing decent, affordable housing for all economic segments by the year 2020. This bill did not make the second cutoff.

Substitute House Bill 1360 creates the Residential Infrastructure Program and would dedicate future state Real Estate Excise Tax above a growth factor into the program to provide loans to eligible jurisdictions and grants to nonprofit organizations for public infrastructure projects (or land related to infrastructure) that supports increased capacity for dense, affordable residential development in areas near transit service. This bill did not make the second cutoff.

INFRASTRUCTURE AND ECONOMIC DEVELOPMENT

House Bill 1109/Senate Bill 6056 amends provisions of local infrastructure financing in multiple ways including, increasing state contribution to \$10.5 million and eliminating the limitation of one revenue development area per county. Neither bill made the second cutoff.

Substitute House Bill 1744 allows, until June 30, 2012, proceeds from a locally-imposed real estate excise tax (REET) to be used for park maintenance and operation expenditures. It prohibits, with some exceptions, jurisdictions that are using proceeds from a locally-imposed REET for park and maintenance operation expenditures from using REET proceeds for property acquisition or capital projects. Finally, it modifies, subject to expiration provisions, the list of capital projects for which certain REET proceeds may be used. This bill passed out of the originating committee to Rules.

House Bill 1947 allows for regulation and preservation of urban streets through a local option street utility. This bill did not make the first cutoff.

Substitute House Bill 5045 provides that local governments may finance public improvements using local revitalization financing. Local revitalization financing is the use of bond financing to pay for public improvements within a designated area and the use of increased local property tax revenues and increased sales and use tax revenues from within that locally defined area to pay off the bonds. Permissible public improvements are expanded beyond those allowed for Community Revitalization Financing to include bridges, rail, landscaping, environmental remediation, and utility infrastructures. This bill passed out of the Senate and was referred to the House Community & Economic Development & Trade Committee.

Substitute House Bill 1591 clarifies the use of Transportation Benefit District (TBD) funds and projects. Authorizes TBD's to impose a voter-approved sales & use tax beyond the 10-year limitation, but not to exceed 30 years, without seeking additional voter approval if the sales & use taxes are dedicated to the repayment of general obligation bonds. This bill passed out of committee to Rules.

NON-MOTORIZED TRANSPORTATION

Substitute House Bill 1403/Senate Bill 5387 requires vehicle-activated traffic control devices to routinely and reliably detect motorcycles and bicycles, subject to availability of funds appropriated. This bill has multiple sponsors including Rep. Goodman. The Substitute House Bill passed out of the originating committee and has been placed on second reading. The Senate Bill did not make the first cutoff.

House Bill 1491/Senate Bill 5335 requires that vehicles passing pedestrians & bicycles allow a minimum distance of three feet. This bill has multiple sponsors including Rep. Goodman. The House Bill passed the House. The Senate version did not make the first cutoff.

House Bill 1535 requires that thoroughfares through construction and maintenance worksites must be provided for pedestrians, bicycles and persons with disabilities. This bill did not make the first cutoff.

Substitute House Bill 1793/Senate Bill 5743 addresses alternative student transportation. The Substitute House Bill:

- Places the Washington State Department of Transportation (WSDOT) Safe Routes to Schools Program (Program) in statute and establishes the Program's grant application guidelines; and
- Requires the WSDOT to provide information, resources, training, and grant evaluation.

This bill has multiple sponsors including Representatives Goodman and Eddy. The Substitute House Bill has been placed on second reading. The Senate version did not make the first cutoff.



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
March 03, 2009

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

a. 2009 Potential Annexation Update

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay were Assistant City Manager Marilynne Beard, Director of Finance and Administration Tracey Dunlap and Intergovernmental Relations Manager Erin Leonhart.

4. EXECUTIVE SESSION

a. To Review the Performance of a Public Employee

5. SPECIAL PRESENTATIONS

a. Karen Goroski, Executive Director, Suburban Cities Association

b. King County Communities Count

Seattle/King County Public Health Regional Health Officer Sandy Ciske provided an overview of the report.

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding a recent

meeting related to the 116th Street at I-405 Improvement Project design; meetings with State Representatives; Testimony pertaining to the gambling bill; Puget Sound Regional Council Board meeting; Councilmember Burleigh's recent trip to Honduras to work at an orphanage; Kirkland Conversations meeting discussions; Affordable Housing Committee meeting; Bank of America process review; Annual Investors Meeting for enterpriseSeattle; House Bill 2211 for 520 Tolling; and the Kirkland Chamber "Buy Local" initiative.

b. City Manager

- (1) 2009 Legislative Update 4
- (2) 2009 City Council/Neighborhood Meetings
- (3) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Rob Butcher, 1640 2nd Street, Kirkland, WA
Hugh Givens, 8819 123rd Lane NE, Kirkland, WA

b. Petitions

None.

8. CONSENT CALENDAR

a. Approval of Minutes: February 17, 2009

b. Audit of Accounts:

Payroll \$2,000,347.18
Bills \$ 749,866.34
run #807 check #'s 506360 - 506475
run #808 check #'s 506476 - 506477
run #809 check #'s 506478 - 506651

c. General Correspondence

- (1) Rob Butcher, Regarding Annexation Advisory Vote

This item was pulled for discussion under New Business, item 11.a.

d. Claims

- e. Award of Bids
- f. Acceptance of Public Improvements and Establishing Lien Period
- g. Approval of Agreements

(1) Interlocal Agreement with Northshore Utility District for Ortho-Photography Project

(2) Resolution R-4746, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT FOR THE USE OF THE NORTH KIRKLAND COMMUNITY CENTER PARKING LOT."

This item was pulled for a vote separate from the consent calendar. Councilmember Burleigh recused herself as she has an interest as a member of the leasing church.

Motion to Approve Resolution R-4746, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT FOR THE USE OF THE NORTH KIRKLAND COMMUNITY CENTER PARKING LOT."

Moved by Councilmember Bob Sternoff, seconded by Councilmember Dave Asher

Vote: Motion carried 6-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

(3) Resolution R-4747, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT BETWEEN THE KIRKLAND PERFORMANCE CENTER AND THE CITY OF KIRKLAND REGARDING THE USE AND OCCUPANCY OF THE PERFORMING ARTS CENTER."

(4) Resolution R-4748, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RATIFYING AMENDMENTS TO THE KING COUNTY COUNTYWIDE PLANNING POLICIES."

- h. Other Items of Business

(1) Ordinance No. 4181 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING ORDINANCE NO. 4156 TO ADD AMENDMENTS TO THE UTILITIES, PUBLIC SERVICES, AND CAPITAL FACILITIES ELEMENTS OF THE COMPREHENSIVE PLAN; ADD AMENDMENTS TO THE NORTH ROSE HILL, TOTEM LAKE NEIGHBORHOOD, AND NORTH SOUTH /JUANITA NEIGHBORHOOD PLANS; AND APPROVE A SUMMARY FOR PUBLICATION, FILE NO ZON07-00001."

(2) Ordinance No. 4182, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO KIRKLAND CEMETERY RATES AND CHARGES AND AMENDING SECTION 3.92.030 OF THE KIRKLAND MUNICIPAL CODE."

(3) Ordinance No. 4183, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO FINES FOR MOORAGE INFRACTIONS."

(4) Third Street/Kirkland Avenue Traffic Signal Controller

This item was pulled for discussion under Unfinished Business, item 10.d.

(5) Report on Procurement Activities

Motion to Approve the Consent Calendar with the exception of items 8.c.(1)., 8.g.(2)., and 8.h.(4)., which were pulled for separate consideration.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Deputy Mayor Joan McBride

Vote: Motion carried 7-0

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

Council recessed for a short break at 9:05 p.m.

Council announced that a previously scheduled meeting on Thursday, March 5, 2009, had been canceled.

9. PUBLIC HEARINGS

a. Downtown Zoning:

Mayor Lauinger reopened the continued hearing which began on January 20, 2009 and was thereafter continued to the February 3 and 20, 2009 meetings, and again to tonight. Planning Supervisor Jeremy McMahan reviewed the process to date and revisions made in response to Council direction.

Testimony was provided by:

Bonnie McLeod, PO Box 309, Kirkland WA

Tom Parsons, OPUS Northwest, 11125 NE 100th Street, Kirkland, WA

Wayne Smith

Marilyn Dillard, 2053 Minor Avenue, East, Seattle, WA

Margit Moore, 109 2nd Street South, Kirkland, WA

Bea Nahon, 129 3rd Avenue, Kirkland, WA

Dean Tibbot, 109 2nd Street South, Kirkland, WA

Joe Castleberry, 225 4th Avenue, Kirkland, WA

Glenda Schmidt, 225 4th Avenue, B402, Kirkland, WA

Mayor Lauinger then closed the public comment portion of the hearing and Council began deliberations.

(1) Ordinance No. 4177 and its Summary, Relating to Zoning, and Land Use and Amending Ordinance No. 3719, as Amended, the Kirkland Zoning Ordinance, to Amend the Height Regulations, Building Stepbacks, Sidewalk Widths, Banking and Related Financial Use Limitations, Rooftop Appurtenance Allowances, and Dimensional Requirements for Retail in Central Business District (CBD) Zone 1; to Amend Ground Floor Retail Height Requirements in CBD Zones 1, 2, 3, 4, 6, 7, and 8; and to Measure Height in Feet Instead of Stories in CBD Zones 1, 2, 3, 4, 6, and 7; and to Revise Zoning Code Chapter 142 - Design Review by Removing Reference to the Comprehensive Plan and by Relocating the Design Departure Section; Repealing Ordinance No. 4143; and Approving a Summary Ordinance for Publication, File No. ZON08-00019

Motion to Approve Ordinance No. 4177 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, AND LAND USE AND AMENDING ORDINANCE NO. 3719, AS AMENDED, THE KIRKLAND ZONING ORDINANCE, TO AMEND THE HEIGHT REGULATIONS, BUILDING STEPBACKS, SIDEWALK WIDTHS, BANKING AND RELATED FINANCIAL USE LIMITATIONS, ROOFTOP APPURTENANCE ALLOWANCES, AND DIMENSIONAL REQUIREMENTS FOR RETAIL IN CENTRAL BUSINESS DISTRICT (CBD) ZONE 1; TO AMEND GROUND FLOOR RETAIL HEIGHT REQUIREMENTS IN CBD ZONES 1, 2, 3, 4, 6, 7, AND 8; TO MEASURE HEIGHT IN FEET INSTEAD OF STORIES IN CBD ZONES 1, 2, 3, 4, 6, AND 7; AND TO REVISE ZONING CODE CHAPTER 142 - DESIGN REVIEW BY REMOVING REFERENCE TO THE

COMPREHENSIVE PLAN AND BY RELOCATING THE DESIGN DEPARTURE SECTION; REPEALING ORDINANCE NO. 4143; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON08-00019." as amended

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 4-3

Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Jessica Greenway, and Councilmember Tom Hodgson.

No: Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, and Councilmember Bob Sternoff.

Motion to amend the motion approving Ordinance 4177 to increase the envelope where stepback averaging can occur from thirty feet to forty feet and to reduce the upper story stepback from twenty feet on Third Avenue to ten feet.

Moved by Councilmember Tom Hodgson, seconded by Councilmember Jessica Greenway

Vote: Motion carried 5-2

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, and Councilmember Tom Hodgson.

No: Councilmember Dave Asher, and Councilmember Bob Sternoff.

(2) Ordinance No. 4178 and its Summary, Relating to Zoning and Land Use and Amending the City of Kirkland Zoning Map Ordinance No. 3710, as Amended, To Conform to the Comprehensive Plan and to Ensure Continued Compliance with the Growth Management Act, and Approving a Summary Ordinance for Publication, File No. ZON08-00019

Motion to Approve Ordinance No. 4178 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING MAP ORDINANCE NO. 3710, AS AMENDED, TO CONFORM TO THE COMPREHENSIVE PLAN AND TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON08-00019."

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh,

Councilmember Jessica Greenway, Councilmember Tom Hodgson,
and Councilmember Bob Sternoff.

(3) Ordinance No. 4179, Relating to Zoning and Land Use and
Repealing Ordinance No. 4149 Which Adopted Interim Zoning
Regulations Limiting the Height of Buildings within Central Business
District (CBD) Zone 1

Motion to Approve Ordinance No. 4179, entitled "AN ORDINANCE
OF THE CITY OF KIRKLAND RELATING TO ZONING AND
LAND USE AND REPEALING ORDINANCE NO. 4149 WHICH
ADOPTED INTERIM ZONING REGULATIONS LIMITING THE
HEIGHT OF BUILDINGS WITHIN CENTRAL BUSINESS
DISTRICT (CBD) ZONE 1."

Moved by Councilmember Dave Asher, seconded by Councilmember
Jessica Greenway

Vote: Motion carried 7-0

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

(4) Resolution R-4739, Approving Amended Design Guidelines for
Pedestrian Oriented Business Districts and Authorizing the Mayor to
Sign

Motion to Approve Resolution R-4739, entitled "A RESOLUTION OF
THE CITY COUNCIL OF THE CITY OF KIRKLAND
APPROVING AMENDED DESIGN GUIDELINES FOR
PEDESTRIAN ORIENTED BUSINESS DISTRICTS AND
AUTHORIZING THE MAYOR TO SIGN."

Moved by Councilmember Dave Asher, seconded by Councilmember
Jessica Greenway

Vote: Motion carried 7-0

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

Motion to Reconsider Resolution R-4739.

Moved by Councilmember Dave Asher, seconded by Deputy Mayor
Joan McBride

Vote: Motion carried 7-0

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

Motion to Approve Resolution R-4739, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AMENDED DESIGN GUIDELINES FOR PEDESTRIAN ORIENTED BUSINESS DISTRICTS AND AUTHORIZING THE MAYOR TO SIGN."

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 6-1

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

No: Deputy Mayor Joan McBride.

10. UNFINISHED BUSINESS

a. Kirkland Uncorked Report

b. Forbes Lake Park and Trail Development Plan

Motion to Approve the proposed Forbes Lake Park and Trail Development Plan.

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

Vote: Motion carried 7-0

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

c. Active Transportation Plan Adoption

Motion to Adopt the Active Transportation Plan.

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

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

d. 3rd Street Traffic Signal

Motion to Approve the staff recommendation for the 3rd Street Traffic Signal.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Bob Sternoff

Vote: Motion carried 6-1

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

No: Councilmember Dave Asher.

11. NEW BUSINESS

a. Rob Butcher correspondence

Motion to Approve the response as drafted.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Deputy Mayor Joan McBride

Vote: Motion carried 6-1

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

No: Councilmember Jessica Greenway.

12. ANNOUNCEMENTS

None.

13. ADJOURNMENT

The Kirkland City Council special study session and regular meeting of March 3, 2009 was adjourned at 11:25 p.m.

City Clerk

Mayor



CITY OF KIRKLAND

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Ellen Miller-Wolfe, Economic Development Manager

Date: March 4, 2009

Subject: Response to Ronald A. Parker Associated Earth Sciences, Inc.

RECOMMENDATION:

City Council approves the attached response to Ronald Parker regarding the issue of whether the City of Kirkland can direct its purchases to local firms.

BACKGROUND DISCUSSION:

The City Council received a letter from Ronald Parker recommending that the City purchase as many of their goods and services within the City limits. The draft response will be sent with Council's consent.

RECEIVED

Associated Earth Sciences, Inc.



Celebrating Over 25 Years of Service

FEB 25 2009

CITY OF KIRKLAND
CITY MANAGER'S OFFICE

February 23, 2009

Kirkland City Council
City of Kirkland
123 Fifth Ave
Kirkland, WA 98033

Attention: Jim Lauinger, Bob Sternoff, Jessica Greenway, Dave Asher, Joan McBride,
Mary-Alyce Burleigh, Tom Hodgson.

Subject: City of Kirkland Statement to:
Buy Locally

Dear Council Members:

Several weeks ago I attended a meeting where a City of Kirkland official stated the purchasing model of "buy locally". I interpret this to mean that the City would like businesses to purchase as many of their goods and services within the City limits. As a 27 year old city of Kirkland business, we have been actively buying locally for years.

The purpose of this letter is to recommend that the City of Kirkland buy locally, too. From my perspective this should include engineering services. There is only one geotechnical/environmental/hydro-geology firm in the City of Kirkland, that being Associated Earth Sciences, Inc.

I trust that you agree with the concept and implementation of buying locally. Buying locally not only helps the local firms but it also provides taxes back to the City. In addition, it reduces our carbon footprints with less travel. Your support in this matter is vital to the future financial health of your local engineering firms.

I thank you in advance for your consideration and efforts.

Sincerely,
Associated Earth Sciences, Inc.

Ronald A. Parker
President and COO

March 17, 2008

D R A F T

Mr. Ronald A. Parker, President and COO
Associated Earth Sciences, Inc.
911 5th Avenue
Kirkland, WA 98033

RE: Local Preference in Procurement of A & E Services

Dear Mr. Parker:

Thank you for your letter of February 23, 2009 concerning the issue of whether the City of Kirkland can direct its purchases to local firms. We appreciate that in these times businesses are looking for new opportunities to maintain their economic viability. We also acknowledge that public projects are an important source of work for engineering firms such as Associated Earth Sciences, Inc. (AES).

The City is guided in its procurement of engineering and architectural services by RCW 39.80, a copy of which is attached; specific conditions that may affect AES are highlighted in yellow. The City of Kirkland is required by State regulation to negotiate professional architectural and engineering services contracts with the most qualified firm through what is termed "Qualifications Based Selection", which is different than contracts for construction projects where the City is required to make awards to the "lowest responsible bidder," in accordance with RCW 39.04.155(3).

While the City cannot give preference to local firms, we believe that there are ways that your firm can be in a better position to compete for local projects. Staff has already worked with you to make sure that your firm is listed on the Shared Procurement Portal's Architectural and Engineering Roster, which is routinely used by City staff in matching a firm's qualifications with the scope and needs of specific capital projects. We also suggest that in the event that your firm adds new disciplines or areas of expertise that you make sure that AES is listed on all appropriate roster categories.

Lastly, your letter references a new program that the City is developing with private partners to provide an electronic directory of businesses licensed and operating in Kirkland (Buy Local). Our hope is that this tool will provide added exposure for local businesses and also garner support from residents to patronize these businesses. The "buy local" campaign is expected to launch in June.

AES is a valued business in Kirkland. We are pleased that you are a participating Green Business Program company and appreciate your continued involvement with the City. Please contact Ellen Miller-Wolfe, Economic Development Manager, at 425-587-3014 or emwolfe@ci.kirkland.wa.us for any additional information or assistance.

Sincerely,

Kirkland City Council

By James L. Lauinger, Mayor

Attachment

RCW 39.80.040

**Procurement of architectural and engineering services —
Submission of statement of qualifications and performance
data — Participation by minority and women-owned firms.**

In the procurement of architectural and engineering services, the agency shall encourage firms engaged in the lawful practice of their profession to submit annually a statement of qualifications and performance data. The agency shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with one or more firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services and then shall select therefrom, based upon criteria established by the agency, the firm deemed to be the most highly qualified to provide the services required for the proposed project. Such agency procedures and guidelines shall include a plan to insure that minority and women-owned firms are afforded the maximum practicable opportunity to compete for and obtain public contracts for services. The level of participation by minority and women-owned firms shall be consistent with their general availability within the professional communities involved.

[1981 c 61

And:

RCW 39.80.050

**Procurement of architectural and engineering services —
Contract negotiations.**

(1) The agency shall negotiate a contract with the most qualified firm for architectural and engineering services at a price which the agency determines is fair and reasonable to the agency. In making its determination, the agency shall take into account the estimated value of the services to be rendered as well as the scope, complexity, and professional nature thereof.

(2) If the agency is unable to negotiate a satisfactory contract with the firm selected at a price the agency determines to be fair and reasonable, negotiations with that firm shall be formally terminated and the agency shall select other firms in accordance with RCW [39.80.040](#) and continue in accordance with this section until an agreement is reached or the process is terminated.

For the Small Works Roster requirements:

Limited Public Works Process (public work less than \$35,000) – RCW 39.04.155(3)

For limited public works projects, a state agency or authorized local government shall solicit electronic or written quotations from a minimum of three contractors from the appropriate small works roster and shall award the contract to the lowest responsible bidder as defined under RCW [39.04.010](#).

Small Works Roster between \$35,000 and \$200,000 – RCW 39.04.155(2)(c)

Quotations may be invited from all appropriate contractors on the appropriate small works roster. As an alternative, quotations may be invited from at least five contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster.



CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

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 5, 2009

Subject: CORRESPONDENCE FROM MR. BRENDAN READ

RECOMMENDATION:

It is recommended that the City Council authorize the Mayor to sign a letter of response to Mr. Read who wrote to request that Council comment on the EIS for Sound Transit's East Link project.

BACKGROUND DISCUSSION:

The comment period for the East Link project closed on February 25. Mr. Read also commented directly to Sound Transit, so his comments are on the record. The City of Kirkland's main interest in the East Link alignment is to ensure that options for coming north to Totem Lake in a future phase are not foreclosed. Sound Transit staff is planning this phase of East Link to be compatible with future phases. ST2 includes funding for planning studies that will look at future connections to the north and east.

The gist of Mr. Read's request is for a combination of commuter rail and light rail on the BNSF right-of-way. The right-of-way is not currently in public hands and Council's position is to wait until questions about rail use and feasibility have been more thoroughly answered before endorsing rail transportation on the corridor.

Brendan B. Read
7 Symington Drive
Belleville, Ontario K8N 2K4 Canada
Tel: 613-969-8935 read_brendan@yahoo.ca
February 18, 2009

Mayor James Lauinger
City of Kirkland
City Hall
123 5th Avenue
Kirkland WA, 98033

Dear Mayor Lauinger:

RE: East Link and BNSF Eastside commuter rail

I am a former Seattle area resident who is returning to the Pacific Northwest. I work as a business journalist who has covered Puget Sound transit developments for trade media including International Railway Journal, Mass Transit, and Metro magazine. I regularly write about Eastside technology firms such as Envision Telephony, Microsoft, nGenera, and Talisma for Customer Interaction Solutions, a publication that covers contact centers and CRM.

I am writing to you to ask you to consider supporting the option D5 to reach Redmond as part and parcel of proposed Eastside commuter rail, and to press for a more comprehensive study of commuter rail, leading to a Draft Environmental Impact Statement (DEIS).

As indicated in my attached submission to the East Link DEIS and in a letter to Sound Transit CEO Joni Earl, there are unexplored potential synergies between both projects that could mutually boost ridership, revenues, and ROI. Option D5 would give commuters and others travelling from Renton or Auburn an attractive alternative to reaching Redmond compared with I-405. It also would permit Kirkland and Woodinville residents to reach downtown Seattle, or for residents there to each employers in those communities with easy transfers.

At the same time D5 coupled with commuter rail would enable quick connections with Amtrak Cascades services to/from Vancouver, B.C. and Portland, Ore. A revitalized commuter rail line could also connect into SeaTac Airport with a new Link branch that I suggested in my letter to Ms Earl. It can in addition accommodate Amtrak trains direct to the Eastside.

With the approval of Sound Transit 2, and with the new economic stimulus law that provides more money for rail transit, there is now both the impetus and the resources to deliver a comprehensive mass transit system for the Eastside, integrating buses, Link, and commuter rail, along with cyclists and walkers. By developing such a network now, rather than later, there will be the transit system in place at the right time to attract and handle especially commuters once the economy bounces back. I hope to ride such a system one day soon to the Eastside rather than having to drive on I-405.

Yours truly,



Brendan Read

Brendan B. Read
7 Symington Drive
Belleville, Ontario K8N 2K4 Canada
Tel: 613-969-8935
read_brendan@yahoo.ca
February 18, 2009

Joni Earl
Chief Executive Officer
Sound Transit
401 South Jackson Street
Seattle, WA 98104

RE: BNSF Eastside commuter rail and Tukwila-SeaTac connections

Dear Ms Earl:

I am a former Seattle area resident who is returning to the Pacific Northwest. I work as a business journalist who has covered Puget Sound transit developments and has written about Eastside technology firms for trade publications. You may have seen the article on transit funding that discusses Sound Transit in the July, 2008 issue of Metro that I wrote.

I have attached my submission on the East Link DEIS that includes a discussion of the Eastside commuter rail proposal. I would like to put forward to you a couple of related suggestions:

1. Examining both Eastside Link and Eastside commuter rail for possible ridership and revenue synergies such as through option D5 and a new hub station;
2. Launching an expanded in-depth Eastside commuter rail study, leading to a DEIS for an Everett-Tukwila route and a Snohomish or Everett-Redmond shuttle connecting with Amtrak Cascades and Sounder service with the feasibility of through intercity trains. Such a network would provide a viable alternative to driving on I-405 for commuting, business, and personal travel. In light of the new economic stimulus law there may be federal intercity/high-speed rail money to finance such a study.

--

Also I noticed that you are proceeding with building a new permanent station at Tukwila. Will the design have provisions to accommodate Eastside commuter rail and for future rapid transit to Sea-Tac Airport? If not, would it be possible to make allowances for them? Such a station would then become a key transportation hub that could attract cost-offsetting and ridership-attracting development.

There seems to be a strong need for, and potential private sector participation for a SeaTac-Southcenter-Tukwila rapid transit connection. It would supply convenient access to the airport from the entire region as well as supply direct rapid transit to Tukwila/Southcenter, thereby drawing more people out of their cars and off the congested freeways.

The infill commercial/residential potential at Southcenter is enormous. Having rapid transit minutes to downtown Seattle, the U-District, SeaTac Airport and, via connections at Tukwila commuter and intercity rail to the Eastside and the entire Pacific Northwest, and with amenities in walking distance are features that would draw developers and buyers, tenants, and hotel guests.

The most doable options appear to be branches off Link, either a loop via Interurban and West Valley Highway then west through Southcenter then back to Link to SeaTac, or as a stub east off Link at I-5/I-405 with a chord track for Tukwila-SeaTac trains. These services would be in addition to the 'main line' Link from downtown and the U-District to SeaTac and eventually to Federal Way.

Would it be possible, again with the new stimulus funding, to launch a study, with the view of having a DEIS, of SeaTac-Tukwila rapid transit, including a thorough examination of its development impact and the potential of attracting private partners? Private participation, as well as that of the Port of Seattle, could make such a route financially feasible.

Yours truly,



Brendan Read

East Link DEIS Comments Sound Transit

Submitted by:

Brendan B. Read
7 Symington Drive
Belleville, Ontario K8N 2K4 Canada
Tel: 613-969-8935 read_brendan@yahoo.ca

Submitter background:

I am a business journalist who has covered Puget Sound transit developments and written about Eastside technology firms for trade publications. I am also a former Seattle-area resident, frequent visitor, and I am in the process of relocating back to the Pacific Northwest. I have been a transportation advocate, having served as vice president of Transport 2000 BC, working on cross-border rail issues with All Aboard Washington that represents Washington rail users.

Submission:

--I support the Segment B2E/C3T grade separated and underground routing for these portions of the route as they offer the best customer- attracting experience through faster speeds, reflected in having the highest total East Link ridership. That will attract developers which will invest in commercial and residential projects that pull in even more customers.

The more customers drawn to Link, the lower the traffic, and the less demand on roads. This will result in lower upkeep, accident/emergency services, and health-related costs from vehicle emissions and from construction/maintenance. These benefits need to be factored into the final alternative decision.

--I suggest a second look at Segment D5 and analyze it with the scenario of the under-study BNSF Eastside commuter rail from Everett and/or Snohomish to Tukwila via Renton along with a new station where both routes parallel. D5 could therefore attract substantial ridership resulting from customers connecting from Renton and Auburn that in turn would boost commuter rail demand. There would also be demand from those travelling to/from points such as Kirkland, Woodinville, and Snohomish who would transfer from/to Link. Such a hub station would then attract significant interest from developers that would also generate more demand, and create more revenue, traffic relief, environmental, health and cost savings returns.

--I recommend that the East Link and the BNSF Eastside commuter rail study be looked at closer together with an Everett-Renton-Tukwila route and a Woodinville-Redmond shuttle for the latter. There may as noted above be synergies between East Link and the BNSF Eastside commuter rail that would boost ridership, productivity, and benefits for both services, thereby increasing their returns on investment of tax dollars and farebox revenues. That new information may make the BNSF Eastside line especially more financially viable, and with this increase the merits of having it financed, and built.

D R A F T

March 18, 2009

Brendan B. Read
7 Symington Drive
Belleville, Ontario K8N 2K4 CANADA

Dear Mr. Read:

Thank you for your comments on Sound Transit's East Link project and its relationship to the Burlington Northern & Santa Fe Railroad corridor.

You asked that the City of Kirkland comment on the East Link EIS. Unfortunately, the comment period for the EIS ended on February 25th. However, because you also transmitted your thoughts directly to Sound Transit, they are on the record.

With the voter's approval of Sound Transit 2, funding was approved for East Link which will take light rail across I-90 to Bellevue, Overlake and possibly Redmond. The City of Kirkland's main interest in this phase of East Link is to ensure that future expansion of light rail north to Totem Lake is not precluded. We are satisfied that such expansion will be feasible.

Although the corridor is not in public hands, an agreement is currently being finalized between the Port of Seattle, the Burlington Northern & Santa Fe Railroad and King County. The City of Kirkland supports consummation of this agreement because the right-of-way is far too valuable as a complete corridor to see it split into pieces under separate private ownership. We also strongly support construction of bicycle and pedestrian transportation on the corridor. Whether and how rail transportation should use the corridor is still surrounded by many questions including station locations and parking needs, ridership and feasibility. The recent removal of the Wilburton tunnel at I-405 is another obstacle to rail travel between Seattle and the Eastside on the BNSF corridor.

The City Council appreciates your thoughts and interest in Eastside transportation issues. Please contact David Godfrey at (425)587-3865 or dgodfrey@ci.kirkland.wa.us if you have further questions on this or other transportation matters affecting Kirkland.

Sincerely,

Kirkland City Council

By 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 5, 2009
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) Seija Linnee-Matthews
5535 Lake WA Blvd. NE #102
Kirkland, WA 98033

Amount: Unspecified Amount

Nature of Claim: Claimant states injury resulted from stepping in a hole in the sidewalk.



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
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 4, 2009

Subject: WATER SUPPLY STATION NO. 2 IMPROVEMENTS – AWARD CONTRACT

RECOMMENDATION:

It is recommended that City Council award the contract for the Water Supply Station No. 2 Improvements to Award Construction, Inc. (ACI) of Ferndale, Washington in the amount of \$111,893.95, which includes the base bid plus two additive alternates. In addition, it is recommended that Council authorize the use of an additional \$54,000 from the water/sewer capital contingency fund.

BACKGROUND DISCUSSION:

The City's Water Supply Station No. 2 is a water system facility that is located on the southeast corner of 132nd Avenue NE and NE 85th Street, just within the Redmond city limits (Attachment A). The facility provides water from Seattle's transmission main to the 650 and 545 pressure zones, and it is jointly owned by Kirkland and Redmond; pressure zones are each identified by the delivery pressure of the water to the customer within the zones. Kirkland has the overall responsibility for operation and upkeep of the facility; however, Redmond participates in the improvements through design review and cost sharing.

The plan to upgrade this station was originally identified in the Water Comprehensive Plan, and a corresponding project was funded in the 2004-2009 CIP. Improvements to this below ground facility consist of replacing the existing manual control valves with hydraulic control valves in order to allow the station to operate in more efficient control modes, the addition of new energy efficient lighting, improved heating and ventilation, and a new telemetry communications panel consistent with the City's current standards.

In 2008, during development of the project design and after consultation with the City of Redmond, it was determined to add telemetry upgrades to the project scope of work that would coincide with a City-wide upgrade of telemetry being done at other water facilities. The telemetry system allows remote monitoring and control of the facilities by the City's maintenance personnel.

For these supply station improvements, and in order to have more control on the quality of the telemetry integration services, the telemetry system installation is being performed by a separate contractor whose services were secured utilizing a Professional Services Agreement – no bid was required. The current proposal for the telemetry portion of the contract is \$36,740, and the telemetry integrator selected and hired by the City will work directly with ACI to install and program the new telemetry communications panel.

At the Council meeting of February 17th, 2009, Staff projected an anticipated shortfall of approximately \$121,000 in the project budget due to the addition of the new telemetry system. At that meeting Council authorized the Project's advertisement anticipating the estimated shortfall may be reduced due to the more competitive bidding climate seen in recent bid openings. On March 4th, eight bids were received and tabulated, as shown below, with ACI being the lowest responsible bidder.

Based on the quotes for the base bid, plus Additive 1 (vault interior recoating/repainting) and Additive 2 (pipe stand assembly replacements), it is Staff's recommendation to complete all elements of the construction bid.

Contractor	Base Bid	Additive Alternate 1	Additive Alternate 2	Total
Award Const. Inc.	\$98,132.70	\$10,191.50	\$3,569.75	\$111,893.95
Equity Builders, LLC	\$108,455.00	\$4,905.00	\$2,725.00	\$116,085.00
Stouder General Const.	\$109,545.00	\$5,014.00	\$4,578.00	\$119,137.00
Gary Harper Const.	\$117,175.00	\$3,924.00	\$20,383.00	\$141,482.00
VLS Construction.	\$145,058.29	\$4,011.20	\$1,853.00	\$150,922.49
Lydel Construction	\$148,785.00	\$4,905.00	\$2,180.00	\$155,870.00
CLK Construction	\$160,569.34	\$5,668.00	\$5,745.39	\$172,200.73
David L. Sack Const.	\$161,554.35	\$3,270.00	\$2,180.00	\$167,004.35
<i>Engineer's Estimate</i>	<i>\$186,336.59</i>	<i>\$3,270.00</i>	<i>\$2,180.00</i>	<i>\$191,786.59</i>

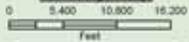
The total project budget identified is \$124,000 (Attachment B); the current estimate for all elements of the Station improvements is \$269,000. Under the terms of the Joint Facility Agreement with Redmond, the City of Kirkland is responsible for 66% of the cost of this facility improvement, and the City of Redmond is responsible for 34% of the cost. As such, Kirkland's total cost share is anticipated to be \$178,000 and Redmond's contribution is approximately \$91,000.

Staff recommends awarding the Project to ACI and authorizing a \$54,000 increase to the budget with funds coming from the water/sewer capital contingency (Attachment C). With Council approval, construction is anticipated to begin in early April and be substantially complete in June, 2009.

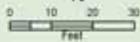
Attachments: (3)



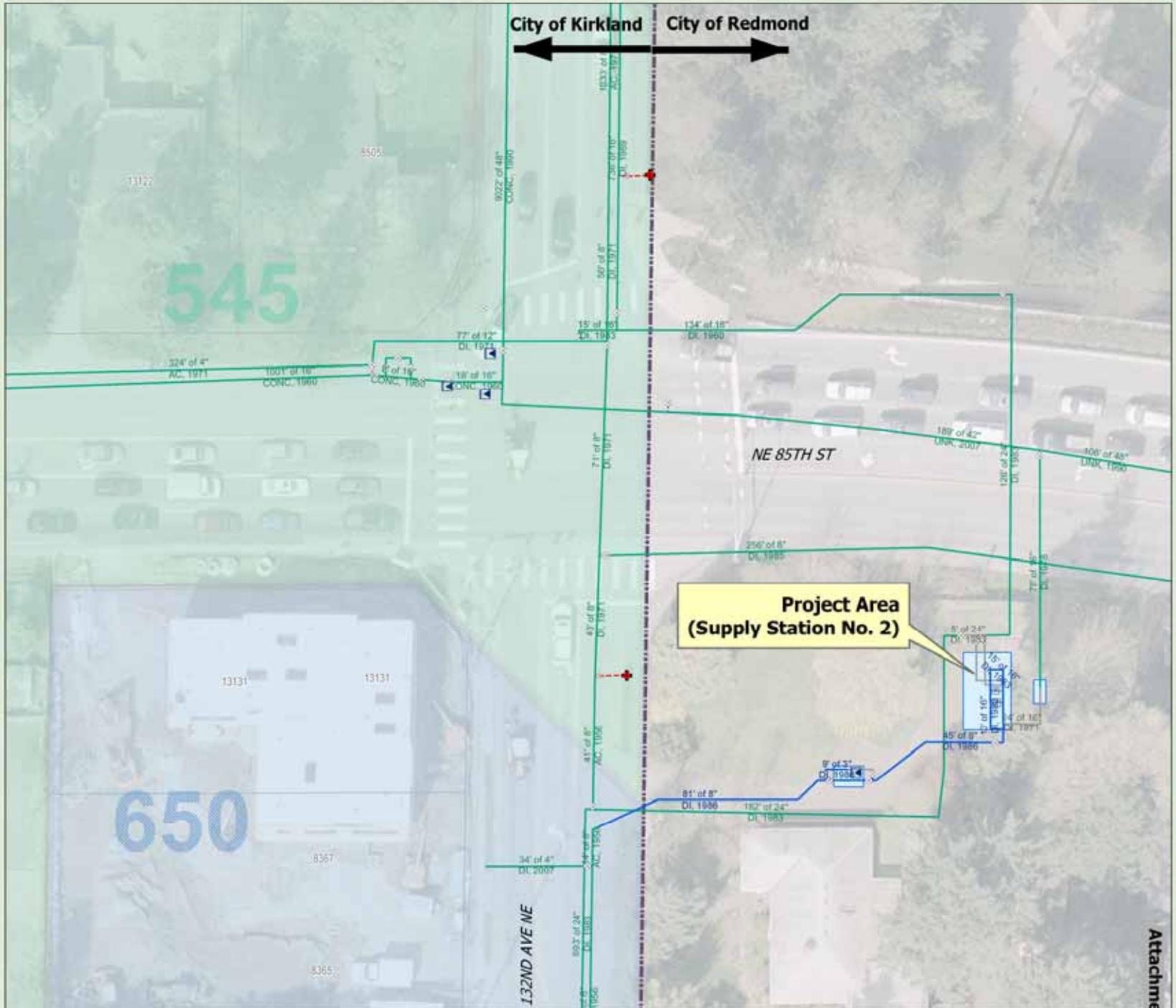
Vicinity Map



- Map Legend**
- Vault
 - Hydrants
 - Water Valves**
 - Valve
 - Hydrant Valve
 - Pressure Relief Valve
 - Zone Valve
 - Water Appurtenances**
 - Air Valve
 - Blowoff
 - Pump
 - Water Mains**
 - 545 PC Main
 - 650 PC Main
 - Unknown
 - Water Laterals**
 - Hydrant Lateral
 - Other Lateral
 - Service Boundary
 - Water Poly
 - Water Pressure Zones**
 - 545 Pressure Zone
 - 650 Pressure Zone
 - Street Addresses
 - City Limits
 - Tax Parcels



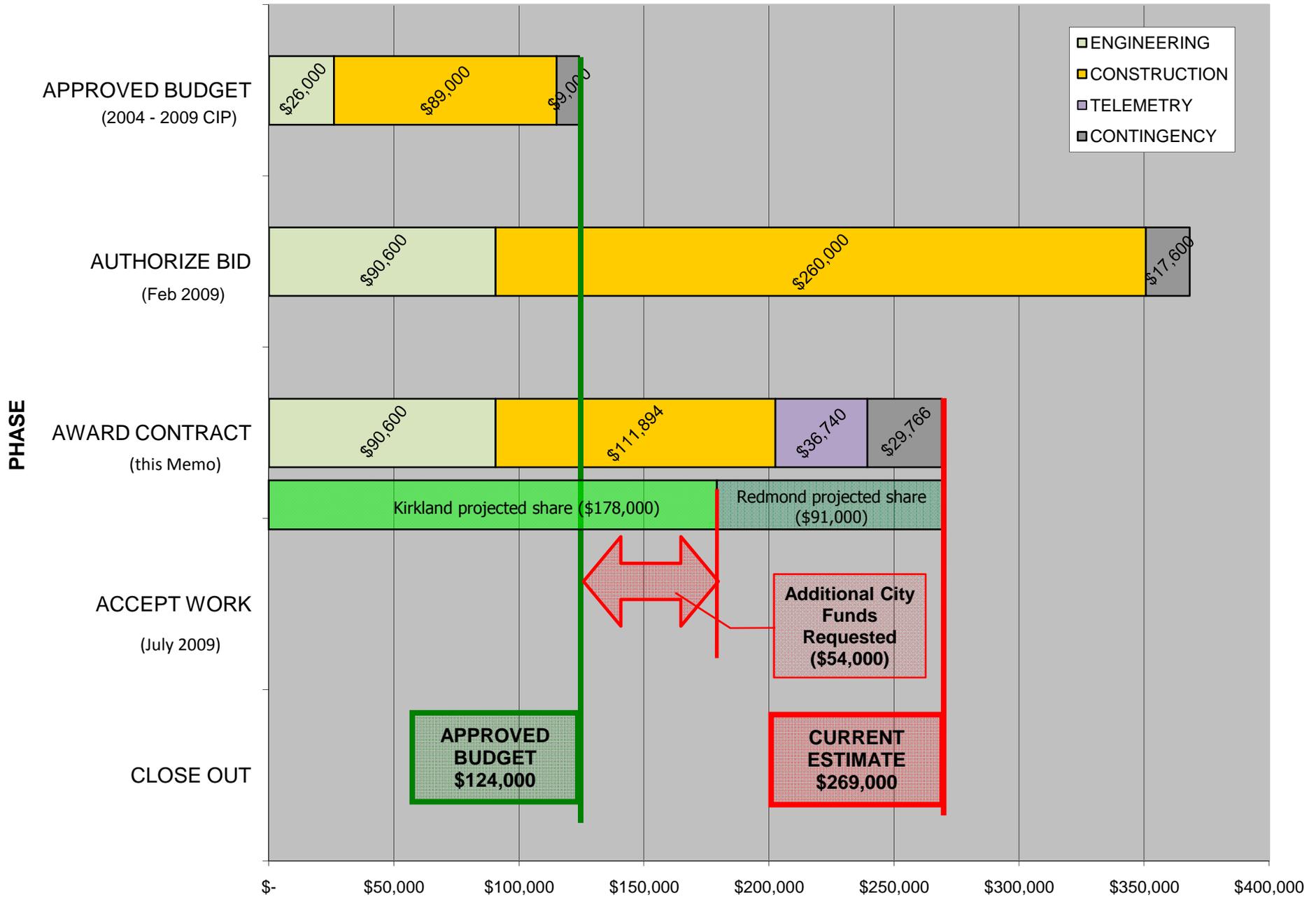
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Attachment A - Supply Station No. 2 Site Map

Attachment A

SUPPLY STATION NO. 2 IMPROVEMENTS (CWA-0065) PROJECT BUDGET REPORT



FISCAL NOTE

CITY OF KIRKLAND

Source of Request

Daryl Grigsby, Public Works Director

Description of Request

Request for additional funding of \$54,000 from the Water/Sewer Capital Contingency for the completion of the Supply Station #2 Improvement Project. This project was originally budgeted in the 2004-09 CIP and has had a scope change to include telemetry system upgrades to coincide with a City-wide upgrade of telemetry panels at other water facility sites. The total project cost has increased from \$124,000 to \$269,000 due to the addition of the telemetry upgrades as well as inflation over the past five years since this project was originally planned. This project is a joint project with the City of Redmond and they will be contributing 34% of the total project cost.

Legality/City Policy Basis

Fiscal Impact

One-time use of \$121,000 of the Water/Sewer Capital Contingency. The contingency is able to fully fund this request.

Recommended Funding Source(s)

	Description	2010 Est End Balance	Prior Auth. 2009-10 Uses	Prior Auth. 2009-10 Additions	Amount This Request	Revised 2010 End Balance	2010 Target
Reserve	Water/Sewer Capital Contingency	2,756,710	0	0	54,000	2,702,710	2,756,710
Revenue/Exp Savings							
Other Source							

Other Information

Prepared By	Sandi Hines, Financial Planning Manager	Date	February 5, 2009
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**CITY OF KIRKLAND**Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
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 5, 2009

Subject: SLATER AVE NE/ NE 100TH ST CROSSWALK IMPROVEMENTS - ACCEPT CONTRACT

RECOMMENDATION:

It is recommended that the City Council accept the work for the Slater Avenue NE/NE 100th Street Crosswalk Improvement Project, as completed by Precision Earthworks, Inc. of Mukilteo, Washington, and establish the statutory 45-day lien period.

BACKGROUND DISCUSSION:

Traffic speeds and safety for pedestrians, bicyclists, and motorists have been long-standing issues for North Rose Hill residents who live along and adjacent to Slater Ave NE. Past strategies to calm traffic on Slater Ave NE included narrowing the traffic lanes with edge lines, deployment of the City's portable radar sign, and building sidewalks as development occurred. The neighborhood's interest in developing a more aggressive traffic calming plan was intensified after a collision between a boy on a bicycle and a motor vehicle in the summer of 2006, at Slater Ave NE & NE 100th Street. A Task Force of 9 residents along Slater Ave NE and the North Rose Hill Neighborhood Association worked with the City's Public Works, Fire, and Police Departments to develop a traffic calming plan for Slater Ave NE. The plan, as developed by the Task Force, was presented to Slater Ave NE residents at an Open House in April 2008 and through written ballot it received an 82% support rating. The plan's approval needed a 70% support rate from those who submitted their ballots.

The plan developed by the Task Force includes traffic-calming elements at 5 locations in addition to improved street lighting. The highest priority of the Task Force consisted of improvements at the Slater Avenue NE/NE 100th Street intersection (Attachment A), including:

1. Curb bulbs on the north and south sides of the intersection to shorten the crossing distance for pedestrians and bicyclists -- to improve the visibility between non-motorized and motorized traffic, and to slow traffic.
2. A median island on the south side of the intersection to slow traffic and to interrupt the visual perception of Slater as an unobstructed raceway.
3. An emergency beacon to stop north-south traffic when emergency vehicles are approaching the overpass to I-405.

The Slater Avenue NE/NE 100th Street Crosswalk Improvement Project has a total project budget of \$58,000 with funds coming from Neighborhood Connections (\$12,500) and Neighborhood Traffic Control Program (\$45,500) (Attachment B). The subject project focused on the first element of the Task Force's priority list with construction of the curb bulbs.

Memorandum to David Ramsay

March 5, 2009

Page 2



In November 2008, Public Works staff advertised for contractor bids on the project using the Small Works Roster. On December 2, 2008 the City received eight (8) bids with Precision Earthworks being the lowest responsive responsible bidder, with a price of \$39,535.00, and under the City's Purchasing Policy, KMC 3.85.080 – Small Purchases, the Public Works Director awarded the contract. Construction began in Mid-January and was completed by February 11, 2009 -- total payments to the Contractor were \$37,496.13, resulting in a budget surplus of over \$14,000 which will be returned to the Neighborhood Traffic Control Program for future projects (Attachment B).

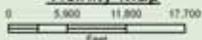
The median island (item 2 listed above) will be constructed in March by the City's Street Department using a portion of the remaining funds and the emergency beacon (item 3 above) will be revisited in the future as additional funds become available.

Attachments (2)

Attachment A - Vicinity Map

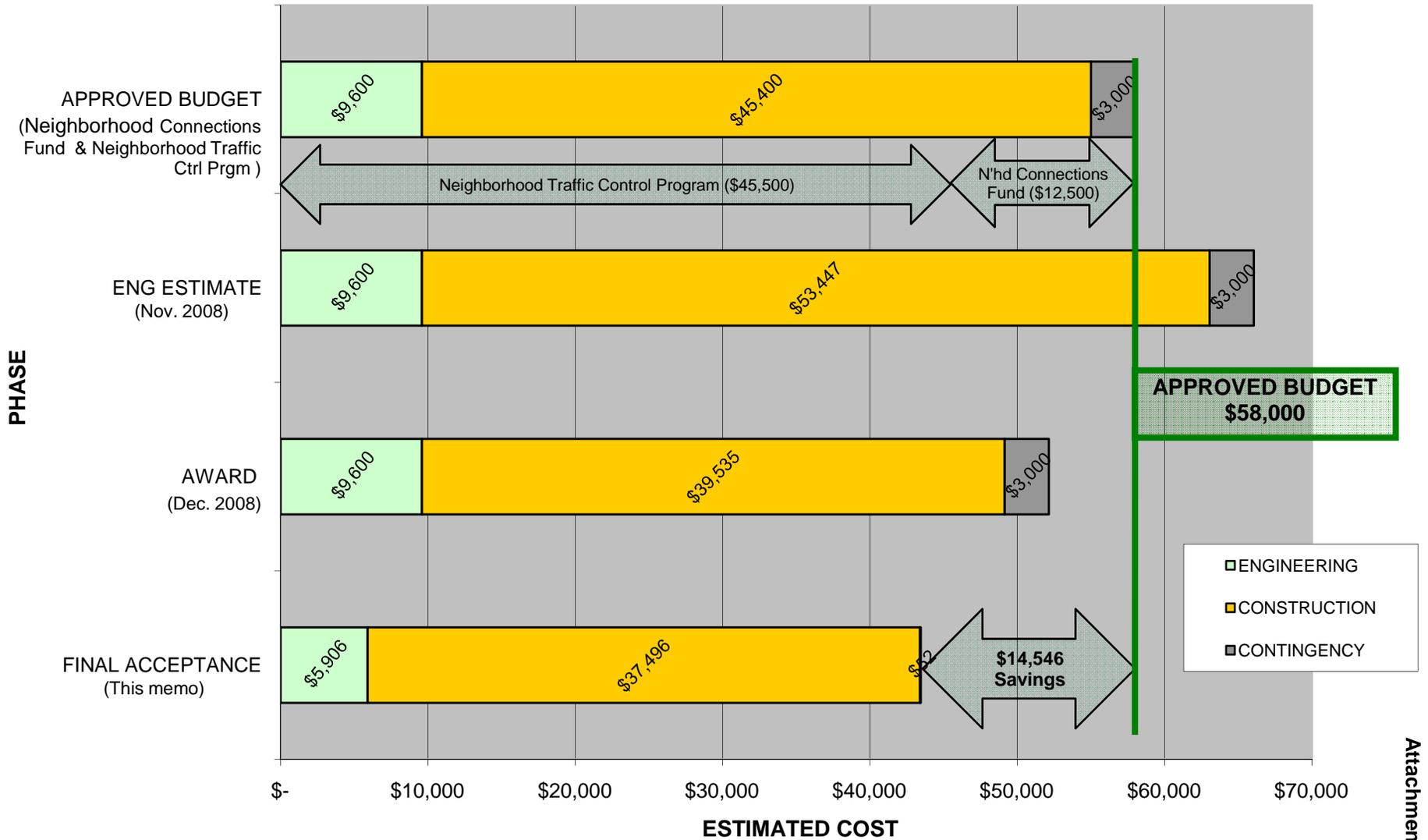


Vicinity Map



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Slater Avenue NE/NE 100th Street Crosswalk Upgrade Project PROJECT BUDGET REPORT





CITY OF KIRKLAND

Police Department

123 Fifth Avenue, Kirkland, WA 98033 425.587.3400

www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay. City Manager

From: Chief Eric Olsen

Date: March 10, 2009

Subject: Amendment to Communications Services Agreement between the Cities of Kirkland and Mercer Island

RECOMMENDATION:

City Council authorizes the City Manager to sign the proposed amendment to the Communications Services Agreement between the Cities of Kirkland and Mercer Island.

BACKGROUND DISCUSSION:

The City of Kirkland entered into a four year agreement in 2005 with the City of Mercer Island to provide emergency 911 dispatching services for the City of Mercer Island. The contract has expired, and the amendment is needed to allow the City of Kirkland to continue to provide emergency 911 dispatching services until the new provider (NORCOM) is operational, later this year.

RESOLUTION R-4750

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND AND THE CITY OF MERCER ISLAND ENTITLED "COMMUNICATIONS SERVICES AGREEMENT BETWEEN THE CITIES OF KIRKLAND AND MERCER ISLAND."

WHEREAS, the City of Mercer Island is located within King County and has the authority and responsibility to provide police protection for its citizens and requires a communications function that includes E911 call receiving and radio dispatching to do so; and

WHEREAS, the City of Kirkland has a full service Communications Center that meets these needs; and

WHEREAS, the cities of Kirkland and Mercer Island entered into a Communications Services Agreement ("Agreement") in 2004, under the terms of which Kirkland provides dispatch services to Mercer Island; and

WHEREAS, there is a need to extend the term of the Agreement until dispatch services become available through the North East King County Regional Public Safety Communications Agency ("NORCOM"); and

WHEREAS, the cities are authorized to enter into an amendment to the Agreement pursuant to RCW Chapter 39.34, the Interlocal Cooperation Act;

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

Section 1. The City Manager is hereby authorized to execute an amendment to the interlocal agreement entitled "Communications Services Agreement Between the Cities of Kirkland and Mercer Island," substantially similar to that attached as Exhibit A.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2009.

Signed in authentication thereof this ____ day of _____, 2009.

MAYOR

Attest:

City Clerk

EXHIBIT A

R-4750

AMENDMENT TO COMMUNICATIONS SERVICES AGREEMENT BETWEEN THE
CITIES OF KIRKLAND AND MERCER ISLAND

This Amendment is made and entered into this ____ day of _____, 2009, by and between the City of Kirkland, a municipal corporation of the State of Washington, and the City of Mercer Island, a municipal corporation of the State of Washington.

WHEREAS, the City of Mercer Island ("Mercer Island") is located within King County and has the authority and responsibility to provide police protection for its citizens and requires a communications function that includes E911 call receiving and radio dispatching to do so; and

WHEREAS, the City of Kirkland ("Kirkland") has a full service Communications Center that meets these needs; and

WHEREAS, Kirkland and Mercer Island entered into a Communications Services Agreement ("Agreement") on November 8, 2004, under the terms of which Kirkland provides dispatch services to Mercer Island; and

WHEREAS, there is a need to extend the term of the Agreement until dispatch services become available through the North East King County Regional Public Safety Communications Agency ("NORCOM"); and

WHEREAS, the parties are authorized to enter into this Amendment pursuant to the Interlocal Cooperation Act (RCW 39.34);

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and in the Communication Services Agreement, to be kept, performed, and fulfilled by Kirkland and Mercer Island, it is mutually agreed as follows:

This Amendment amends certain provisions of the above-referenced Communications Services Agreement Between the Cities of Kirkland and Mercer Island ("Agreement"). All other provisions of the Agreement not inconsistent with this Amendment shall remain in full force and effect.

1. The compensation provisions of Section 1 of the Agreement, entitled "Mercer Island's Responsibilities," are hereby amended as follows:

1.2 Provide, maintain, and pay for such data transfer circuit(s) and equipment as required by Kirkland to support connection and interface with the Kirkland Police Computer Aided Dispatch (CAD) and Records Management System (RMS). Pay an annual fixed fee of one thousand dollars (\$1,000) for Kirkland support and troubleshooting of such circuit connectivity to Kirkland.

- 1.4 Mercer Island agrees and authorizes Kirkland IT Staff to install, operate, and maintain the police computer systems for Mercer Island at a rate of 2.04 times the "C" step for assigned staff (usually the System Administrator position for the Public Safety system (\$83.90 per hour using '09 rates), to the extent such work is requested by Mercer Island or required by Kirkland. At a minimum it is agreed Kirkland IT staff will assist with the initial installation, configuration and testing of all New World Systems software and of all MDC's. Post- implementation support of MDC hardware can be provided by Kirkland as set forth here or by Mercer Island IT staff.
- 1.11 Pay Kirkland \$264,486 for Dispatch services for 2009, or \$66,121.52 per quarter until the North East King County Regional Public Safety Communications Agency ("NORCOM") dispatch services become operational, whichever occurs first.

Mercer Island agrees to reimburse Kirkland within thirty (30) days of receipt of invoices forwarded to Mercer Island, which were received by Kirkland from New World Systems or other suppliers for purchases of computer hardware and computer software for Mercer Island.

All billing for dispatch services and IT support will be done quarterly, commencing April 1, 2009, and must be paid within 30 days of receipt by Mercer Island.

- 2.** The compensation provision of Section 2 of the Agreement, entitled "Kirkland's Responsibilities," is amended as follows:

- 2.3 In consideration for the payments referenced in Section 1 above and as provided herein, maintain equipment and database associated with CAD. Install CAD software and upgrades on Mercer Island equipment as necessary. Kirkland will charge Mercer Island a rate of 2.04 times the "C" step for assigned staff (usually the Systems Administrator position for the Public Safety system (\$83.90 per hour using '09 rates)), to the extent such work is requested by Mercer Island or required by Kirkland.

- 3.** Section 3 of the Agreement entitled, "Term," is amended as follows:

This Agreement is extended for a term of one (1) year, until December 31, 2009, or until the North East King County Regional Public Safety Communications Agency ("NORCOM") dispatch services become operational, whichever occurs first. This Agreement may be terminated for cause, if corrective measures have not been commenced within ten (10) days after written notice or such other period of time as agreed upon by the parties, and substantially completed within thirty (30) days or such other period of time as agreed upon by the parties. Any termination of this Agreement shall not terminate any duty of either party matured prior to such termination.

- 4.** Section 7 of the Agreement entitled, "Notices," is amended as follows:

All notices to the parties under terms of this Agreement, unless otherwise specified herein, or as may be amended shall be in writing, addressed as follows:

MERCER ISLAND:

KIRKLAND:

City of Mercer Island
Police Department
Chief Ed Holmes
9611 S.E. 36th St.
Mercer Island, WA 98040

City of Kirkland
Police Department
Chief Eric W. Olsen
123 5th Avenue
Kirkland, WA 98033

5. Section 10 of the Agreement entitled, "Entire Agreement," is amended as follows:

The Communications Services Agreement Between the Cities of Kirkland and Mercer Island and this Amendment represent the entire and integrated agreement between the parties.

IN WITNESS WHEREOF, the parties have executed this Amendment on the dates written below.

CITY OF MERCER ISLAND

CITY OF KIRKLAND

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Katie Knight, City Attorney

Robin S. Jenkinson, City Attorney



CITY OF KIRKLAND
Department of Finance & Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Tracey Dunlap, Director of Finance & Administration
Sandi Hines, Financial Planning Manager
Sri Krishnan, Sr. Financial Analyst

Date: March 6, 2009

Subject: **2009-2010 BUDGET ADJUSTMENT: 2007-2008 CAPITAL AND OTHER CARRYOVERS, AND THE JANUARY 2009 DASHBOARD**

RECOMMENDATION:

The City Council adopts the attached ordinance increasing the 2009-2010 budget appropriations for selected funds.

BACKGROUND DISCUSSION:

The Council approved the operating budget carryovers at the February 17th meeting and at that time it was indicated that the adjustments to the 2009-2010 Budget for the 2007-2008 capital carryovers would be brought back in March. This memo addresses the capital carryover adjustments as well as carryovers in the Lodging Tax Fund that were not done in February. In addition, this memo serves as a means to provide the Council with an update on the budget by including the January Dashboard report.

2007-2008 Capital and Lodging Tax Carryovers

State law prohibits expenditures from exceeding the budgeted appropriation for any fund and requires the City to adjust appropriations when:

1. Unanticipated revenue exists and will potentially be expended;
2. New funds are established during the budget year which were not included in the original budget; or
3. The City Council authorizes positions, projects, or programs not incorporated into the current year's budget.

This budget adjustment allows for appropriation increases where it is anticipated that total expenditures may be in excess of the adopted 2009-2010 budget.

The budget amendment totals \$34.2 million for the capital and Lodging Tax Fund carryovers. Following is a recap of major items requested in this budget adjustment:

Carryovers relate to uncompleted projects, contracts, or purchases that were authorized but not spent in the prior biennial budget. In order to complete these items, both the funding and the expenditure authority need to be "carried over" from the 2007-2008 Budget to the 2009-2010 Budget. Accordingly, the 2009-2010 Adopted Budget needs to be amended. Funding for carryovers primarily comes from recognizing cash that was obligated but not spent in the prior biennium (i.e. Resources Forward) and from external sources such as grants. In some funds (e.g. Water/Sewer Capital and Surface Water Capital) carryovers are funded by reserves in recognition that

appropriated reserves are adequate to fund such items. Note, carryovers funded from reserves do not require an appropriation change as they are line item adjustments within the funds' appropriation.

Capital carryovers consist of capital projects approved but not completed in 2007-2008. These requests total \$34.1 million and include the following categories:

- **Transportation projects** (\$15.1 million in the General Capital and Grant Capital Funds and \$2.7 million included in the Surface Water Fund for transportation projects with Surface Water elements)
- **Surface Water projects** (\$2.2 million, excluding the transportation-related projects budgeted in the Surface Water Capital Fund)
- **Water and sewer projects** (\$3.9 million)
- **Parks projects** (\$2.8 million)
- **Public Safety projects** (\$1.0 million)
- **Technology projects** (\$2.2 million)
- **Facilities projects** (\$4.0 million)
- **Neighborhood Connections Program projects** (\$0.3 million)

All proposed budget adjustments are summarized in detail by project and fund in Attachment A. During the capital carryover review process, projects were identified that have been completed. These projects will be reviewed and balanced, with any project savings being dispositioned. To the extent that the funds remaining came from General Fund sources, these amounts could be available to address near-term revenue shortfalls. The results of the closure analysis will be presented to the City Council when completed.

The Lodging Tax Fund carryovers were identified after the operating budget adjustments were presented to Council. In total, this represents an adjustment of \$64,010. Attachment B is a memo from the Special Projects Coordinator, Sheila Cloney, and provides additional information regarding the carryover adjustments.

The January 2009 Dashboard

The January 2009 dashboard was reviewed with the Finance Subcommittee on February 27, 2009. The actual revenues and expenditures summarized in the dashboard and supporting documents (Attachment C) represent only one month of data, so for many line items it is difficult to assess the trend. Total General Fund revenues are below expectations primarily due to the decline in sales tax revenue and development fee revenues. Total General Fund expenditures are within expectations and we continue to monitor fire overtime because of its significant impact on the budget historically.

Attachments

City of Kirkland
2009-2010 Budget

ATTACHMENT A

March 2009 Budget Adjustment Summary--CIP & Lodging Tax Fund Carryovers

Adjustment Type	Dept.	Description	Uses	Appropriation Adjustment	Funding Source				Funding Source Notes
					Resources Forward	Operating Transfers	External Revenue	Reserves	
Lodging Tax Fund									
Carryover	CM	Media Kit Materials	1,614	-				1,614	Existing Reserves
Carryover	CM	Wayfinding Sign near Heathman Hotel	3,350	-				3,350	Existing Reserves
Carryover	CM	Update of Tourism Marketing Plan	25,000	-				25,000	Existing Reserves
Carryover	CM	Agency Grant -Concours	6,000	-				6,000	Existing Reserves
Carryover	CM	Agency Grant -Heritage Society	3,000	-				3,000	Existing Reserves
Carryover	CM	Hosting Press Trips	13,096	-				13,096	Existing Reserves
Carryover	CM	Advertising	11,950	-				11,950	Existing Reserves
Lodging Tax Fund Total			64,010	-	-	-	-	64,010	
General Capital Projects Fund									
Carryover	CM	Neighborhood Connections Program GG0023	341,481	341,481	341,481				Fund Balance
Carryover	Parks	Shoreline Restoration PK0006	82,242	82,242	82,242				Fund Balance
Carryover	Parks	Forbes Lake Park Development PK0056	4,347	4,347	4,347				Fund Balance
Carryover	Parks	N. Rosehill Woodlands Park PK0057	105,725	105,725	105,725				Fund Balance
Carryover	Parks	Park Play Area Enhancements PK0066	77,656	77,656	77,656				Fund Balance
Carryover	Parks	Neighborhood Park Restrooms PK0070	80,480	80,480	80,480				Fund Balance
Carryover	Parks	Everest Park Restroom/Storage Building PK0071	349,670	349,670	254,070		95,600		Fund Balance/External Revenue
Carryover	Parks	Crestwoods Park Field Renovation PK0073	100,000	100,000	100,000				Fund Balance
Carryover	Parks	Lake Wash High Playfields PK0078200	33,250	33,250	33,250				Fund Balance
Carryover	Parks	Rose Hill Elementary Playfield Improvements PK0078400	75,000	75,000	75,000				Fund Balance
Carryover	Parks	Ben Franklin Elem Playfields PK0078700	24,600	24,600	24,600				Fund Balance
Carryover	Parks	B.E.S.T. School Park Development PK0079	112,458	112,458	112,458				Fund Balance
Carryover	Parks	So. Juanita Park Site Development PK0083	212,349	212,349	212,349				Fund Balance
Carryover	Parks	Ben Franklin School Park Development PK0089	3,097	3,097	3,097				Fund Balance
Carryover	Parks	Rose Hill Meadows Development PK0091	291,916	291,916	291,916				Fund Balance
Carryover	Parks	Juanita Bay Park Wetland Rest. PK0109	182,141	182,141	182,141				Fund Balance
Carryover	Parks	Skate Park PK0111	200,000	200,000	200,000				Fund Balance
Carryover	Parks	Everest Park A-Field Bleachers PK0112	164,141	164,141	164,141				Fund Balance
Carryover	Parks	Juanita Beach Park Development PK0119	77,521	77,521	27,521		50,000		Fund Balance/External Revenue
Carryover	Parks	Green Kirkland Forest Restoration Program PK0121	91,164	91,164	91,164				Fund Balance
General Capital Projects Fund Continued									

Adjustment Type	Dept.	Description	Uses	Appropriation Adjustment	Funding Source				Funding Source Notes
					Resources Forward	Operating Transfers	External Revenue	Reserves	
Carryover	Parks	Community Recreation Facility -- Site Planning PK0122	72,023	72,023	72,023				Fund Balance
Carryover	Parks	Peter Kirk Pool Upgrades PK0123	158,128	158,128	158,128				Fund Balance
Carryover	Parks	Dock Renovations PK0125	100,000	100,000	100,000				Fund Balance
Carryover	Parks	Park and Open Space Acquisition Program PK0131	64,853	64,853	64,853				Fund Balance
Carryover	Parks	Property Acquisition PK0132	100,000	100,000	100,000				Fund Balance
Carryover	PW	Facilities Life Cycle Projects-Ceiling/Lighting GG0008	15,450	15,450	15,450				Fund Balance
Carryover	PW	Facilities Life Cycle Projects-Mechanical/HVAC GG0009	203,506	203,506	203,506				Fund Balance
Carryover	PW	Facilities Life Cycle Projects-Painting GG0010	89,854	89,854	89,854				Fund Balance
Carryover	PW	Facilities Life Cycle Projects-Flooring GG0012	434,747	434,747	434,747				Fund Balance
Carryover	PW	Council Chamber Remodel-AV Equipment GG0030	150,000	150,000	150,000				Fund Balance
Carryover	PW	Public Safety Site Plan GG0013	9,863	9,863	9,863				Fund Balance
Carryover	PW	Public Safety Campus (Phase 1) GG0013001	742,625	742,625			742,625		External Revenue
Carryover	PW	Building Security GG0027	10,344	10,344	10,344				Fund Balance
Carryover	PW	Police Dept. Evidence Lab GG0031001	957,686	957,686	957,686				Fund Balance
Carryover	PW	Police Dept. Safety Improvements GG0032001	26,831	26,831	26,831				Fund Balance
Carryover	PW	City Hall Annex Renovation GG0034	1,321,309	1,321,309	1,321,309				Fund Balance
Carryover	PW	NE 73rd Street Sidewalk NM0052	56,565	56,565	56,565				Fund Balance
Carryover	PW	2006 Annual Sidewalk Maint NM0657	25,708	25,708	25,708				Fund Balance
Carryover	PW	2007 Crosswalk Upgrade NM0712	346	346	346				Fund Balance
Carryover	PW	2008 Sidewalk Maint. Program NM0757	177,453	177,453	177,453				Fund Balance
Carryover	PW	NE 132nd St Roadway Improvements ST0058	16,566	16,566	16,566				Fund Balance
Carryover	PW	NE 85th St Undergrounding ST0075	1,438,149	1,438,149	1,438,149				Fund Balance
Carryover	PW	State Street Utilities Undergrounding ST0076	45,071	45,071			45,071		External Revenue
Carryover	PW	124th St/124th Ave Int Ph 3 TR0091	200,000	200,000	200,000				Fund Balance
Carryover	IT	Geographic Information System GG0006100	791,552	791,552	791,552				Fund Balance
Carryover	IT	Records Management System GG0006110	124,776	124,776	124,776				Fund Balance
Carryover	IT	Wireless Access for Field Workers GG0006150	130,781	130,781	130,781				Fund Balance
Carryover	IT	Finance and HR System Modules GG0006160	143,534	143,534	143,534				Fund Balance
Carryover	IT	Timekeeping System GG0006180	7,943	7,943	7,943				Fund Balance
Carryover	IT	Facilities Work Order System GG0006190	20,000	20,000	20,000				Fund Balance
Carryover	IT	Police Automatic Vehicle Locators GG0006201	144,600	144,600	144,600				Fund Balance-for NORCOM

Adjustment Type	Dept.	Description	Uses	Appropriation Adjustment	Funding Source				Funding Source Notes
					Resources Forward	Operating Transfers	External Revenue	Reserves	
General Capital Projects Fund Continued									
Carryover	IT	Local and Wide Area Networks GG0006300	246,177	246,177	246,177				Fund Balance
Carryover	IT	Disaster Recovery System Improvements GG0006301	144,854	144,854	144,854				Fund Balance
Carryover	IT	Help Desk Clientele System Replacement GG0006302	100,000	100,000	100,000				Fund Balance
Carryover	IT	Permit Plan System Replacement GG0006501	41,262	41,262	41,262				Fund Balance
Carryover	IT	Electronic Public Access to Information GG0006600	165,810	165,810	165,810				Fund Balance
Carryover	IT	Maintenance Management System Upgrade GG0006702	79,600	79,600	79,600				Fund Balance
Carryover	IT	Parks Work Order System GG0006801	53,000	53,000	53,000				Fund Balance
Carryover	IT	Wireless Systems in Parks GG0006802	37,841	37,841	37,841				Fund Balance
Carryover	F&B	Fireboat PS0024	248,350	248,350	248,350				Fund Balance - To Repurpose in 2009
Carryover	F&B	Water Rescue Boat PS0025	109,450	109,450	109,450				Fund Balance
Carryover	F&B	NKCC Emergency Power PS0046	143,956	143,956	143,956				Fund Balance
Carryover	F&B	EOC Upgrade PS0054	19,721	19,721	19,721				Fund Balance
Carryover	F&B	Fire Paging & Alerting System PS0055	79,764	79,764	79,764				Fund Balance
Carryover	F&B	Disaster Supply Storage Units PS0056	58,722	58,722	58,722				Fund Balance
Carryover	F&B	Disaster Response Vehicle PS0057	59,967	59,967	59,967				Fund Balance
Carryover	F&B	Special Ops Vehicle PS0058	80,217	80,217	80,217				Fund Balance - To Repurpose in 2009
Carryover	F&B	Defibrillators PS0060	35,544	35,544	35,544				Fund Balance - To Repurpose in 2009
Carryover	F&B	RFTD Office Space PS0064	9,709	9,709	9,709				Fund Balance
Carryover	F&B	Disaster Response Portable Generators PS0065	150,000	150,000	150,000				Fund Balance
General Capital Projects Fund Total			12,253,445	12,253,445	11,320,149	-	933,296	-	
Grant Capital Projects Fund									
Carryover	PW	116th Ave Nonmotorized Fac NM0001	280,423	280,423	30,914		249,509		Fund Balance/External Revenue
Carryover	PW	Rose Hill Bus Dist Sidewalks NM0051	2,415,483	2,415,483	885,483		1,530,000		Fund Balance/External Revenue
Carryover	PW	100th Ave/99th Pl NE Sidewalk NM0060	154,684	154,684	134,684		20,000		Fund Balance/External Revenue
Carryover	PW	Park Lane Ped Corridor Enhance NM0064	24,844	24,844	24,844				Fund Balance
Carryover	PW	NE 120th St Roadway ext ST0057	1,197,755	1,197,755	197,755		1,000,000		Fund Balance/External Revenue
Carryover	PW	124th Ave Roadway Improvements ST0059	385,103	385,103	385,103				Fund Balance
Carryover	PW	NE 128th Street @ I-405 Overpass ST0069	1,457,679	1,457,679	613,500		844,179		Fund Balance/External Revenue
Carryover	PW	Signal-Kirkland Ave & 3rd St TR0004	218,896	218,896			218,896		External Revenue
Carryover	PW	NE 124th/124th NE Intersection Improvements TR0070	1,530,181	1,530,181	1,080,181		450,000		Fund Balance/External Revenue
Carryover	PW	NE 85th/132nd NE Intersection Improvements TR0078	1,722,265	1,722,265	844,665		877,600		Fund Balance/External Revenue
Grant Capital Projects Fund Continued									

Adjustment Type	Dept.	Description	Uses	Appropriation Adjustment	Funding Source				Funding Source Notes
					Resources Forward	Operating Transfers	External Revenue	Reserves	
Carryover	PW	NE 85th/114th NE Intersection Improvements TR0079	2,162,224	2,162,224	1,858,324		303,900		Fund Balance/External Revenue
Carryover	PW	NE 85th/124th NE Intersection Improvements TR0080	1,148,881	1,148,881	250,181		898,700		Fund Balance/External Revenue
Carryover	PW	NE 68th/108th Ave Intersection Improvements TR0085	444,993	438,331	338,331		100,000	6,662	Fund Balance/External Rev/Existing Rsvs
Grant Capital Projects Fund Total			13,143,411	13,136,749	6,643,965	-	6,492,784	6,662	

Water/Sewer Capital Projects Fund										
Carryover	PW	Market Street Sewermain Repl SS0046	667,013	667,013	667,013					Fund Balance
Carryover	PW	NE 53rd St Sewermain Replacmnt SS0063	297,554	297,554	297,554					Fund Balance
Carryover	PW	NE 75th St/130th Av Wtrmn Rep WA0058	293,336	293,336	293,336					Fund Balance
Carryover	PW	101st Avenue NE Watermain Repl WA0059	147,267	65,421	65,421			81,846		Fund Balance/Existing Reserves
Carryover	PW	10th Ave Watermain Repl WA0060	764,071	-				764,071		Existing Reserves
Carryover	PW	Supply Station #2 Improvements WA0065	90,507	-				90,507		Existing Reserves
Carryover	PW	NE 110th St Watermain Replacmnt WA0077	370,803	-				370,803		Existing Reserves
Carryover	PW	Vulnerability Analysis WA0093	59,995	-				59,995		Existing Reserves
Carryover	PW	North Reservoir Painting WA0094	759,797	-				759,797		Existing Reserves
Carryover	PW	Alexander Ave Watermain Repl WA0099	236,870	-				236,870		Existing Reserves
Carryover	PW	Telemetry Upgrades WA0115	145,515	-				145,515		Existing Reserves
Carryover	PW	NE 73rd St Sidewalk-WM Portion NM0052413	67,847	-				67,847		Existing Reserves
Water/Sewer Capital Projects Fund Total			3,900,575	1,323,324	1,323,324	-	-	2,577,251		

Surface Water Capital Projects Fund										
Carryover	PW	NE 85th St Detention SD0025	548,682	548,682	548,682					Fund Balance
Carryover	PW	Totem Lake Water Quality SD0029	600,996	600,996	600,996					Fund Balance
Carryover	PW	NE 90th St/120th Ave Sediment Control SD0033	173,120	173,120	173,120					Fund Balance
Carryover	PW	NE 126/94th Channel Restoration SD0039	24,587	24,587	24,587					Fund Balance
Carryover	PW	NE 125th Pl/95th Ave Sediment Pond Restoration SD0041	94,425	94,425	94,425					Fund Balance
Carryover	PW	124th Ave NE/NE 100th Drainage Improv. SD0043	73,830	73,830	73,830					Fund Balance
Carryover	PW	Forbes Creek/KC Access Road Culvert Enhanc. SD0051	35,808	35,808			35,808			Fund Balance/External Revenue
Carryover	PW	Forbes Creek/Coors Pond Channel Grade Controls SD0053	176,053	176,053	176,053					Fund Balance
Carryover	PW	Forbes Creek/RR Fish Passage Improvements SD0054	51,285	41,220	41,220			10,065		Fund Balance/Existing Reserves
Carryover	PW	Totem Lake Blvd Flood Control SD0059	7,646	-				7,646		Existing Reserves
Carryover	PW	Everest Cr-Slater Ave-Alex. St SD0063	167,841	-				167,841		Existing Reserves
Carryover	PW	2005 Streambank Prgm NE 86th St SD0537	28,772	-				28,772		Existing Reserves
Surface Water Capital Projects Fund Continued										

Adjustment Type	Dept.	Description	Uses	Appropriation Adjustment	Funding Source				Funding Source Notes
					Resources Forward	Operating Transfers	External Revenue	Reserves	
Carryover	PW	2007 Repl Aging/Failing Infrastructure SD0747	29,437	-				29,437	Existing Reserves
Carryover	PW	2008 Repl Aging/Failing Infrastructure SD0847	158,671	-				158,671	Existing Reserves
Carryover	PW	116th Ave Non-Motorized Facilities NM0001423	150,000	150,000	150,000				Fund Balance
Carryover	PW	116th Ave NE Improvements NM0042423	320,807	320,807	320,807				Fund Balance
Carryover	PW	116th Ave Sidewalk NM0044423	101,800	101,800	101,800				Fund Balance
Carryover	PW	Rose Hill Business District NM0051423	335,000	335,000	335,000				Fund Balance
Carryover	PW	124th Ave Roadway Improvements ST0059423	1,166,500	1,166,500	1,166,500				Fund Balance
Carryover	PW	NE 124th/124th NE Intersection Improv TR0070423	308,291	308,291	308,291				Fund Balance
Carryover	PW	NE 85th/132nd Ave Intersection Improv TR0079423	23,000	23,000	23,000				Fund Balance
Carryover	PW	NE 85th/114th Ave Intersection Improv TR0079423	30,000	30,000	30,000				Fund Balance
Carryover	PW	NE 85th/124th Ave Intersection Improv TR0080423	16,000	16,000	16,000				Fund Balance
Carryover	PW	NE 68th /108th Ave Intersection Improv TR0085423	100,000	32,200	32,200			67,800	Fund Balance/Existing Reserves
Carryover	PW	124th St/124th Av Intersection Improv Ph 3 TR0091423	100,000	-				100,000	Existing Reserves
Surface Water Capital Projects Fund Total			4,822,551	4,252,319	4,216,511	-	35,808	570,232	
TOTAL ALL FUNDS			34,183,992	30,965,837	23,503,949	-	7,461,888	3,218,155	


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: Sheila Cloney, Special Project Coordinator
Erin Leonhart, Intergovernmental Relations Manager

Date: February 27, 2009

Subject: LODGING TAX CARRYOVERS TO BE FUNDED FROM RESERVES

The following table of approved Tourism work plan items has not been completed and need to be funded from the Lodging Tax reserve amount.

LODGING TAX FUND (112)		
Media Kit Materials	1120905730*5310100	\$ 1,614
Wayfinding Sign near Heathman Hotel	1120905730*5310200	\$ 3,350
Update of Tourism Marketing Plan	1120905730*5410100	\$ 25,000
Agency Grant -Concours	1120905730*5410100	\$ 6,000
Agency Grant -Heritage Society	1120905730*5410100	\$ 3,000
Hosting press trips	1120905730*5430100	\$ 13,096
Advertising	1120905730*5440100	\$ 11,950
SUBTOTAL		\$ 64,010

- Media Kit Materials:** Information about Kirkland that is provided to journalists and media outlets. Project approved in 2007-2008 budget. Planned completion 2008. Expected completion 2009 and 2010. Project not completed due to Special Projects Coordinator training new Event Coordinator and working part time through July of 2008.
- Wayfinding Sign near Heathman Hotel:** Large outdoor signage and directory. Originally approved in the 2006-2007 budget. The signs are part of an overall downtown wayfinding program. Reason for delay: Construction delays at Heathman Hotel. Management did not want to install sign until hotel was complete. Project approved in 2007-2008 budget, planned completion 2008. Expected completion 2009.
- Update of Tourism Marketing Plan:** Marketing update for tourism program. Portions of the study were approved and funded in the 2007-2008 and 2009-2010 budgets. The project will not be complete until August 2009.

- **Agency Grant –Concours:** Marketing funding for Concours Special Event. Applicant did not submit request for reimbursement for work performed in 2008 by 12-31-08. Project approved in 2008, planned completion 2008. Expected completion 2009.
- **Hosting press trips:** Travel writers visit Kirkland and are provided with familiarization tours. Project approved in 2007-2008 budget, planned completion 2008. Expected completion 2009.
- **Advertising:** Targeted ad buys in national and regional publications with wide circulation featuring Kirkland as a destination. Project approved in 2007-2008 budget, planned completion 2008. Expected completion 2009.

January 2009 Dashboard Highlights

February 27, 2009

- The January 2009 actual revenues and expenditures summarized in the dashboard represent only one month of data, so for many line items it is difficult to assess the trend. There are a number of reasons why January results may not be indicative of expectations including:
 - Finance is in the final stages of closing out 2008 in the financial system which can impact January, and
 - Some payments that would ordinarily have been received in January were not received until February due to weather and other factors highlighted below.

- Total General Fund revenues are below expectations due to the following:
 - 19% decline in sales tax revenues from January 2008.
 - Utility tax revenues reflect December billings, which do not include the public utility tax increase effective 1/1/09.
 - Selected utility tax and franchise fee payments expected in January were actually received in February (\$295,000).
 - Business License renewals for January could not be sent out until after the new fee structure was adopted on December 16, 2008, which resulted in extending the due date from January 31 to February 15, substantially impacting January receipts.
 - Development revenues, especially for Planning and Public Works, are down dramatically. Building-related revenues are also reduced. Further discussion of the January development activity follows the dashboard.
 - Revenues for January do not reflect planned transfers into the General Fund including funds from Recreation Revolving (Fund 126 - over \$60,000 in revenues for January) and the Development Services Reserve (\$465,000 for the year).
 - Selected large General Fund revenues are received in periodic increments including property tax (mostly received in April/May and October/November) and Fire District 41 and King County EMS payments (quarterly or semi-annually).

- Total General Fund expenditures are within expectations. We are monitoring fire overtime, although the first January payroll reflects the last two weeks of December that included holiday leave, the final 2 weeks of overtime staffing at the North Finn Hill station, and the snow storms. In addition, the additional positions added will not be on-duty until April 2009. Fire has prepared a memorandum discussing their estimate for the year, which is attached.

Attachments: January Dashboard
Development Services Highlights
Fire Overtime Memorandum

City of Kirkland Budget Dashboard

DRAFT - 2/27/09

Annual Budget Status as of 1/31/2009 (Note 1)
Percent of Year Complete 8.33%

	2009 Budget	Year-to-Date Actual	% Received/ % Expended	Status		Notes
				Current Month	Last Month	
General Fund						
Total Revenues	59,838,168	2,628,833	4.4%		na	Property tax/FD41/EMS spike in 2Q
Total Expenditures	60,428,266	5,167,552	8.6%		na	

Key Indicators (All Funds)

<i>Revenues</i>						
Sales Tax	14,700,801	994,151	6.8%		na	Prior YTD = \$1,227,855; January was 8.17% in 2008
Utility Taxes	11,586,963	787,254	6.8%		na	January reflects billings before increases
Business License Fees	3,077,720	132,227	4.3%		na	January billings delayed until new fees adopted
Development Fees	3,373,273	128,806	3.8%		na	Planning/PW revenues down significantly
Gas Tax	1,133,278	82,813	7.3%		na	
<i>Expenditures</i>						
GF Salaries/Benefits	42,484,480	3,360,518	7.9%		na	Excludes Fire Suppression Overtime
Fire Suppression Overtime	677,267	140,137	20.7%		na	New positions will not be on-duty until 4/1/09
Contract Jail Costs	899,680	77,776	8.6%		na	Jail days exceeding budget estimate
Fuel Costs	558,310	19,482	3.5%		na	Cost/gallon running at about half budgeted rate

Status Key

Revenue is higher than expected or expenditure is lower than expected

Revenue/expenditure is within expected range

WATCH - Revenue/expenditure outside expected range



Note 1 - Report shows annual values during the first year of the biennium (2009).

na - not applicable

Development Services Report – January 2009

When comparing January 2009 to January 2008 it is difficult because January 2008 was an anomaly in that Transportation Impact Fees were significantly increased on February 1, 2008 causing a spike in applications for new Single Family Residential (SFR), multifamily, and commercial permits in January 2008. A review of the January 2009 permit data allows us to offer the following:

- The January 2009 statistics continue to follow the trend that we witnessed in the second half of 2008. New SFR permits applications remain low (4 applications received while commercial (tenant improvements) remain relatively healthy in numbers (15 applications). In the past when we have seen a downturn in new development permits, we have seen an increase in commercial tenant improvement permits and single-family remodel permits. At this point it is too early to tell if that trend will repeat itself during this downturn.
- Although the total number of permits in January 2009 (187) is lower than the monthly average of 2008 (222), it is higher than the preceding two months (November & December 2008).
- Valuation of all projects this January is significantly lower than January 2008 because of the spike in permits in January 2008 mentioned above.
- Revenue for January 2009 was \$125,352. We projected a monthly revenue average of \$200,292 for 2009. The January revenue is not too alarming as most months are typically below the yearly average with two or three very large months due to large commercial projects being issued.
- We still expect to issue four large commercial projects this year; Lake Washington High School, Merrill Gardens II, the McLeod project, and the Kirkland Transit Center.
- Verizon has met with the Public Works Department to discuss an anticipated spike in Right-of-way Permits as Kirkland residents choose to take cable television service from Verizon (Verizon Cable Franchise was approved in October of 2008). Verizon is anticipating approximately 500 Right-of-way Permit applications. If their forecast is correct, the issuance of these Right-of-way Permits will generate approximately \$53,000 in permit fees. Although this is not a large revenue source, it was not anticipated in the 2009 budget.
- Touchstone has begun the design review process for the redevelopment of Park Place. The Conceptual Design conference was held earlier this week. At the meeting the DRB identified key issues and discussed the process for review. The first Design Response Conference will be held in mid March. The DRB will hold a series of additional meetings as they work their way through the development and give their approval by July. The applicant has indicated a desire to apply for the first permits (demolition and grading) possibly by the end of 2009. Permits for buildings will be phased, probably beginning in 2010.
- As staff discusses pending projects with local developers, most developers seem optimistic about developing in Kirkland versus developing in other outlying areas and are finding that their major hurdle is the ability to secure funding to move forward with a project.



CITY OF KIRKLAND

Fire & Building Department

123 Fifth Avenue, Kirkland, WA 98033 425.587.3000

www.ci.kirkland.wa.us

MEMORANDUM

To: Tracey Dunlap, Director of Finance & Administration
Jeff Blake, Director Fire & Building Department

From: Jack Henderson, Deputy Chief Operations

Date: February 18, 2009

Subject: January Overtime

The January 2009 Overtime report shows the department using almost 20% of the total overtime budget for 2009 for the first four weeks of the budget (the January payroll periods). The drivers for our overtime usage for the two pay periods covered are as follows.

December 16th to December 31st

Station #24 Staffing (2 career firefighters 12 hours each Includes Acting Officer's pay)	384 hours	16 shifts
Weather related staffing (December 2008, this is over Staffing for snow response Issues)	137.5 hours	5.73 shifts
Sick Leave coverage (to maintain minimum staffing (includes Sick Family Member, FMLA-sick, Bereavement, Disability Off-Duty)	1031 hours	43 shifts
Disability On-Duty	168 hours	7 shifts
Family Medical Leave – Vacation	24 hours	1 shift
*Short shift	72 hours	3 shifts
Emergency Leave	76 hours	3 shifts
Acting Officers pay (OT in addition to station #24)	<u>51.5</u>	
Total hours	1,944	

January 1st to January 15th

Sick Leave coverage (to maintain minimum staffing (includes Sick Family Member, FMLA-sick, Bereavement, Disability Off-Duty)	553.5 hours	23.06 shifts
Disability On-Duty	51.5 hours	2.14 shifts

Family Medical Leave	24 hours	1 shift
Emergency Leave	14 hours	.58 shift
*Short shift	6 hours	.25 shift
Acting Officers pay	<u>62 hours</u>	
Total hours	711 hours	

*Short Shift; One shift has 25 personnel and the other two shifts have 26. With minimum staffing of eighteen personnel per day, four annual vacation days and four Kelly days (K-Days) available each shift the "short shift" would have one overtime each shift that this occurs.

We expect February and March to be approximately \$100,000 dollars (\$50,000 each month). We have four Off-Duty disabilities and one On-Duty disability from November 10, 2008. All five of these disabilities are expected to last through March and at least two possibly into April. The new Firefighters (now in the Fire Academy) will be "on shift" within the first full week of April 2009. We should see no "short shifts" with the first of the four new firefighters going to "C" shift which will give that shift 26 firefighters(as "A" & "B" shifts) with one firefighter added to each shift for a total of 27 firefighters per shift.

The estimated overtime for April 2009 thru December 2009 is \$402,900 with the estimated cost of February and March 2009 at \$100,000 and the overtime expenditure of January 2009 of \$140,137 is a 2009 total of \$643,037, compared with \$677,267 being budgeted for 2009.

ORDINANCE NO. 4187

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2009-2010.

WHEREAS, the City Council finds that the proposed adjustments to the Biennial Budget for 2009-2010 reflect revenues and expenditures that are intended to ensure the provision of vital municipal services at acceptable levels;

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. March 2009 adjustments to the Biennial Budget of the City of Kirkland for 2009-2010 are hereby adopted.

Section 2. In summary form, modifications to the totals of estimated revenues and appropriations for each separate fund and the aggregate totals for all such funds combined are as follows:

<u>Funds</u>	<u>Current Budget</u>	<u>Adjustments</u>	<u>Revised Budget</u>
General	125,811,628	0	125,811,628
Lodging Tax	794,424	64,010	858,434
Street Operating	9,361,677	0	9,361,677
Cemetery Operating	199,498	0	199,498
Parks Maintenance	2,203,287	0	2,203,287
Recreation Revolving	2,825,090	0	2,825,090
Contingency	2,324,515	0	2,324,515
Cemetery Improvement	598,528	0	598,528
Impact Fees	7,165,555	0	7,165,555
Park & Municipal Reserve	10,482,545	0	10,482,545
Off-Street Parking Reserve	217,610	0	217,610
Tour Dock	122,675	0	122,675
Street Improvement	2,613,576	0	2,613,576
Grant Control Fund	216,458	0	216,458
Excise Tax Capital Improvement	24,039,092	0	24,039,092
Limited General Obligation Bonds	2,735,723	0	2,735,723
Unlimited General Obligation Bond	2,703,581	0	2,703,581
General Capital Projects	26,167,349	12,253,445	38,420,794
Grant Capital Projects	5,307,113	13,143,411	18,450,524
Water/Sewer Operating	46,519,119	0	46,519,119
Water/Sewer Debt Service	3,505,639	0	3,505,639
Utility Capital Projects	18,837,106	3,900,575	22,737,681
Surface Water Management	12,671,384	0	12,671,384
Surface Water Capital Projects	6,765,553	4,822,551	11,588,104
Solid Waste	18,753,863	0	18,753,863
Equipment Rental	13,971,736	0	13,971,736

<u>Funds</u>	<u>Current Budget</u>	<u>Adjustments</u>	<u>Revised Budget</u>
Information Technology	10,304,192	0	10,304,192
Facilities Maintenance	9,867,036	0	9,867,036
Firefighter's Pension	1,635,961	0	1,635,961
	368,721,513	34,183,992	402,905,505

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 17th day of March 2009.

Signed in authentication thereof this 17th day of March, 2009.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Eric Shields, Planning Director
Tony Leavitt, Associate Planner

Date: March 5, 2009

Subject: AFFORDABLE HOUSING AGREEMENT FOR CITY MINISTRIES PLANNED UNIT DEVELOPMENTS

RECOMMENDATION

Authorize that the City Ministries be allowed to give priority to income qualified foster families as part of the final Affordable Housing Agreement, as recommended by the City Council Housing Committee.

BACKGROUND DISCUSSION

When approving the City Ministries Planned Unit Development (PCD File No. ZON03-00029), the City Council added a requirement that the applicant not consider membership in or affiliation with the City Church in leasing or renting the three affordable units to income qualified households (see Enclosure 1). Additionally, this condition was required as part of the second City Ministries Planned Unit Development (PCD File No. ZON06-00021) approved in 2007.

The City Attorney's Office and the applicant are currently negotiating the final Affordable Housing Agreement that is required by the City prior to occupancy of the affordable housing units. The basic agreement that was reviewed by the City Council during the approval of the first PUD has been modified to reflect the condition of approval in the ordinance. Additionally, the applicant has requested that the agreement be modified to give first priority to income qualified foster families from the general public. If there are no qualifying foster families available, the units would then be offered to all income qualifying persons.

This request was brought before the City Council Housing Committee on March 3rd and the Committee supported this change, but directed that this item be brought before the entire Council at their March 17th Meeting.

ENCLOSURES

1. Ordinance 3936

of Planning and Community Development File No. PD-03-73 are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. After completion of final review of the PUD, as established in Sections 125.50 through 125.75 (inclusive) of the Kirkland Zoning Code, Ordinance 3719, as amended, the Process IIB Permit shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council, and subject to the additional condition that the applicant (City Ministries), the Generation Intern School or the City Church, and their successors (collectively, the "City Church"), shall not consider membership in or affiliation with the City Church in leasing or renting the three affordable units to income qualified households or persons.

Section 3. Nothing in this ordinance shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project, other than expressly set forth herein.

Section 4. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Process IIB Permit is subject shall be grounds for revocation in accordance with the Kirkland Zoning Code, Ordinance 3719, as amended.

Section 5. This ordinance shall be in full force and effect five (5) days from and after its passage by the Kirkland City Council and publication, pursuant to Section 1.09.010.

Section 6 A complete copy of this ordinance, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

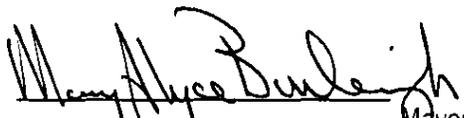
Section 7. A certified copy of this ordinance, together with the Findings, Conclusions, and Recommendations herein adopted shall be attached to and become a part of the Process IIB Permit or evidence thereof delivered to the permittee.

Section 8. Certified or conformed copies of this ordinance shall be delivered to the following:

- (a) Department of Planning and Community Development of the City of Kirkland
- (b) Fire and Building Departments of the City of Kirkland
- (c) Public Works Department of the City of Kirkland
- (d) The City Clerk for the City of Kirkland.

PASSED by majority vote of the Kirkland City Council
in open meeting this 6th day of July, 2004.

SIGNED IN AUTHENTICATION THEREOF on this
6th day of July, 2004.



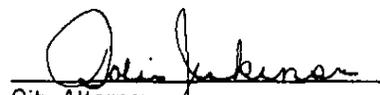
Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney



CITY OF KIRKLAND
Department of Public Works
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
 www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Tim Llewellyn, Fleet Supervisor
Daryl Grigsby, Public Works Director

Date: March 4, 2009

Subject: SURPLUS EQUIPMENT RENTAL VEHICLES/EQUIPMENT FOR SALE

RECOMMENDATION:

It is recommended that the City Council approve the surplusing of the Equipment Rental vehicles/equipment listed below:

BACKGROUND DISCUSSION:

The surplusing of vehicles or equipment which has been replaced with new vehicles or equipment, or no longer meet the needs of the City, is consistent with the City's Equipment Rental Replacement Schedule Policy. The following equipment has been replaced by new equipment, and if approved for surplusing, will be sold in accordance with purchasing guidelines at public auction or to public agencies.

<u>Fleet #</u>	<u>Year</u>	<u>Make</u>	<u>VIN/Serial Number</u>	<u>License #</u>	<u>Mileage</u>
A01-03	2001	Ford Crown Victoria	2FAFP71WX1X181361	34106D	91,854
P05-01	2005	Ford Crown Victoria	2FAHP71W35X150743	39478D	72,124
P03-11	2003	Ford Crown Victoria	2FAHP71WX3X216024	36374D	71,423
TR-06A	1998	Case 580SL Backhoe (4x2)	JJG0268714	26112D	3558 Hrs.

For clarification purposes, A01-03, is a Police Command Staff vehicle which achieved its expected useful life of 8 years.

P05-01 is a Police Patrol vehicle. It was kept 2 years beyond its normal anticipated life of 2.5 years. P03-11 is a Police K-9 vehicle. It was also kept 2 years beyond its normal anticipated life of 2.5 years.

TR-06A is a backhoe primarily operated by the Public Works' Street Department. It was kept 1 year beyond its normal anticipated life of 10 years.

The City's Equipment Rental Replacement Schedule is used as a guideline for vehicle replacement and amortization of equipment. Fleet Management staff evaluates each vehicle and determines the actual replacement date according to vehicle condition.

The above vehicles will be sold at public auction.

Cc: Donna Burris, Internal Services Manager



CITY OF KIRKLAND
 Department of Finance & Administration
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Barry Scott, Purchasing Agent

Date: March 5, 2009

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF MARCH 17, 2009

This report is provided to apprise the Council of recent and upcoming procurement activities where the cost is estimated or known to be in excess of \$50,000. The "Process" column on the table indicates the process being used to determine the award of the contract.

The City's major procurement activities initiated since February 18, 2009 are as follows:

	Project	Process	Estimate/Price	Status
1.	EarthCorps Urban Forest Restoration Project (2009-2010)	Cooperative Purchase	\$183,610	General Services Contract issued. Cooperative purchase using contract awarded by City of Seattle.
2.	100th Ave/99th Place NE Sidewalks Project	Invitation for Bids	\$290,000	Invitation for Bids to be advertised on 3/9.

Please contact me if you have any questions regarding this report.



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

MEMORANDUM

Date: March 4, 2009

To: David Ramsey, City Manager

From: Eric Shields, AICP, Director
Joan Lieberman-Brill, AICP, Senior Planner

Subject: Resolution to Allow Notice of Intention for Bridle View Annexation to be forwarded to the King County Boundary Review Board and Discussion to Determine Annexation Effective Date (file ANN07-00001)

RECOMMENDATION

- Adopt Resolution 4749 to express your intent to allow the Bridle View Annexation Notice of Intention to be transmitted to the Boundary Review Board.
- Provide direction to staff on the effective date of the proposed annexation.
 - 2009, which will result in the greatest lag time between start of service delivery and disbursement of property tax revenue to Kirkland in 2011.
 - 2010, which will result in the shortest lag time between start of service delivery and disbursement of property tax revenue in 2011.

BACKGROUND

Resolution

The 60% petition was submitted to the City by the Bridle View Annexation Committee on January 20, 2009. The King County Assessor has certified that the owners of at least 60 percent of the total assessed value have signed the petition. Staff will now prepare and submit a "Notice of Intention" annexation packet to the King County Boundary Review Board (BRB). By statute, the latest this Notice of Intention to annex may be submitted to the BRB is 6 months from the date the 60% petition was received. Therefore the latest we could submit would be by July 19, 2009.

As part of the submittal, a resolution is necessary that indicates your resolve to allow this notice of intention to proceed to the BRB for this annexation. A certified copy of the minutes showing this action will be included in the packet to BRB.

Bridle View Annexation Memo

March 4, 2009

Page **2** of **3**

Work Program Next Steps

- Staff submits the Notice of Intent to the BRB by July 19, 2009
- BRB has 120 days to review and approve annexation
- Staff submits Notice of Intent to the Department of Revenue (DOR) and Office of Financial Management (OFM)
- City Council considers the annexation at a public hearing and adopts an ordinance setting the effective date of the annexation and zoning. (Effective date must be at least 75 days after the Notice of Intent received by DOR and OFM)
- Staff has 30 days from the effective date to take census and submit to OFM along with Annexation Certification.
- OFM certifies and files annexation with state agencies to make revenue distributions.

Effective Date Discussion

Issues Influencing the Effective Date

1. The first consideration influencing the effective date is the lag time between when property and sales tax revenues from the annexation area are disbursed to Kirkland and when the annexation goes into effect and service delivery commences. The Finance and Administration Department estimates that this area would generate approximately \$50,000 in property tax revenue. Since this area consists of residential and park land uses, sales tax revenue would be insignificant. City service cost estimates are low because no new police or fire employees are necessary to service this area, and the roads and storm water systems are in pretty good shape.

The State OFM and DOR determine deadlines for when the City can begin levying property tax and receive property tax disbursement, as well as collect sales tax revenue. Lag time between the effective date of annexation, when transfer of services to Kirkland starts, and receipt of revenue is determined by when Annexation Certification is received by these agencies. The following effective dates determine lag times:

- **Dec. 2009** The City could levy the property tax in 2010 for 2011 and receive disbursement with tax due April 30, 2011. There would be over a year's lag time between the commencement of City services and receipt of revenues. (This scenario assumes that the City is able to submit the Notice of Intention to the BRB in early May 2009, and BRB approves annexation by August.)
- **2010** If the effective date is delayed and certified by OFM as close to May 15 as possible, there will be an approximate 7 month lag time between the

Bridle View Annexation Memo

March 4, 2009

Page **3** of **3**

commencement of city services and disbursement of property tax revenue with tax due April 30, 2011. Staff recommends this option.

2. The second issue to consider in setting the effective date of the Bridle View annexation is transfer of the water system from the City of Redmond to the City of Kirkland. Kirkland and Redmond need to draft and approve an interlocal agreement that sets forth the parameters of the water system transfer. This process will take approximately 6-12 months to complete and should be complete prior to the effective date of the annexation. The Kirkland Public Works Department will need to hire RH2 Engineering to assist with the process and write an addendum to our Water Comprehensive Plan. The consultant and staff costs to carry out this process will be between \$50,000 and \$55,000 (\$40,000 consultant costs & \$10,000 to \$15,000 staff costs). The Public Works Department will be asking Redmond to share in the consultant costs, but they are not obligated to participate. Staff recommends that this process be funded from the water utility reserves.

Council Options for Effective Date:

- 1) Complete the annexation as soon as possible, possibly as soon as the end of 2009, far in advance of receipt of property tax revenues and/ or the transfer of the water service. This option results in greatest lag time between receipt of revenue and start of service delivery.
- 2) Implement the annexation closer to when the revenues begin. The latest would be July 1, 2010, in order for property tax to be distributed in 2011. This should also provide sufficient time to complete the Water Service Interlocal Agreement, which is estimated to be completed in the fourth quarter of 2009 or first quarter of 2010.

Regardless of the Council's direction on the effective date, the resolution of intent should be adopted so that the deadline for BRB submittal is met. Otherwise, the annexation cannot proceed.

CC: File ANN07-00001

Alice Prince, Bridle View Annexation Committee

RESOLUTION R-4749

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE TRANSMITTAL OF NOTICE OF INTENTION TO THE KING COUNTY BOUNDARY REVIEW BOARD FOR THE PROPOSED BRIDLE VIEW ANNEXATION IN ACCORDANCE WITH ITS PROCEDURES, AS TO THE AREA DESCRIBED IN THE PETITIONS TO ANNEX FILED WITH THE CITY, BY OWNERS OF NOT LESS THAN SIXTY PERCENT IN ASSESSED VALUE OF THE PROPERTY FOR WHICH ANNEXATION IS SOUGHT.

WHEREAS, there have been filed with the City of Kirkland, petitions to annex Bridle View pursuant to RCW 35A.14.120, as to the areas described in said petitions. Said area taken together are contiguous with the existing Kirkland city limits, and lie within that portion of unincorporated King County, bounded on the north by NE Old Redmond Road, on the west by 132 Avenue NE, on the south by NE 60th Street if extended, and on the east by Redmond City limits, all as more specifically hereinafter described; and

WHEREAS, said petitions have been found to contain, as required by law, the signature of owners representing not less than sixty percent in value of the property for which annexation is sought according to the assessed valuation for general taxation of this area; and

WHEREAS, In accordance with the procedures of the King County Boundary Review Board, the Kirkland City Council on March 17, 2009, did in open meeting, consider transmitting the notice of intention to annex Bridle View; now therefore,

BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The City Council of the City of Kirkland approves transmitting a certified copy of this resolution, together with a copy of the minutes, which shall be filed with the King County Boundary Review Board in accordance with its procedures. The area considered for annexation is that portion of unincorporated King County, contiguous to the existing boundary line of the City of Kirkland as described in Exhibit A to this resolution which Exhibit A by this reference is incorporated herein as though fully set forth.

Passed by majority vote of the Kirkland City Council in open meeting this 17th day of March, 2009.

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

Mayor

ATTEST:

City Clerk

Exhibit A

Bridle View Annexation Legal Description

That portion of the southwest quarter of Section 10, Township 25 North, Range 5 East, Willamette Meridian, in King County, Washington and further described as follows:

Beginning at the southwest corner of Section 10, Township 25 North, Range 5 East, Willamette Meridian, in King County, Washington;

Thence easterly, along the south line of said Section 10, a distance of 1312.50 feet, more or less, to the east line of the west half of the southwest quarter of said Section 10, also being the Redmond City Limits as established by Redmond Ordinance #309;

Thence northerly, along said east line, to the easterly extension of the north line of the Plat of Bridle View, as recorded in Volume 74 of Plats, on Page 59, records of King County, Washington, also being the Redmond City Limits as established by Redmond Ordinance #967;

Thence westerly, along said easterly extension, and the north line thereof, to the east line of the west 660 feet of the southwest quarter of said Section 10, also being the Redmond City Limits as established by Redmond Ordinance #1578;

Thence continuing westerly, along said north line and city limits, a distance of 90.50 feet;

Thence northerly, along said city limits, a distance of 366 feet, to a line 366 feet north of and parallel to the north line of said Bridle View Plat;

Thence westerly, along said parallel line, a distance of 569.50 feet, more or less, to the west line of said Section 10;

Thence southerly, along said west line, to the true point of beginning.

EXCEPT that portion of the 132nd Avenue NE right-of-way as previously annexed under City of Kirkland Ordinance #3064.

**CITY OF KIRKLAND**

Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Angela Ruggeri, AICP, Senior Planner
Eric Shields, AICP, Planning Director

Date: March 5, 2009

Subject: ADOPTION OF ORDINANCES AND SUMMARY ORDINANCES AMENDING THE KIRKLAND COMPREHENSIVE PLAN, ZONING CODE AND MAP, AND ADOPTING A PLANNED ACTION ORDINANCE FOR THE ORNI PRIVATE AMENDMENT REQUEST (FILE NO. ZONO7-00012)

RECOMMENDATION

Approve the enclosed three ordinances amending the Comprehensive Plan, Zoning Code and Map, and the Planned Action Ordinance for the Orni Private Amendment Request (PAR).

BACKGROUND DISCUSSION

The Planning Commission's recommendation for the Orni private amendment request was transmitted to the City Council for review at the study session on December 2, 2008 "[Meeting Packet](#)". The Council heard from both the applicant and the neighbors to the east of the PAR site that the Planning Commission's recommendation was not acceptable to them. The Mayor and Councilmember Sternoff offered to meet with both parties to try to find an appropriate alternative. Two meetings were held at the beginning of 2009 and a compromise was reached. The proposed amendments represent that compromise. The applicant was most interested in an allowance for an office-only option, while the neighbors wanted a maximum height of 40 feet above average building elevation with greater setbacks from their property line for all uses. The compromise alternative allows for office-only development up to a maximum 40 feet above average building elevation with additional setbacks from the east property line for all permitted uses.

The following is a description of the applicant's original request; the existing Comprehensive Plan and Zoning requirements; the Planning Commission's recommendation; and the proposal that is being recommended for approval.

ORNI PRIVATE AMENDMENT REQUEST

A. Existing Comprehensive Plan and Zoning

The subject property is located in Planned Area 5, Subarea D of the Moss Bay Neighborhood and has a High-Density Residential (HDR) Comprehensive Plan designation. This designation allows detached, attached, or stacked residential uses at up to 24 dwelling units per acre. The office uses that exist in this area are not consistent with this Comprehensive Plan designation.

The subject property is zoned PLA 5D. This zone allows multifamily and non-residential uses that are typically found in residential zones, including churches, schools and daycare facilities, among others. Office and most commercial uses are not permitted in this zone. With at least 1 acre of property, multifamily buildings can be a maximum height of the lower of 4 stories or 40 feet above ABE. Otherwise, buildings may be a maximum of 30 feet above ABE.

B. Applicant's Original Request

Kathy Orni submitted a PAR to amend the City of Kirkland Comprehensive Land Use Map from High Density Residential (HDR) to Office/Multifamily (O/MF) and to rezone the parcels at 825, 903, and 911 5th Avenue from the Planned Area 5D (PLA 5D) zone to the Planned Area 5C (PLA 5C) zone. The site currently contains three office buildings that are legally nonconforming uses. The applicant's request would make the offices conforming uses and would allow an increase in permissible building height above average building elevation (ABE) from 4 stories or 40 feet whichever is less up to the lower of 6 stories or 60 feet. An accompanying Zoning Code amendment would allow a reduction of building setbacks where PLA 5C development abuts low-density single family uses in the PLA 5A zone.

Although the site is zoned for high density residential use, it has contained office uses for nearly 30 years. The three existing legally nonconforming office buildings were allowed to be built because of a legal action that was taken when the property was rezoned from office to residential in 1979. The area was predominately single family when the original zoning was put in place. It is now predominately high density multifamily with office uses to the west.

C. Planning Commission Recommendation

The Planning Commission developed potential amendments to the Comprehensive Plan and Zoning Code for recommendation to the City Council. Although the property has contained nonconforming office buildings for the past 30 years, the Commission felt that redevelopment of the property for exclusively office use would not be appropriate due to the predominance of residential uses to

the east and south. The Commission was also concerned with the potential impacts to adjoining residential properties if additional building height was permitted. However, in recognition of the existing offices and the location of the property between office and residential zones, the Commission recommended that a compromise mixed-use option be added to the PLA 5D zone. The recommendation allowed mixed-use with over 50% residential and the remainder office. An additional setback from residential uses on adjoining properties was required for development with office uses, but not for other types of development. The additional height requested was not recommended because of the concern for impact on the adjoining residential properties. In summary, the Planning Commission's recommended amendments included:

1. Comprehensive Plan:

The draft amendments to the Planned Area 5 section of the Moss Bay Neighborhood Plan included the following key revisions:

- Amend Planned Area 5D to allow mixed-use office and residential development.
- Remove reference to greater height limitation, large setbacks and limitation of horizontal dimensions adjacent to single family dwellings in Planned Area 5A.

In addition, various other minor text edits to Planned Area 5 were included.

2. Zoning Map and Zoning Code:

The draft amendments to the Kirkland Zoning Code included the following key revisions:

Uses: The PLA 5D existing zoning would be maintained, but an additional mixed-use listing (residential and office) would be added for the study area only. This listing would require that more than 50% of the building area on the site be residential. An office only development as proposed by the applicant would not be allowed.

Height Allowances: The maximum height limit for the new mixed-use listing would be 4 stories or 40 feet above ABE, whichever is less. This is consistent with the existing code, which presently allows multifamily buildings up to 4 stories or 40 feet above average building elevation (ABE), whichever is less if the site is at least one acre, otherwise 30' ABE is allowed.

Setback Requirements: A special regulation would be added requiring office uses to be setback at least 15' from residential uses on adjoining properties. Buildings containing office uses that are over 30 feet in height must set back portions of the building with office uses over 30' high an additional 10 feet from the property line if there are residential uses on adjoining properties. The existing code requirement for an additional setback from single family uses in PLA 5A for buildings over 30' above ABE would be removed.

Design review: Administrative design review would be a requirement for the mixed-use development, but not for residential only development.

C. Revised recommendation after discussions with applicant and neighbors to the east of the PAR site.

1. Comprehensive Plan:

The draft amendments to the Planned Area 5 section of the Moss Bay Neighborhood Plan include the following key revisions:

- Area included in the Orni PAR is moved from PLA 5D to PLA 5C in Figure C-2: Moss Bay Area Land Use.
- Amendment to PLA 5C to limit structures on the Orni PAR site to 4 stories.
- Additional setbacks required from the western boundary of PLA 5D for all uses in the PAR area.
- Various other minor text edits to Planned Area 5D are included.

2. Zoning Map and Zoning Code:

The draft amendments to the Kirkland Zoning Code include the following key revisions:

- Rezone: Area included in the Orni PAR is moved from the PLA 5D zone to the PLA 5C zone.
- Uses: The new zoning for the property allows office uses as well as multifamily. The previous proposed zoning for the site did not allow office only development.
- Height Allowances and Lot Size Requirements: The existing PAR zoning allows up to 4 stories or 40' above ABE whichever is less if the site is at least 1 acre, otherwise, 30' above ABE. The new PAR zoning will have the same height limits.

- New Special Regulation: A new special regulation will be added for the PAR site which will require all permitted uses to have a setback of 15 feet from the adjoining property to the east. An additional 35 foot building step back for portions of the building in excess of 30 feet above ABE has also been added for all uses. Previous PAR zoning had a 5 foot setback from the eastern property line.
- Design review: Administrative design review will be a requirement for all buildings over 30' above ABE.

D. Planned Action Ordinance:

Both the Planning Commission's recommendation and the latest revised recommendation include approval of a Planned Action Ordinance.

The Environmental Impact Statement that was done for the Orni project, along with the Touchstone (Parkplace) and Altom projects, includes the adoption of a Planned Action Ordinance designating the private amendment request for Orni as a Planned Action for the purposes of SEPA compliance, pursuant to RCW 43.21C.031(2)(a) and WAC 197-11-164. A Planned Action is intended to conduct early environmental review under SEPA so that impacts and mitigation measures for the planned development are identified up front.

The City will monitor the development levels approved in the planned action area as follows:

- Determine if the proposed land uses are within categories of land use studied in the EIS.
- Establish the maximum development potential for the private amendment request as reviewed in the EIS. Development potential can be expressed in square feet of development and in total vehicle trips.
- There is also a requirement for implementation of a transportation management plan and associated monitoring.

cc: ZON07-00012
Katherine Orni, 825 5th Avenue, Suite 202, Kirkland, WA 98033
Planning Commission

ORDINANCE NO. 4184

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, TO IMPLEMENT CHANGES TO THE PLANNED AREA 5 SECTION OF THE MOSS BAY NEIGHBORHOOD PLAN, AND THE MOSS BAY NEIGHBORHOOD LAND USE MAP, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00012.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated November 20, 2008, and bearing Kirkland Department of Planning and Community Development File No. ZON07-00012; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held public hearings on April 24, 2008, June 12, 2008, and October 22, 2008, on the amendment proposals and considered the comments received at said hearings; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a Planned Action Environmental Impact Statement. The Draft of which was issued on April 4, 2008 and the Final of which was issued on October 16, 2008 by the responsible official pursuant to WAC 197-11-400 through 197-11 560; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission; and

WHEREAS, the City Council after considering the recommendation of the Planning Commission and receiving public comment amended the Planning Commission's recommendation;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Comprehensive Plan Text, Tables, and Graphics amended: The following specific portions of the text of the Comprehensive Plan, Ordinance 3481 as amended, be and they hereby are amended to read as follows:

A. Section XV.D. Moss Bay Neighborhood Plan:

Amendments to Figure C-2: Moss Bay Area Land Use as set forth in Exhibit A attached to this ordinance and incorporated by reference.

- B. Section XV.D. Moss Bay Neighborhood Plan:
Amendments to 4. Perimeter Areas: C. Planned Area 5 as set forth in Exhibit B attached to this ordinance and incorporated by reference.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council as required by law.

Section 4. A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2009.

SIGNED IN AUTHENTICATION THEREOF this _____ day of _____, 2009.

Mayor

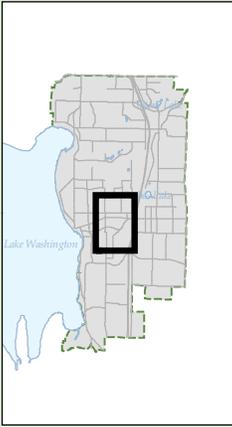
Attest:

City Clerk

Approved as to Form:

City Attorney

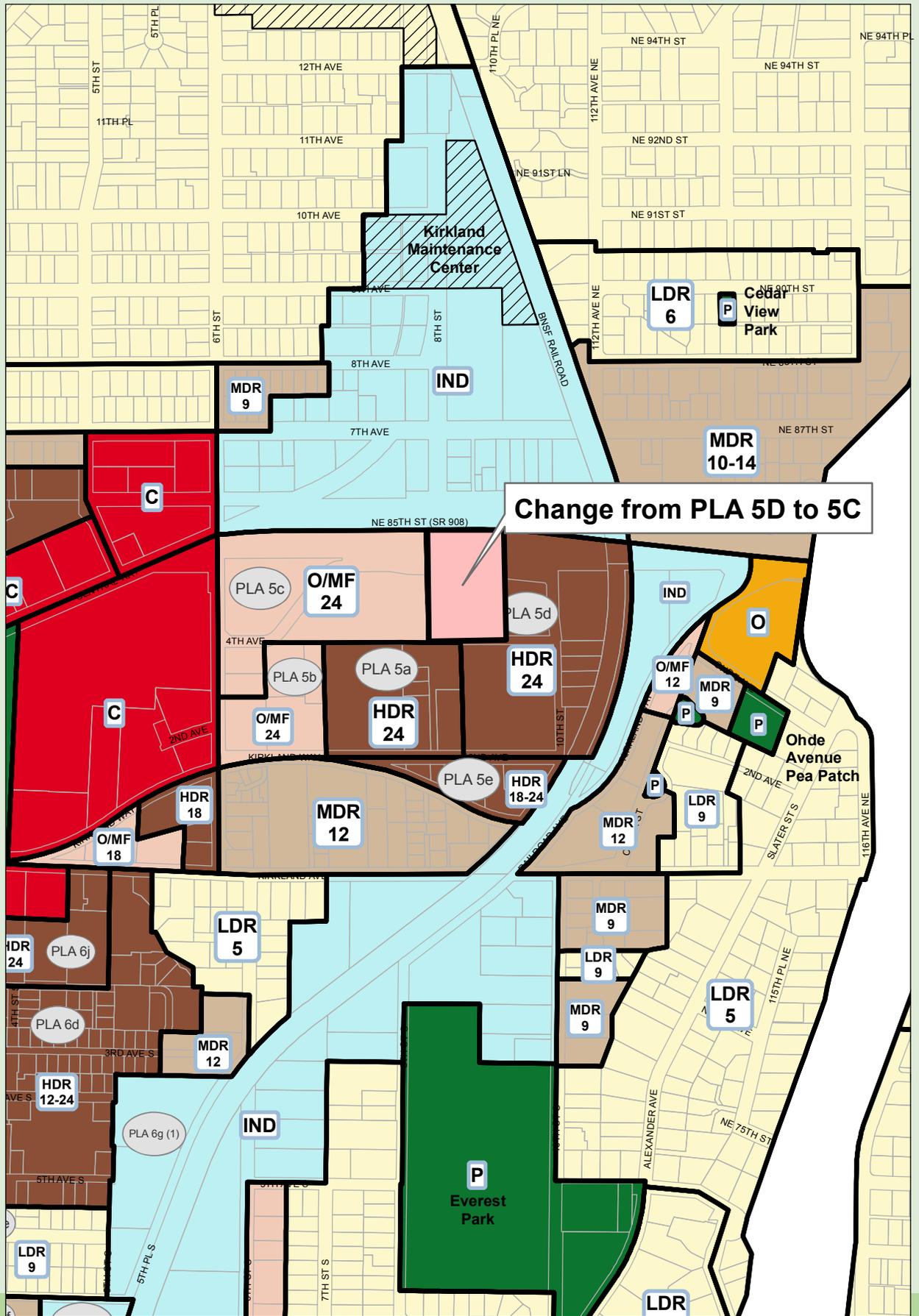
Proposed Land Use Map Change



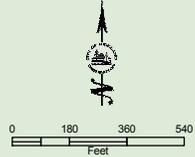
Vicinity Map



- Map Legend**
- PUBLIC FACILITIES
 - PARCEL BOUNDARIES
- LAND USE BOUNDARIES**
- COMMERCIAL
 - INDUSTRIAL
 - LIGHT MANUFACTURING PARK
 - TRANSIT ORIENTED DEVELOPMENT
 - OFFICE
 - OFFICE/MULTI-FAMILY
 - HIGH DENSITY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL
 - LOW DENSITY RESIDENTIAL
 - INSTITUTIONS
 - PARK/OPEN SPACE



Change from PLA 5D to 5C



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 No warranties of any sort, including but not limited to accuracy,
 fitness or merchantability, accompany this product.

C. PLANNED AREA 5

High-density residential and office uses permitted in Planned Area 5.

The eastern portion of the Central Neighborhood has been designated as Planned Area 5. Due to topographic conditions and circulation patterns, land in Planned Area 5 is relatively secluded. The area has been designated for high-density residential and office uses because of the ability to buffer such high-density development from other uses in the area. The area is developed primarily in high-density residential development while limited office uses exist in the northwestern portion of the area. This planned area is divided into five subareas, based on the unique conditions for development within each area.

Central A Subarea

The Central A subarea of PLA 5 should be permitted to develop with high-density residential uses (up to 24 dwellings/acre).

West B Subarea

The southern portion of Subarea B is adjacent to 6th Street and the entire subarea is south of 4th Avenue. Subarea B is heavily impacted by traffic, as well as existing and future commercial uses and offices to the west. The noise and traffic make this area inappropriate for single-family use, while its ease of access and proximity to the Downtown makes it appropriate for both offices and multifamily uses at a density of up to 24 dwelling units per acre. New development in this subarea should minimize access points directly onto 6th Street. Access for offices, however, should be provided exclusively from 6th Street or 4th Avenue and precluded from Kirkland Way. Structures should be limited to three stories in height.

North C Subarea

Subarea C, located north of Subareas B and A, **and north and west of Subarea D**, contains office development and the U.S. Post Office facility serving Greater Kirkland. Remaining land should develop as professional office or multifamily residential at a density of up to 24 dwelling units per acre. **Structures up to five or six stories in height are appropriate here in the area north**

of Subareas B and A for developments containing at least one acre. The adjacent steep hillside limits potential view obstruction from tall buildings. At the same time, taller than normal structures could themselves take advantage of views to the west while maintaining greater open area on site and enhancing the greenbelt spine. **Structures up to four stories in height are appropriate in the eastern portion near Subarea 5D for developments containing at least one acre, if additional building setbacks are provided from residential development to the east in Subarea 5D.**

East D Subarea

The easternmost third of PLA 5 is identified as Subarea D. This area has developed in high-density multifamily uses **in recent years**. ~~Remaining developable land is limited to one parcel in the southeast portion of the subarea.~~ **Any future** development should be multifamily residential at a density of up to 24 dwelling units per acre. ~~However, to minimize impacts of future development or redevelopment on remaining single-family dwellings in Subarea A, height limitations, large setbacks, and limitation of horizontal dimensions should be required where this development is adjacent to single-family homes.~~

South E Subarea

The most southerly subarea is the smallest and is somewhat isolated from the other subareas. Lying between 2nd Avenue and Kirkland Way, this area could develop with high-density multifamily residential (up to 24 units per acre). Due to sight distance problems on Kirkland Way, access to and from this area should be restricted to 2nd Avenue.

PUBLICATION SUMMARY
OF ORDINANCE NO. 4184

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, TO IMPLEMENT CHANGES TO THE PLANNED AREA 5 SECTION OF THE MOSS BAY NEIGHBORHOOD PLAN, AND THE MOSS BAY NEIGHBORHOOD LAND USE MAP, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00012.

SECTION 1. Amends the following specific portions of the Kirkland Comprehensive Plan:

- A. Amendments to Figure C-2: Moss Bay Area Land Use,
- B. Amendments to Perimeter Areas: C. Planned Area 5 in the Moss Bay Neighborhood Plan section.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as five days after publication of summary.

SECTION 4. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2009.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

City Clerk

ORDINANCE NO. 4185

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE) USE ZONE CHART IN CHAPTER 60 AND THE KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00012.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code), all as set forth in that certain report and recommendation of the Planning Commission dated November 20, 2008, and bearing Kirkland Department of Planning and Community Development File No. ZON07-00012; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held public hearings on April 24, 2008, June 12, 2008, and October 22, 2008, on the amendment proposals and considered the comments received at said hearings; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a Planned Action Environmental Impact Statement. The Draft of which was issued on April 4, 2008, and the Final of which was issued on October 16, 2008, by the responsible official pursuant to WAC 197-11-400 through 197-11 560; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission; and

WHEREAS, the City Council after considering the recommendation of the Planning Commission and receiving public comment amended the Planning Commission's recommendation;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Zoning Text amended: The following specified sections of the text of the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code) are amended as follows:

- A. Chapter 60. Planned Area 5 Zones:
Amendments to PLA 5C use zone chart as set forth in Exhibit A attached to this ordinance and incorporated by reference.

Section 2. Zoning Map amended: The following specified zones of Ordinance 3710 as amended, the Kirkland Zoning Map, are amended as set forth in Exhibit B, which by this reference is incorporated herein.

Section 3. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council as required by law.

Section 5. A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2009.

SIGNED IN AUTHENTICATION THEREOF this _____ day of _____, 2009.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

PLA5C USE ZONE CHART

The following is excerpted from the PLA5C zone of the Zoning Code to illustrate changes related to the Orni PAR. Edited portions are indicated in shaded text.

KZC 60. 39 User Guide. The charts in KZC 60.42 contain the basic zoning regulations that apply in Planned Area 5C, including subzones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.40 - GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density use within PLA 5A, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The horizontal length of any façade of that portion of the structure which is within 100 feet of the lot containing a low density use within PLA 5A shall not exceed 75 feet.

See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
(Does not apply to Detached Dwelling Unit uses).
3. Any portion of a structure that exceeds 30 feet above average building elevation must be setback from the front property line one foot for each one foot that the portion of the structure exceeds 30 feet above average building elevation (does not apply to Detached Dwelling and Public Park uses or property within 325' of the PLA5C eastern boundary).
4. If the subject property abuts the 4th Avenue right-of-way or the easterly extension of the alignment of that right-of-way to 10th Street, the following regulations apply:
 - a. The City may require the applicant to dedicate and improve land as shown in the Public Improvements Master Plan adopted by the City for this area.
 - b. Any required yard of the subject property abutting the 4th Avenue right-of-way or the easterly extension of that right-of-way will be regulated as a front yard.
 - c. Any required yard of the subject property abutting 5th Avenue will be regulated as a rear yard.
 - d. Service and parking areas must, to the maximum extent possible, be located and oriented away from the 4th Avenue right-of-way unless primary vehicular access to the subject property is directly from that right-of-way. (Does not apply to Public Park uses).

USE ZONE CHART

Section 60.42.010

Use: Detached Dwelling Units - *Remains unchanged.*

Section 60.42.020

Use: Detached, Attached or Stacked Dwelling Units

Required Review Process: If the development is south of 4th Avenue and within 180 feet east of 6th Street, or within 325' of the PLA5C eastern boundary, then Administrative Design Review for buildings over 30' above average building elevation, Chapter 142 KZC; Otherwise, none.

Minimums:

Lot Size: 3,600 sq. ft. with at least 1,800 sq. ft. per unit.

Required Yards: Front: 20'; Side: 5' for detached units. For attached or stacked units, 5', but 2 side yards must equal at least 15'. From easterly edge of PLA 5C - 15'; and Rear: 10'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- If the development contains at least 1 acre, then the lower of 6 stories or 60 feet above average building elevation, except for properties within 325' of the PLA5C eastern boundary, then the lower of 4 stories or 40 feet above average building elevation.
- If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least .8 acres, then the lower of 4 stories or 52' feet above average building elevation.
- If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least .4 acres, then the lower of 3 stories or 40 feet above average building elevation.
- Otherwise, 30 feet above average building elevation.

Landscape Category: D

Sign Category: A

Required Parking: 1.7 per unit.

Special Regulations:

New special regulation added:

For properties abutting PLA5D, any portion of a building exceeding 30' above ABE shall be no closer than 50' to the easterly edge of PLA 5C.

The remainder of the special regulations are unchanged.

Section 60.42.030

Use: Office Use

Required Review Process: If the development is south of 4th Avenue and within 180 feet east of 6th Street, or within 325' of the PLA5C eastern boundary, then Administrative Design Review for buildings over 30' above average building elevation, Chapter 142 KZC; Otherwise, none.

Minimums:

Lot Size: None

Required Yards: Front: 20'; Side: 5', but 2 side yards must equal at least 15'. From easterly edge of PLA 5C - 15'; and Rear: 10'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- If the development contains at least 1 acre, then the lower of 6 stories or 60 feet above average building elevation, except for properties within 325' of the PLA5C eastern boundary, then the lower of 4 stories or 40 feet above average building elevation.
- If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least .8 acres, then the lower of 4 stories or 52' feet above average building elevation.
- If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least .4 acres, then the lower of 3 stories or 40 feet above average building elevation.
- Otherwise, 30 feet above average building elevation.

Landscape Category: C

Sign Category: D

Required Parking: If a Medical, Dental, or Veterinary office, then 1 per each 200 square feet of gross floor area. Otherwise, 1 per each 300 square feet of gross floor area.

Special Regulations:

New special regulation added:

For properties abutting PLA5D, any portion of a building exceeding 30' above ABE shall be no closer than 50' to the easterly edge of PLA 5C.

The remainder of the special regulations are unchanged.

Section 60.42.040

Use: Development Containing Stacked or Attached Dwelling Units and Office Uses.

Required Review Process: If the development is south of 4th Avenue and within 180 feet east of 6th Street, or within 325' of the PLA5C eastern boundary, then Administrative Design Review for buildings over 30' above average building elevation, Chapter 142 KZC; Otherwise, none.

Minimums:

Lot Size: 3,600 sq. ft. with at least 1,800 sq.ft. per unit.

Required Yards: Front: 20'; Side: 5', but 2 side yards must equal at least 15'. From easterly edge of PLA 5C - 15'; and Rear: 10'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- If the development contains at least 1 acre, then the lower of 6 stories or 60 feet above average building elevation, except for properties within 325' of the PLA5C eastern boundary, then the lower of 4 stories or 40 feet above average building elevation.
- If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least .8 acres, then the lower of 4 stories or 52' feet above average building elevation.
- If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least .4 acres, then the lower of 3 stories or 40 feet above average building elevation.
- Otherwise, 30 feet above average building elevation.

Landscape Category: C

Sign Category: D

Required Parking: See KZC 105.25.

Special Regulations:

New special regulation added:

For properties abutting PLA5D, any portion of a building exceeding 30' above ABE shall be no closer than 50' to the easterly edge of PLA 5C.

The remainder of the special regulations are unchanged.

Section 60.42.050

Use: Church

Required Review Process: Process I, Chapter 145 KZC

Minimums:

Lot Size: 7,200 sq. ft.

Required Yards: Front: 20'; Side: 20'on each side, and Rear: 20'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- The lower of 6 stories or 60 feet above average building elevation, except for properties within 325' of the PLA5C eastern boundary, then the lower of 4 stories or 40 feet above average building elevation.

Landscape Category: C

Sign Category: B

Required Parking: 1 for every 4 people based on maximum occupancy load of any area of worship.

Special Regulations:

New special regulation added:

For properties abutting PLA5D, any portion of a building exceeding 30' above ABE shall be no closer than 50' to the easterly edge of PLA 5C.

The remainder of the special regulations are unchanged.

Section 60.42.060

Use: School or Day-Care Center

Required Review Process: If this use is adjoining a low density zone, then Process I, Chapter 145. Otherwise, None.

Minimums:

Lot Size: 7,200

Required Yards: If this use can accommodate 50 or more students or children then:

Front: 50'; Side: 50' on each side, and Rear: 50'

If this use can accommodate 13 to 49 students or children, then:

Front: 20'; Side: 20' on each side, and Rear: 20'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- The lower of 6 stories or 60 feet above average building elevation, except for properties within 325' of the PLA5C eastern boundary, then the lower of 4 stories or 40 feet above average building elevation.

Landscape Category: D

Sign Category: B

Required Parking: See KZC 105.25.

Special Regulations:

New special regulation added:

For properties abutting PLA5D, any portion of a building exceeding 30' above ABE shall be no closer than 50' to the easterly edge of PLA 5C.

The remainder of the special regulations are unchanged.

Section 60.42.070

Use: Mini-School or Mini-Day-Care

Required Review Process: If the development is south of 4th Avenue and within 180 feet east of 6th Street, or within 325' of the PLA5C eastern boundary, then Administrative Design Review for buildings over 30' above average building elevation, Chapter 142 KZC; Otherwise, none.

Minimums:

Lot Size: 3,600 sq.ft.

Required Yards: Front: 20'; Side: 5', but 2 side yards must equal at least 15'. From easterly edge of PLA 5C - 15'; and Rear: 10'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- If the development contains at least 1 acre, then the lower of 6 stories or 60 feet above average building elevation, except for properties within 325' of the PLA5C eastern boundary, then the lower of 4 stories or 40 feet above average building elevation.
- If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least .8 acres, then the lower of 4 stories or 52' feet above average building elevation.
- If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least .4 acres, then the lower of 3 stories or 40 feet above average building elevation.
- Otherwise, 30 feet above average building elevation.

Landscape Category: E

Sign Category: B

Required Parking: See KZC 105.25

Special Regulations:

New special regulation added:

For properties abutting PLA5D, any portion of a building exceeding 30' above ABE shall be no closer than 50' to the easterly edge of PLA 5C.

The remainder of the special regulations are unchanged.

Section 60.42.080

Use: Assisted Living Facility

Required Review Process: If the development is south of 4th Avenue and within 180 feet east of 6th Street, or within 325' of the PLA5C eastern boundary, then Administrative Design Review for buildings over 30' above average building elevation, Chapter 142 KZC; Otherwise, none.

Minimums:

Lot Size: 3,600 sq. ft.

Required Yards: Front: 20'; Side: 5', but 2 side yards must equal at least 15'. From easterly edge of PLA 5C - 15'; and Rear: 10'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- If the development contains at least 1 acre, then the lower of 6 stories or 60 feet above average building elevation, except for properties within 325' of the PLA5C

eastern boundary, then the lower of 4 stories or 40 feet above average building elevation.

- If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least .8 acres, then the lower of 4 stories or 52' feet above average building elevation.
- If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least .4 acres, then the lower of 3 stories or 40 feet above average building elevation.
- Otherwise, 30 feet above average building elevation.

Landscape Category: D

Sign Category: A

Required Parking: 1.7 per independent unit. 1 per assisted living unit.

Special Regulations:

New special regulation added:

For properties abutting PLA5D, any portion of a building exceeding 30' above ABE shall be no closer than 50' to the easterly edge of PLA 5C.

The remainder of the special regulations are unchanged.

Section 60.42.090

Use: Convalescent Center or Nursing Home

Required Review Process: Process I, Chapter 145 KZC

Minimums:

Lot Size: 7,200 sq. ft.

Required Yards: Front: 20'; Side: 10'on each side, and Rear: 10'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- The lower of 6 stories or 60 feet above average building elevation, except for properties within 325' of the PLA5C eastern boundary, then the lower of 4 stories or 40 feet above average building elevation.

Landscape Category: C

Sign Category: B

Required Parking: 1 for each bed.

Special Regulations:

New special regulation added:

For properties abutting PLA5D, any portion of a building exceeding 30' above ABE shall be no closer than 50' to the easterly edge of PLA 5C.

The remainder of the special regulations are unchanged.

Section 60.42.100

Use: Public Utility

Required Review Process: Process I, Chapter 145 KZC

Minimums:

Lot Size: None

Required Yards: Front: 20'; Side: 20' on each side, and Rear: 10'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- The lower of 6 stories or 60 feet above average building elevation, except for properties within 325' of the PLA5C eastern boundary, then the lower of 4 stories or 40 feet above average building elevation.

Landscape Category: A

Sign Category: B

Required Parking: See KZC 105.25.

Special Regulations:

New special regulation added:

For properties abutting PLA5D, any portion of a building exceeding 30' above ABE shall be no closer than 50' to the easterly edge of PLA 5C.

The remainder of the special regulations are unchanged.

Section 60.42.110

Use: Government Facility or Community Facility

Required Review Process: Process I, Chapter 145 KZC

Minimums:

Lot Size: none

Required Yards: Front: 20'; Side: 10' on each side, and Rear: 10'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- The lower of 6 stories or 60 feet above average building elevation, except for properties within 325' of the PLA5C eastern boundary, then the lower of 4 stories or 40 feet above average building elevation.

Landscape Category: C

Sign Category: B

Required Parking: See KZC 105.25.

Special Regulations:

New special regulation added:

For properties abutting PLA5D, any portion of a building exceeding 30' above ABE shall be no closer than 50' to the easterly edge of PLA 5C.

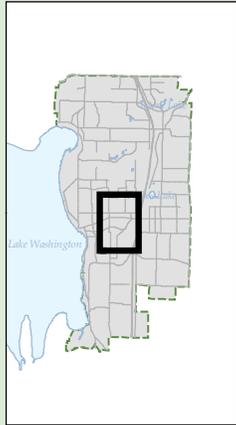
The remainder of the special regulations are unchanged.

Section 60.42.120

Use: Public Park

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.

Proposed Zoning Map Change

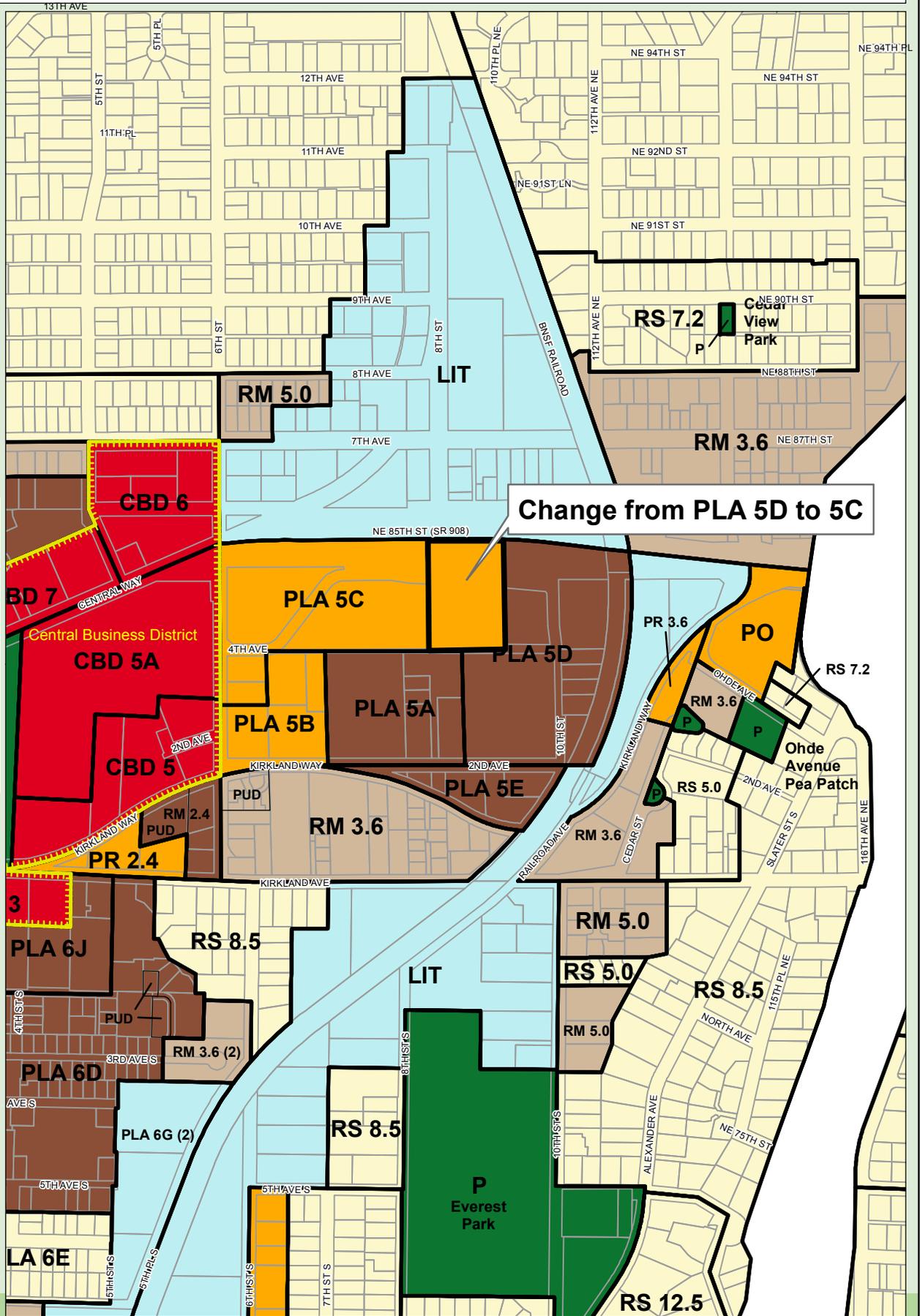


Vicinity Map

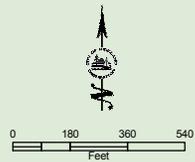


Map Legend

- Design Districts
- ResOrdBoundaries
- OverlayBoundaries
- PUD Boundary
- Tax Parcel Boundary
- Commercial
- Industrial
- Light Manufacturing Park
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space



Change from PLA 5D to 5C



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PUBLICATION SUMMARY
OF ORDINANCE NO. 4185

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE) USE ZONE CHART IN CHAPTER 60 AND THE KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00012.

SECTION 1. Amends the following specific portion of the Kirkland Zoning Code: Chapter 60. Planned Area 5 Zones, use zone chart PLA 5C;

SECTION 2. Amends the Kirkland Zoning Map as set forth in Exhibit B.

SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as five days after publication of summary.

SECTION 5. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2009.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

City Clerk

ORDINANCE NO. 4186

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND PLANNING; ESTABLISHING A PLANNED ACTION FOR AN AREA IN THE MOSS BAY NEIGHBORHOOD GENERALLY LOCATED EAST OF 6TH STREET, SOUTH OF CENTRAL WAY/NE 85TH STREET, WEST OF 10TH STREET, AND NORTH OF KIRKLAND WAY PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT, RCW 43.21C.031.

WHEREAS, the State Environmental Policy Act ("SEPA"), RCW 43.21C, and implementing rules (WAC 197-11) provide for the integration of environmental review with land use planning and project review through designation of "Planned Actions" by jurisdictions planning under the Growth Management Act ("GMA"); and

WHEREAS, designation of a Planned Action expedites the permitting process for subsequent, implementing projects whose impacts have been previously addressed in a Planned Action environmental impact statement ("EIS"), and thereby encourages desired growth and economic development; and

WHEREAS, the Planned Action EIS identifies impacts and mitigation measures associated with planned development in the subject Planned Action Area; and

WHEREAS, the Planned Action EIS also identifies impacts and mitigation measures associated with planned developments in two other Planned Action Areas previously designated in the Moss Bay Neighborhood; and

WHEREAS, these Planned Actions Areas were designated in Ordinance No. 4175, passed by the Kirkland City Council on December 16, 2008, and are shown as Area A and Area C in Exhibit A to Ordinance No. 4175 and in Exhibit A to this Ordinance; and

WHEREAS, the mitigation measures identified in Exhibit B to Ordinance No. 4175 and Exhibit B to this Ordinance address all three Planned Action Areas and not only the subject Planned Action Area;

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Purpose. The purpose of this ordinance is to:

- A. Combine environmental analysis with land use planning;
- B. Streamline and expedite the development permit review process by relying on the EIS completed for the Planned Action;
- C. Establish criteria and procedures, consistent with state law, that will determine whether subsequent projects qualify as Planned Actions;
- D. Provide the public with an understanding of Planned Actions and how the City will process Planned Actions; and

E. Apply the City's development regulations together with the mitigation measures described in the EIS and this Ordinance to address the impacts of future development contemplated by the Planned Action.

Section 2. Findings. The City Council finds as follows:

A. The City is subject to the requirements of the Growth Management Act, RCW 36.70A, and is located within an Urban Growth Area;

B. The City has adopted a Comprehensive Plan complying with the GMA;

C. The City is adopting development regulations applicable to the proposed development concurrent with adoption of this Planned Action Ordinance to address many of the impacts of future development;

D. The City has prepared an EIS complying with SEPA for the area designated as a Planned Action ("Planned Action EIS") and finds that it adequately addresses the probable significant environmental impacts associated with the type and amount of development planned to occur in the designated Planned Action area;

E. The mitigation measures identified in the Planned Action EIS are attached to this Ordinance as Exhibit B. The mitigation measures also apply to two Planned Action Areas previously designated by Ordinance No. 4175 and shown as Areas A and C in the Exhibit A to Ordinance No. 4175 and this Ordinance. These mitigation measures, together with City development regulations, will adequately mitigate significant impacts from development within the Planned Action area;

F. The Planned Action EIS and this Ordinance identify the location, type and amount of development that is contemplated by the Planned Action;

G. Future projects that are consistent with the Planned Action will protect the environment, benefit the public and enhance economic development;

H. The City has provided numerous opportunities for meaningful public involvement in the proposed Planned Action; has considered all comments received; and, as appropriate, has modified the proposal or mitigation measures in response to comments;

I. The proposal is not an essential public facility as defined by RCW 36.70A.200(1);

J. The Planned Action area applies to a defined area that is smaller than the overall City boundaries; and

K. Public services and facilities are adequate to serve the proposed Planned Action with the mitigation measures identified in Exhibit B.

Section 3. Procedures and criteria for evaluating and determining projects as Planned Actions:

A. Planned Action Area. The Planned Action designation shall apply to Area B in the Moss Bay Neighborhood as specifically shown in Exhibit A, "Planned Action Area": the three parcels located at 825, 903, and 911 Fifth Avenue totaling approximately 2.0 acres of land. Additionally, the Planned Action designation shall apply to any off-site improvements necessitated by proposed development on the subject sites, where the off-site improvements have been analyzed in the Planned Action EIS.

B. Environmental Document. A Planned Action determination for a site-specific permit application shall be based on the environmental analysis contained in the Draft Planned Action EIS issued by the City on April 4, 2008, and the Final Planned Action EIS published on October 16, 2008. The mitigation measures contained in Exhibit B, which is attached hereto and adopted by reference as though fully set forth herein, are based upon the findings of the Draft and Final EISs and shall, along with existing City codes, ordinances, and standards, provide the framework that the City will use to impose appropriate conditions on qualifying Planned Action projects. The Draft and Final EISs shall comprise the Planned Action EIS.

C. Planned Action Designated. Land uses described in the Planned Action EIS, subject to the thresholds described in Subsection D of this Section and the mitigation measures contained in Exhibit B, are designated Planned Actions pursuant to RCW 43.21C.031. A development application for a site-specific Planned Action project located within the Planned Action Area shall be designated a Planned Action if it meets the criteria set forth in Subsection D of this Section and applicable laws, codes, development regulations and standards of the City.

D. Planned Action Thresholds. The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action area is contemplated by the Planned Action and has had its environmental impacts evaluated in the Planned Action EIS. Thresholds and required mitigation measures are based on the FEIS proposed action contained in the Planned Action FEIS:

(1) *Land Uses.* Subject to the mitigation measures described in Exhibit B, the following land uses, together with the customary accessory uses and amenities described in the Planned Action EIS, are Planned Actions pursuant to RCW 43.21C.031.

Office use is the primary use analyzed in the Planned Action EIS for Area B:

(2) *Land Use Review Threshold.*

(a) The Planned Action designation applies to future development proposals that are comparable or within the ranges established by the Planned Action FEIS, as shown below:

Land Use: 145,000 square feet of office

(b) If future development proposals in the Planned Action Area exceed the maximum development parameters reviewed in the Planned Action EIS, further environmental review may be required under SEPA, as provided in WAC 197-11-172. If proposed plans significantly change the location of development or uses in a manner that would alter the environmental determinations in the Planned Action EIS, additional SEPA review would also be required. Shifting development proposals between categories of land uses may be permitted so long as the resulting development does not exceed the trip generation thresholds (see subsection 4(a) below) reviewed in the Planned Action EIS.

(3) *Building Heights, Bulk, and Scale.* Building heights, bulk, and scale shall not exceed the maximums reviewed in the Planned Action EIS.

(4) *Transportation.*

(a) *Trip Ranges:* The range of trips reviewed in the Planned Action EIS is as follows:

Trip Generation – Net New Trips Reviewed in Planned Action EIS

PM Peak Hour: Range – Net New Trips – 219.

(b) *Trip Threshold.* Development proposals that would exceed the maximum trips levels shown above will require additional SEPA review.

(c) *Public Works Discretion.* The City Public Works Director shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted at the City Public Works Director's sole discretion, for each Planned Action Project permit application proposed under this Planned Action. It is understood that development of the Planned Action may occur in parts and over a period of years. The City shall require that off-site mitigation and transportation improvements identified in the Planned Action EIS be implemented in conjunction with development to maintain adopted levels of service standards.

(d) *Transportation improvements.*

(i) *Intersection Improvements.* The Planned Action will require off-site transportation improvements identified in Exhibit B to mitigate significant impacts. These transportation improvements have been analyzed in the Planned Action EIS. The City Public Works Director shall have the discretion to adjust the allocation of responsibility for required improvements as between individual Planned Action Projects based on their identified impacts. Significant changes to the City's

transportation improvement plan proposed as part of any Planned Action Project that have the potential to significantly increase impacts to air quality, water quality, fisheries resources, noise levels or other factors beyond the levels analyzed in the Planned Action EIS may require additional SEPA review.

(ii) Transportation Management Program. The owners or operators of development projects within Area B shall prepare and implement Transportation Management Programs (TMP) as a means to encourage alternatives to single-occupant vehicles including transit and to thereby reduce traffic generation and parking demand. The City Public Works Director shall have the discretion to modify the individual elements of a TMP as a means to accomplish its objectives and to enhance its effectiveness.

(iii) Parking Management. Parking to support development within Area B shall be provided as required by the Kirkland Zoning Code. A developer may choose to reduce the number of parking spaces based on a demand and utilization study prepared by a licensed transportation engineer. The City's Transportation Engineer must approve the scope and methodology of the study as well as the effectiveness of the TMP and parking management measures.

(e) Transportation Impact Fees. All Planned Action Projects shall pay, as a condition of approval, the applicable transportation impacts fees according to the methodology contained in the ordinance adopting such impact fees. The City may adjust such fees from time to time.

(f) Capital Facilities. Improvements to water facilities are identified in Exhibit B. The City Public Works Director shall have the discretion to determine and allocate responsibility for required improvements as between individual Planned Action projects.

(5) *Changed Conditions*. Should environmental conditions or assumptions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action designation is no longer applicable until supplemental environmental review is conducted.

(6) *Additional Mitigation Fees*. The City may adopt and apply such other fees as may be deemed necessary and appropriate to mitigate impacts to other capital facilities in the City and to accommodate planned growth. Such fees, if adopted, shall be in addition to the fee required in item (4)(e) of this subsection, and shall apply only to required improvements that are not addressed in this subsection.

E. Planned Action Review Criteria.

(1) The City's Planning and Community Development Director or designee is authorized to designate a project application that meets all of the following conditions as a Planned Action pursuant to RCW 43.21C.031(2)(a):

(a) The project is located within the Planned Action Area identified in Exhibit A, pursuant to Section 3(A) of this ordinance or is an off-site improvement directly related to a proposed development within the Planned Action Area;

(b) The project is consistent with the City of Kirkland Comprehensive Plan and the Comprehensive Plan policies for the Downtown Plan;

(c) The project's significant adverse environmental impacts have been adequately addressed in the Planned Action EIS;

(d) The proposed uses are consistent with those described in the Planned Action EIS and Section 3(D) of this Ordinance;

(e) The project is within the Planned Action thresholds of Section 3(D) and other criteria of this section of this Ordinance;

(f) The project's significant impacts have been mitigated by application of the measures identified in Exhibit B, as well as other City, county, state and federal requirements and conditions, including compliance with any conditions agreed to pursuant to a development agreement between the City and applicant if executed, which together constitute sufficient mitigation for the significant environmental impacts associated with the proposed project;

(g) The proposed project complies with all applicable local, state and/or federal laws and regulations, and where appropriate, the proposed project complies with needed variances or modifications or other special permits which have been identified; and

(h) The proposed project is not an essential public facility.

F. Effect of Planned Action.

(1) Upon designation by the City's Planning and Community Development Director that the project qualifies as a Planned Action pursuant to this Ordinance and WAC 197-11-172, the project shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review under SEPA.

(2) Being designated as a Planned Action means that a proposed project has been reviewed in accordance with this Ordinance and found to be consistent with the development parameters and environmental analysis contained in the Planned Action EIS.

(3) Planned Actions that meet all criteria established in this ordinance will not be subject to further procedural review under SEPA. However, projects will be subject to conditions as outlined in this document and the attached Exhibit B which are designed to mitigate any environmental impacts which may result from the project proposal. Additionally, projects will be subject to applicable City, state, and federal regulatory requirements. The Planned Action designation shall not excuse a project from meeting the City's code and ordinance requirements apart from the SEPA process.

G. Planned Action Permit Process. The City's Planning and Community Development Director or designee shall review projects and determine whether they meet the criteria as Planned Actions under applicable state, federal, local laws, regulations, codes and ordinances. The procedures shall consist, at a minimum of the following:

(1) Development applications shall meet the applicable requirements of the Kirkland Municipal Code (KMC). Applications shall be made on forms provided by the City and shall include a SEPA checklist, revised SEPA checklist or such other environmental review forms provided by the City;

(2) The City's Planning and Community Development Director shall determine whether the application is complete;

(3) If the application is for a project within the Planned Action Area shown as Area B on Exhibit A, the application will be reviewed to determine if it is consistent with and meets all of the qualifications of Section 3 of this Ordinance;

(4) After the City receives and reviews a complete application, the City's Planning and Community Development Director shall determine whether the project qualifies as a Planned Action. If the project does qualify, the Director shall notify the applicant and the project shall proceed in accordance with the applicable permit review procedure, except that no SEPA threshold determination, EIS, or additional SEPA review shall be required. The decision of the Director regarding qualification as a Planned Action shall be final;

(5) Public notice and review for projects that qualify as Planned Actions shall be tied to the underlying development permit and not to SEPA notice requirements. If notice is otherwise required for the underlying permit, the notice shall state that the project has qualified as a Planned Action. If notice is not otherwise required for the underlying permit, no special notice is required by this ordinance;

(6) If a project is determined not to qualify as a Planned Action, the City's Planning and Community Development Director shall so notify the applicant and the SEPA Responsible Official shall prescribe a SEPA review procedure consistent with the City's SEPA regulations and the requirements of state law. The notice

shall describe the elements of the application that result in failure to qualify as a Planned Action. If deemed ineligible, the application may be amended to qualify; and

(7) Projects that fail to qualify as Planned Actions may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to assist in meeting SEPA requirements. The SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

H. Development Agreements. The City or an applicant may request consideration and execution of a development agreement for a Planned Action project. The development agreement may address the following: review procedures applicable to a planned action project; permitted uses; mitigation measures; construction, financing and implementation of improvements, including methods of financing and proportionate shares, and latecomers agreements; payment of impact fees; phasing; and any other topic that may properly be considered in a development agreement consistent with RCW 36.70B.170 et seq.

I. Monitoring and Review.

A. The City shall monitor the progress of development in the designated Planned Action area to ensure that it is consistent with the assumptions of this Ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the Planned Action area.

B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official as part of the City's ongoing Comprehensive Plan update procedure to determine its continuing validity with respect to the environmental conditions of the Planned Action Area, the impacts of development, and the adequacy of required mitigation measures. Based upon this review, this Ordinance may be amended as needed, the City may supplement or revise the Planned Action EIS, and/or another review period may be specified. Subsequent reviews of the Planned Action Ordinance shall occur as part of the City's Comprehensive Plan amendment process.

Section 4. Conflict. In the event of a conflict between this Ordinance or any mitigation measures imposed pursuant thereto and any ordinance or regulation of the City, the provisions of this Ordinance shall control, except that the provisions of the state building code shall supersede this Ordinance. In the event of a conflict between this Ordinance (or any mitigation measures imposed pursuant thereto) and any development agreement between the City and a Planned Action applicant(s), the provisions of the development agreement shall control.

Section 5. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or its application be declared unconstitutional or

invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other person or situation.

Section 6. Expiration. This Ordinance shall expire ten (10) years from the date of passage unless it is extended by the City Council following a report from the SEPA Responsible Official and a public hearing.

Section 7. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2009.

Signed in authentication thereof this _____ day of _____, 2009.

MAYOR

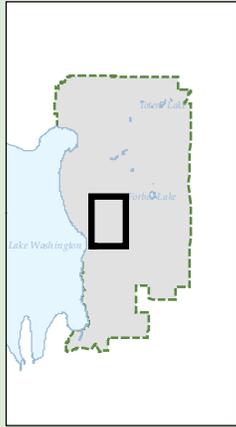
Attest:

City Clerk

Approved as to Form:

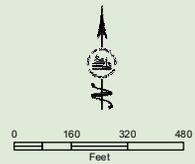
City Attorney

Vicinity Map



Map Legend

-  Planned Action Areas
- A = Touchstone (Park Place)
- B = Orni
- C = Altom



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Planned Action Ordinance Mitigation Measures

Table 3.4-18. Potential Capacity Improvements to Address Impacts

ID	Location	Improvement	No Action ¹			Proposed Action ¹			FEIS Review ¹		
			2014 TIA	2014 Conc	2022 Conc	2014 TIA	2014 Conc	2022 Conc	2014 TIA	2014 Conc	2022 Conc
4	Central Way/Parkplace Driveway	Install signal	X			X			X		
101	Lake Washington Boulevard/NE 38th Place	Add 720-ft right lane on northbound receiving lanes (north of the intersection), modified to extend up to NE 43rd St w/ bike lanes)			X			X			X
105	Central Way/6th Street	Construct dual westbound left turn lane and a southbound right turn lane between Central and 4 th Avenue. Modify signal to provide westbound left/northbound right overlap phase.				X		X	X		X
109	NE 85th Street/114th Avenue NE	Restripe southbound dual left and eastbound right to through conversion.	X		X	X	X	X	X	X	X
110	6th Street/4th Avenue	Dual eastbound left turn, with widening on 6th Street				X			X		
112	Kirkland Way/6th Street	Install signal. (CIP Project #TR20-3)				X			X		
128	Central Way/5th Street	Install signal.				X			X		
129	Central Way/4th Street	Extend two-way-left-turn by moving crosswalk to Parkplace Signal	X			X			X		
169	6th Street/7th Avenue	Add left turn lanes on northbound				X					

Final Environmental Impact Statement

ID	Location	Improvement	No Action ¹			Proposed Action ¹			FEIS Review ¹		
			2014 TIA	2014 Conc	2022 Conc	2014 TIA	2014 Conc	2022 Conc	2014 TIA	2014 Conc	2022 Conc
		and southbound approaches									
169	6th Street/7th Avenue	Add northbound approach left turn lane						X			
202	100th Avenue NE/NE 124th Street	Modify the signal phase to be the same as during AM peak period, with northbound and southbound to be split phase, and southbound configuration to be left, left/through shared, and through/right shared. ²						X		X	
204	116th Way NE/NE 132nd Street	Reconfigure the intersection based on the 132nd Street Study and new I-405 northbound on-ramp			X			X		X	
211	Market Street/15th Avenue	Install signal.				X					
211	Market Street/15th Avenue	Install signal at this location or at 7 th Avenue.						X			
304	NE 132nd Street/124th Street NE	Construct eastbound dual left turn lane, based on the 132nd Street Study			X			X		X	
316	Totem Lake Boulevard/NE 132nd Street	Reconfigure the intersection based on the 132nd Street Study and new I-405 northbound on-ramp			X			X		X	
402	NE 85th Street/124th Avenue NE	Add northbound right-turn-only pocket				X					
402	NE 85th Street/124th Avenue NE	Provide corridor improvements such as traffic signal interconnect						X			

¹TIA = Traffic Impact Analysis; Conc = Concurrency

² No concurrency impact was identified at this intersection. This mitigation measure is recommended in order to improve conditions in the subarea, to address the concurrency impact that was identified in the northwest subarea under the 2022 Proposed Action scenario.

Police

Provision of on-site security services including video surveillance systems, to Area A in particular, may reduce the increased need for police response to that area. This reduction is largely dependent on the nature of the incident.

Security-sensitive design of buildings and the landscaping environment, such as installing only moderate height and density border shrubs, could reduce certain types of crimes, such as auto and store-front break-ins.

Water

No Action

The following water mitigation measures are required under the No Action:

- Segment A. This segment includes improvements identified as part of improvement number CIP 144. Replace an existing 8-inch diameter water main in Area A with a new 12-inch diameter water main. Replace the existing connections on the north side of Area A, crossing Central Way west of 5th Street and on the east side of the Area, crossing 6th Street south of 4th Avenue with 12-inch diameter water mains. Construct a new 12-inch diameter connection at the south side of Area A so that a looped connection is created to connect the proposed on-site 12-inch main to the existing 8-inch and 12-inch diameter water mains under Kirkland Avenue.
- Segment B. Replace the existing 8-inch water main along 6th Street with a new 12-inch water main between the east side of the Parkplace water main loop to approximately the intersection of 6th Street and Kirkland Circle.
- Segment C. Replace the existing 8-inch water main along Kirkland Circle from 6th Street to 4th Avenue with a new 12-inch main.
- Segment D. Replace the existing 8-inch water main along 4th Avenue, 5th Avenue, and 10th Street from Kirkland Circle to 3rd Avenue with a new 12 inch main.

In addition to the above segments, one of the following segments must also be constructed in order to accommodate development under either the No Action or Proposed Action alternatives.

- Segment E. Install a new 12-inch water main along the unimproved right-of-way between 2nd Avenue and 5th Avenue from approximately 4th Avenue to 10th Street. This improvement is not identified in the City of Kirkland Comprehensive Water System Plan.

- Segment F. Replace the existing 8-inch water main along 2nd Avenue and 10th Street from 6th Street to 3rd Avenue with a new 12-inch main.

Proposed Action and FEIS Review Alternative

In addition to the improvements required under No Action, the Proposed Action will require that the new 12-inch water main in Segment C (located at Kirkland Circle from 6th Street to 4th Avenue) be enlarged to a 16-inch main.

PUBLICATION SUMMARY
OF ORDINANCE NO. 4186

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND PLANNING; ESTABLISHING A PLANNED ACTION FOR AN AREA IN THE MOSS BAY NEIGHBORHOOD GENERALLY LOCATED EAST OF 6TH STREET, SOUTH OF CENTRAL WAY/NE 85TH STREET, WEST OF 10TH STREET, AND NORTH OF KIRKLAND WAY PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT, RCW 43.21C.031.

SECTION 1. Explains purpose of the Planned Action.

SECTION 2. Sets forth City Council findings relative to the Planned Action.

SECTION 3. Outlines procedures and criteria for evaluating and determining projects as Planned Actions.

SECTION 4. Provides that the ordinance and mitigation measures imposed by the ordinance shall control in the event a of conflict with other ordinances and regulations of the City, except in the case of conflicting provisions of the state building code or any development agreement between the City and a Planned Action applicant.

SECTION 5. Provides a severability clause for the ordinance.

SECTION 6. Provides the ordinance shall expire ten years from the date of passage unless extended by the City Council following a report from the SEPA Responsible Official and a public hearing.

SECTION 7. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2009.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

City Clerk

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Marilynne Beard Assistant City Manager
Robin Jenkinson, City Attorney

Date: March 4, 2009

Subject: COUNCIL POLICIES AND PROCEDURES – CHAPTERS ONE AND TWO

RECOMMENDATION:

City Council considers the attached draft Council Policies and Procedures (chapters one and two) and provide direction to staff for further edits or follow-up.

BACKGROUND:

At the January 6, 2009 meeting, the City Council discussed a proposed update to the Council Policies and Procedures first adopted in 2002. The purpose of the January study session was to determine an appropriate process and format for the document. A number of specific issues were raised relative to certain sections of the proposed document. The Council did agree to review the document in sections, over time, as part of their regular Council agenda. A draft Table of Contents was presented at the last meeting as a guide to content and organization.

This memo and its attachments relate to Chapters One and Two of the proposed document:

Chapter 1 -- Introduction and Overview

- Overview of Policies
- Overview of Basic City Documents

Chapter 2 – Kirkland City Council Powers and Responsibilities

- City Council Generally
- City Council Orientation
- Role of the Mayor and Deputy Mayor
- Election of Officers
- Council Vacancies
- Filling Council Vacancies
- Incompatibility of Offices
- Council Committees
- City Manager Role and Responsibilities
- Staff Support to Council
- Advisory Boards and Commissions

Approach to the Update

Staff used the current Policy and Procedures Manual (2002) as the starting point for the document. Many of these existing Council policies and procedures are governed by the Revised Code of Washington (RCW) and/or the Kirkland Municipal Code (KMC). The existing manual uses selected excerpts from RCW and KMC along with text describing Council practices. The updated format uses a similar format, however, RCW and KMC sections are generally shown in their entirety (to the extent that they apply to the City of Kirkland) using a smaller font size. The on-line version of the document will contain links to online RCW and KMC documents. In some cases, where the text was very lengthy and largely not pertinent to Kirkland, a link to the section was included (e.g. Civil Service Commission).

Text that is not in the larger font size reflects the Kirkland Council's policies, procedures and practices based the current Council Policies and Procedures Manual. Proposed edits for the these locals sections reflect modifications requested by the City Council and edits recommended by Council to reflect current law.

Summary of Changes

The following bullets summarize the significant additions, corrections and edits made to the previous manual and a few policy issues that require clarification:

- New Chapter One – This new introductory chapter discusses the purpose of the Council Policies and Procedures Manual and an overview of basic City documents.
- Council Committees – This section provides for the creation of new committees by the City Council and discusses the process for committee appointments. It should be noted that the policy (as copied from the previous manual) describes a committee appointment process that is slightly different than current practice. The text can be updated to reflect current practice or the process can be made consistent with the policy. Council direction is needed to finalize this section.
- Staff Support to the City Council – This is a new section that describes the current process for Council requests for staff work.
- Incompatibility of Offices – This is a new section that clarifies rules regarding Council, City staff and board and commission member appointments to simultaneous offices.
- Advisory Boards and Commissions – This section contains several changes.
 - Provision for removal from office of advisory board members based on evaluation against a set of criteria (similar to those used for reappointments in the previous document).
 - Addition of a new section providing for exit interviews.
 - Clarification of the forum for discussion of candidate qualifications (the previous manual indicates that discussion of candidate qualifications would take place in executive session, however current law does not provide an exemption for discussion of advisory board qualifications).
 - Addition of Council or staff "household member" as a prohibition for qualification for a board or commission.

- Update of non-discrimination language to reference current RCW.
- Addition of KMC section providing for appointment of youth members to boards and commissions.
- Inclusion of additional RCW sections relative to City Council powers and the Council/Manager form of government.
- A new section clarifying incompatibility of offices

Next Steps

With Council's edits, chapters one and two can be re-drafted or finalized. Chapter three – Financial Matters – will be the next chapter presented to Council at a future meeting.

City Council Policies and Procedures

Chapter 1 Introduction and Overview

<p>Overview of Policies</p> <p>The purpose of the Council Policies and Procedures Manual is to provide a consolidated reference point for laws, regulations and Council policies that govern the City Council’s actions and processes. The Manual can also serve as an orientation tool for new Council members.</p> <p>The manual is organized in Chapters:</p> <ul style="list-style-type: none"> Chapter 1— Overview of Manual and Basic City Documents Chapter 2— Kirkland Form of Government and City Council Powers and Responsibilities Chapter 3— Financial Matters Chapter 4— Council Communications Chapter 5— Conflict of Interest and Appearance of Fairness Chapter 6— City Council Meetings Chapter 7— Protocols and Ethics Chapter 8— Additional Training and Resources <p>Appendices</p> <p>The overall manual is periodically updated and adopted by Council by resolution. Various sections are excerpts from the Revised Code of Washington (RCW) or the Kirkland Municipal Code (KMC) and are adopted by reference.</p>	<p>Overview of Policies</p>
<p>Overview of Basic City Documents</p> <p>This Policies and Procedures Manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of the City Council. Many other laws, plans, and documents exist which bind the City Council to certain courses of action and practices. The following is a summary of some of the most notable documents that establish City Council direction.</p>	<p>Basic City Documents</p>
<p>Kirkland Municipal Code</p> <p>The municipal code contains local laws and regulations adopted by ordinances. Title 3 of the code addresses the role of the City Council, describes the organization of City Council meetings and responsibilities and appointment of certain city staff positions and advisory boards and commissions. In addition to these administrative matters, the municipal code contains a variety of laws including, but not limited to, zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues.</p>	<p><i>Kirkland Municipal Code</i></p>
<p>Revised Code of Washington</p> <p>The state laws contain many requirements for the operation of city government and administration of meetings of city councils throughout the state. Kirkland is an “optional code city,” which means it operates under the general laws of the state. As an optional code city of the State of Washington, Kirkland is vested with all the powers of incorporated cities as set forth in the Revised Code of Washington (RCW), Constitution of the State of Washington, and Kirkland Municipal Code.</p>	<p><i>Revised Code of Washington</i></p>

City Council Policies and Procedures

<p>(Please see RCW Titles 35 and 35A in general, and RCW 35.18 and 35A.13 for more specific information relating to the Council-Manager Plan of Government.)</p>	<p><i>Revised Code of Washington (continued)</i></p>
<p>Biennial Budget The biennial budget is the primary tool and road map for accomplishing the goals of the City. The budget document is the result of one of the most important processes the City undertakes. By adopting the biennial budget, the City Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations.</p>	<p><i>Biennial Budget</i></p>
<p>Six-year Capital Improvement Program The Six-year Capital Improvement Program serves as a guide for determining priorities, planning, financing and constructing capital projects which add to, support or improve the physical infrastructure, capital assets or productive capacity of city services.</p>	<p><i>Six-Year Capital Improvement Program</i></p>
<p>Comprehensive Annual Financial Report The annual financial report includes the financial statements of the City for a calendar year. It includes the financial condition of the City as reflected in the balance sheet, the results of operations as reflected in income statements, an analysis of the uses of City funds, and related footnotes. The annual financial report includes statements for the various groups of funds and a consolidated group of statements for the City as a whole as well as statistical information about the City of Kirkland.</p>	<p><i>Comprehensive Annual Financial Report</i></p>
<p>Comprehensive Plan A state-mandated comprehensive plan addresses the City's long-range planning needs relative to land use, transportation, economic development, and other planning elements. The City's Comprehensive Plan is reviewed on an ongoing basis, but may only be revised once a year, except as provided by State law.</p>	<p><i>Comprehensive Plan</i></p>
<p>Zoning Code The Zoning Code contains development regulations, regulating how land is used and developed.</p>	<p><i>Zoning Code</i></p>
<p>Comprehensive Emergency Management Plan The City maintains a Comprehensive Emergency Management Plan that outlines actions to be taken during times of disaster and emergency situations. Under the Plan and Chapter 3.20 of the Kirkland Municipal Code, the City Manager appoints the Director of Fire and Building Services as the Director of Emergency Services who is then directly responsible to the City Manager for all disaster response activities.</p>	<p><i>Comprehensive Emergency Management Plan</i></p>

City Council Policies and Procedures

Chapter 2 Kirkland City Council and Form of Government

<p>Form of Government</p> <p>The City of Kirkland is a noncharter code city that operates under the council-manager form of government as adopted in the Kirkland Municipal Code:</p> <p>Chapter 3.04 Noncharter Code City KMC 3.04.010—City classification.</p> <p>Notwithstanding anything contained in the existing ordinances of the city to the contrary, the city adopts the classification of a noncharter code city operating under the council-manager plan of government as set forth in Chapter 35A.13 RCW, endowed with all the applicable rights, powers, privileges, duties, and obligations of noncharter code cities as set forth in RCW Title 35A as the same now exists, including, but not by way of limitation, those set forth in Chapter 35A.11 RCW, and further including any and all supplements, amendments or other modifications of that title hereafter at any time enacted. (Ord. 2079 § 1, 1969)</p> <p>The following sections describe the City Council composition and the roles and authority of the City Council and City Manager under this form of government. Relevant portions of the RCW and KMC sections are included below. For the full text, please following the links provided to the online versions of the codes.</p>	<p>Form of Government</p>
<p>RCW 35A.13.230—Powers of council.</p> <p>The council of any code city organized under the council-manager plan provided in this chapter shall have the powers and authority granted to legislative bodies of cities governed by this title as more particularly described in chapter 35A.11 RCW, except insofar as such power and authority is vested in the city manager.</p> <p>RCW 35A.11.020—Powers vested in legislative bodies of noncharter and charter code cities.</p> <p>The legislative body of each code city shall have power to organize and regulate its internal affairs within the provisions of this title and its charter, if any; and to define the functions, powers, and duties of its officers and employees; within the limitations imposed by vested rights, to fix the compensation and working conditions of such officers and employees and establish and maintain civil service, or merit systems, retirement and pension systems not in conflict with the provisions of this title or of existing charter provisions until changed by the people.</p> <p style="text-align: center;">* * *</p> <p>The legislative body of each code city shall have all powers possible for a city or town to have under the Constitution of this state, and not specifically denied to code cities by law. By way of illustration and not in limitation, such powers may be exercised in regard to the acquisition, sale, ownership, improvement, maintenance, protection, restoration, regulation, use, leasing, disposition, vacation, abandonment or beautification of public ways, real property of all kinds, waterways, structures, or any other improvement or use of real or personal property, in regard to all aspects of collective bargaining as provided for and subject to the provisions of chapter 41.56 RCW, as now or hereafter amended, and in the rendering of local social, cultural, recreational, educational, governmental, or corporate services, including operating and supplying of utilities and municipal services commonly or conveniently rendered by cities or towns.</p>	<p>City Council Generally</p>

City Council Policies and Procedures

<p>In addition and not in limitation, the legislative body of each code city shall have any authority ever given to any class of municipality or to all municipalities of this state before or after the enactment of this title, such authority to be exercised in the manner provided, if any, by the granting statute, when not in conflict with this title. Within constitutional limitations, legislative bodies of code cities shall have within their territorial limits all powers of taxation for local purposes except those which are expressly preempted by the state as provided in RCW 66.08.120, 82.36.440, 48.14.020, and 48.14.080.</p>	<p>City Council Generally <i>(continued)</i></p>
<p>RCW 35A.13.010—City officers—Size of council. The councilmembers shall be the only elective officers of a code city electing to adopt the council-manager plan of government authorized by this chapter, except where statutes provide for an elective municipal judge. The council shall appoint an officer whose title shall be "city manager" who shall be the chief executive officer and head of the administrative branch of the city government. The city manager shall be responsible to the council for the proper administration of all affairs of the code city. The council of a noncharter code city having less than twenty-five hundred inhabitants shall consist of five members; when there are twenty-five hundred or more inhabitants the council shall consist of seven members.</p> <p style="text-align: center;">* * *</p>	<p><i>City officers— Size of council</i></p>
<p>Orientation of New Members It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the City Manager will coordinate an orientation program that provides an opportunity for members to tour municipal facilities and meet with key staff. Another training opportunity for new members is the Association of Washington Cities-sponsored newly elected officials orientation.</p>	<p><i>Orientation of New Members</i></p>
<p>RCW 35A.13.020—Election of councilmen—Eligibility—Terms—Vacancies—Forfeiture of office—Council chairman. In council-manager code cities, eligibility for election to the council, the manner of electing councilmen, the numbering of council positions, the terms of councilmen, the occurrence and the filling of vacancies, the grounds for forfeiture of office, and appointment of a mayor pro tempore or deputy mayor or councilman pro tempore shall be governed by the corresponding provisions of RCW 35A.12.030, 35A.12.040, 35A.12.050, 35A.12.060, and 35A.12.065 relating to the council of a code city organized under the mayor-council plan, except that in council-manager cities where all council positions are at-large positions, the city council may, pursuant to RCW 35A.13.033, provide that the person elected to council position one shall be the council chairman and shall carry out the duties prescribed by RCW 35A.13.030.</p>	<p><i>Election of Officers</i></p>
<p>RCW 35A.12.050—Vacancies. The office of a mayor or councilmember shall become vacant if the person who is elected or appointed to that position fails to qualify as provided by law, fails to enter upon the duties of that office at the time fixed by law without a justifiable reason, or as provided in RCW 35A.12.060 or 42.12.010. A vacancy in the office of mayor or in the council shall be filled as provided in chapter 42.12 RCW. An incumbent councilmember is eligible to be appointed to fill a vacancy in the office of mayor.</p>	<p><i>Council Vacancies</i></p>

City Council Policies and Procedures

<p>RCW 35A.12.060—Vacancy for nonattendance. In addition a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council.</p>	<p><i>Council Vacancies (continued)</i></p>
<p>RCW 42.12.020—Causes of vacancy. Every elective office shall become vacant on the happening of any of the following events:</p> <ol style="list-style-type: none"> 1) The death of the incumbent; 2 His or her resignation. A vacancy caused by resignation shall be deemed to occur upon the effective date of the resignation; 3) His or her removal; 4) Except as provided in RCW *3.46.067 and 3.50.057, his or her ceasing to be a legally registered voter of the district, county, city, town, or other municipal or quasi municipal corporation from which he or she shall have been elected or appointed, including where applicable the council district, commissioner district, or ward from which he or she shall have been elected or appointed. <p style="text-align: center;">* * *</p>	<p><i>Causes of Vacancy</i></p>
<p>RCW 42.12.070—Filling nonpartisan vacancies. A vacancy on an elected nonpartisan governing body of a special purpose district where property ownership is not a qualification to vote, a town, or a city other than a first-class city or a charter code city, shall be filled as follows unless the provisions of law relating to the special district, town, or city provide otherwise:</p> <ol style="list-style-type: none"> 1) Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position. 2) Where two or more positions are vacant and two or more members of the governing body remain in office, the remaining members of the governing body shall appoint a qualified person to fill one of the vacant positions, the remaining members of the governing body and the newly appointed person shall appoint another qualified person to fill another vacant position, and so on until each of the vacant positions is filled with each of the new appointees participating in each appointment that is made after his or her appointment. 3) If less than two members of a governing body remain in office, the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person or persons to the governing body until the governing body has two members. 4) If a governing body fails to appoint a qualified person to fill a vacancy within ninety days of the occurrence of the vacancy, the authority of the governing body to fill the vacancy shall cease and the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person to fill the vacancy. 5) If the county legislative authority of the county fails to appoint a qualified person within one hundred eighty days of the occurrence of the vacancy, the county legislative authority or the remaining members of the governing body of the city, town, or special district may petition the governor to appoint a qualified 	<p><i>Filling Council Vacancies</i></p>

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<p>person to fill the vacancy. The governor may appoint a qualified person to fill the vacancy after being petitioned if at the time the governor fills the vacancy the county legislative authority has not appointed a qualified person to fill the vacancy.</p> <p>6) As provided in *RCW 29.15.190 and 29.21.410, each person who is appointed shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected that occurs twenty-eight or more days after the occurrence of the vacancy. If needed, special filing periods shall be authorized as provided in *RCW 29.15.170 and 29.15.180 for qualified persons to file for the vacant office. A primary shall be held to nominate candidates if sufficient time exists to hold a primary and more than two candidates file for the vacant office. Otherwise, a primary shall not be held and the person receiving the greatest number of votes shall be elected. The person elected shall take office immediately and serve the remainder of the unexpired term. If an election for the position that became vacant would otherwise have been held at this general election date, only one election to fill the position shall be held and the person elected to fill the succeeding term for that position shall take office immediately when qualified as defined in *RCW 29.01.135 and shall service both the remainder of the unexpired term and the succeeding term.</p>	<p><i>Filling Council Vacancies (continued)</i></p>
<p>Council Committees</p> <p>Council Committees may be standing committees or ad hoc committees. The role of Council committees is to review matters in detail and to make recommendations to the full Council for possible Council actions.</p> <p>Prior to the end of each year, City Councilmembers will communicate with the Mayor about their interests in serving on various City Council and regional committees. The Mayor and Deputy Mayor will meet to consider committee appointments. This list of recommended appointments will be presented to Council by the Mayor at the first regular meeting of the year for Council discussion and input after which appointments will be made by the Mayor.</p> <p>If a vacancy should occur during the year, the appointment opportunity will be announced at a Council meeting. Those Councilmembers that are interested in filling this position should advise the Mayor before the next regular Council meeting. The Mayor and Deputy Mayor will make a recommendation for City Council’s consideration at the following meeting.</p> <p>Creation of new committees requires approval by the full Council. A list of current City Council Committees and assignments are noted in Appendix A.</p>	<p><i>Council Committees</i></p>
<p>RCW 35A.13.050—City manager—Qualifications.</p> <p>The city manager need not be a resident at the time of his appointment, but shall reside in the code city after his appointment unless such residence is waived by the council. He shall be chosen by the council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office. No person elected to membership on the council shall be eligible for appointment as city manager until one year has elapsed following the expiration of the term for which he was elected.</p>	<p>City Manager Generally</p>

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<p>RCW 35A.13.080—City manager—Powers and duties. The powers and duties of the city manager shall be:</p> <ol style="list-style-type: none"> 1) To have general supervision over the administrative affairs of the code city; 2) To appoint and remove at any time all department heads, officers, and employees of the code city, except members of the council, and subject to the provisions of any applicable law, rule, or regulation relating to civil service: PROVIDED, That the council may provide for the appointment by the mayor, subject to confirmation by the council, of a city planning commission, and other advisory citizens' committees, commissions, and boards advisory to the city council: PROVIDED FURTHER, That if the municipal judge of the code city is appointed, such appointment shall be made by the city manager subject to confirmation by the council, for a four year term. The council may cause an audit to be made of any department or office of the code city government and may select the persons to make it, without the advice or consent of the city manager; 3) To attend all meetings of the council at which his attendance may be required by that body; 4) To see that all laws and ordinances are faithfully executed, subject to the authority which the council may grant the mayor to maintain law and order in times of emergency; 5) To recommend for adoption by the council such measures as he may deem necessary or expedient; 6) To prepare and submit to the council such reports as may be required by that body or as he may deem it advisable to submit; 7) To keep the council fully advised of the financial condition of the code city and its future needs; 8) To prepare and submit to the council a proposed budget for the fiscal year, as required by chapter 35A.33 RCW, and to be responsible for its administration upon adoption; 9) To perform such other duties as the council may determine by ordinance or resolution. 	<p>City Manager Generally <i>(continued)</i></p>
<p>Performance Review The City Council will conduct annual performance review of the City Manager.</p>	<p><i>Performance Review</i></p>
<p>RCW 35A.13.090—Creation of departments, offices, and employment—Compensation. On recommendation of the city manager or upon its own action, the council may create such departments, offices, and employments as it may find necessary or advisable and may determine the powers and duties of each department or office. Compensation of appointive officers and employees may be fixed by ordinance after recommendations are made by the city manager. The appointive officers shall include a city clerk and a chief of police or other law enforcement officer. Pursuant to recommendation of the city manager, the council shall make provision for obtaining legal counsel for the city, either by appointment of a city attorney on a full time or part time basis, or by any reasonable contractual arrangement for such professional services.</p>	<p><i>Creation of Departments</i></p>

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<p>RCW 35A.13.100—City manager—Department heads—Authority. The city manager may authorize the head of a department or office responsible to him to appoint and remove subordinates in such department or office. Any officer or employee who may be appointed by the city manager, or by the head of a department or office, except one who holds his position subject to civil service, may be removed by the manager or other such appointing officer at any time subject to any applicable law, rule, or regulation relating to civil service. Subject to the provisions of RCW 35A.13.080 and any applicable civil service provisions, the decision of the manager or other appointing officer, shall be final and there shall be no appeal therefrom to any other office, body, or court whatsoever.</p>	<p><i>Appointment of Department Heads</i></p>
<p>RCW 35A.13.110—City manager—Appointment of subordinates—Qualifications—Terms. Appointments made by or under the authority of the city manager shall be on the basis of ability and training or experience of the appointees in the duties which they are to perform, and shall be in compliance with provisions of any merit system applicable to such city. Residence within the code city shall not be a requirement. All such appointments shall be without definite term.</p>	<p><i>Appointment of Subordinates</i></p>
<p>Staff Support to Council An important role of staff is to support the City Council and provide information to facilitate Council decisions. In most circumstances, information will come through agenda packets, department work plans or other public documents such as the budget. Simple informational requests can be made directly to the responsible department director or manager.</p> <p>There are times when individual Council may need information not readily available. In an effort to be responsive to individual Councilmembers’ requests while considering potential workload impacts, informational requests for research or analysis that take less than one hour will be responded to as quickly as is practically possible through the responsible department director. If a request is estimated to take more than one hour’s time in either research and/or analysis, Council should make the request at a regular Council meeting or to the City Manager or Assistant City Manager. This policy does not apply to Council inquiries of the City Attorney which can be made directly and at the discretion of individual Councilmembers.</p>	<p><i>Staff Support to Council</i></p>
<p>Advisory Boards and Commissions The City Council may create advisory boards or commissions to provide citizen input on specific subject areas. It shall be the policy of the Kirkland City Council to make appointments to official advisory boards or commissions generally in accordance with the following rules unless otherwise governed by RCW or other authorizing legislation.</p>	<p><i>Advisory Boards and Commissions</i></p>

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<p><i>Eligibility</i> Unless otherwise provided in authorizing legislation, a person must be at least 18 years of age and a resident of the City of Kirkland to be considered eligible for appointment to a City advisory board or commission. Relatives, family or household members of Councilmembers will not be eligible to serve on City boards or commissions. Members of the family of a city employee who works in a department, which provides staff assistance or support to a board or commission, shall not be eligible to serve on that board or commission.</p> <p><i>Non-Discrimination</i> The Council shall not discriminate against any applicant in violation of RCW 49.60 as currently written or hereafter amended.</p> <p><i>Terms</i> Appointments shall be made for four-year terms. Terms shall expire on the 31st day of March of the applicable year. A member being appointed to fill a vacant position shall be appointed to fill the vacancy for the remainder of the unexpired term.</p> <p><i>Term Limitations</i> No individual shall serve more than two full-year terms as a member of a City appointed board or commission.</p> <p><i>Concurrent Offices</i> At no time shall any person serve concurrently as a member of more than one advisory board or commission.</p> <p><i>Attendance</i> Appointees shall attend 80% of all meetings in any 12 month period for which there is no prearranged absence, but in any case shall attend no less than 60% of all meetings unless waived by the City Council.</p> <p><i>Appointments/Reappointment</i> An open competitive process will be used to fill vacancies. City Council will initiate an open and competitive application process and solicit applicants for the position(s). All board members or commissioners completing their term and who are interested in reappointment will be required to go through the open competitive process.</p> <p><i>Application Process</i> Openings for board or commission positions shall be widely advertised in local newspapers, the City’s website as well as other means available and appropriate for this purpose. If an incumbent is eligible to apply for reappointment, this information shall be included in the announcement. Applicants shall be required to complete a City application form provided for this purpose, and to submit a completed application by the specified recruitment deadline. Late applications will not be accepted; however, the City Council may choose to extend an application deadline, if necessary, to obtain a sufficient number of applications for</p>	<p><i>Eligibility</i></p> <p><i>Non-Discrimination</i></p> <p><i>Terms</i></p> <p><i>Term Limitations</i></p> <p><i>Concurrent Offices</i></p> <p><i>Attendance</i></p> <p><i>Appointment/ Reappointment</i></p> <p><i>Application Process</i></p>
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<p>consideration. Copies of all applications will be provided to the City Council.</p>	
<p><i>Interview and Appointment Process</i></p> <p>Upon receipt of applications, the Council may choose to interview all applicants or, in the event of a large number of applicants, use a screening process to reduce the number of candidates for interview. The Council may establish criteria for screening. Preliminary screening may be performed by the Council serving as a committee of-the-whole, or by a Council subcommittee appointed by the Mayor for this purpose. In the event a subcommittee is utilized to screen applicants, non-subcommittee Council Members will be invited to convey their comments and questions regarding the qualifications of the applicants to the screening committee. The subcommittee will make its recommendations to the full Council.</p> <p>Interviews of applicants shall be conducted in open session. The chairperson of the respective board or commission will also be invited to attend the interviews, and may participate in the process to the degree desired by the Council. Upon completion of the interviews, the Council will discuss the qualifications of the candidates. The Council shall make its appointment in open session. Following appointment, the appointee, as well as all other candidates, will be notified in writing of the Council's decision.</p>	<p><i>Interview and Appointment Process</i></p>
<p>Charter 3.08 City Council—Offices</p> <p>KMC 3.08.110—Youth member of boards and commissions.</p> <p>a) General. The city council has added a youth-specific seat on certain citizen advisory boards and commissions. Rules and policies relating to boards and commissions are contained in a variety of ordinances, resolutions, and other documents. The provisions of this section will prevail over all other rules or policies of the city to the extent of any conflict with this section.</p> <p>b) Youth-Specific Seat Defined. Appointment to a youth-specific seat shall be made for a two-year term. A youth-specific seat on a board or commission can be filled only by a person who is a resident of Kirkland or Kirkland's annexation areas and has attained the grade level of sophomore or junior by September of the year of appointment. The person so appointed may complete their term even if he or she is over the age of eighteen. All other qualifications and requirements applicable to members of the board or commission shall apply to the youth member.</p> <p>c) Youth-Specific Seats. A youth-specific seat has been added to the boards and commissions specified below, increasing their number of members by one. The total number of members, including the additional seat, for each body is listed below:</p> <ol style="list-style-type: none"> 1) Human services advisory committee: Five "at-large" members. 2) Library board: Six members. 3) Park board: Eight members. Five members shall constitute a quorum and five affirmative votes shall be necessary to carry any proposition. 4) Transportation commission: Eight members. (Ord. 4089 § 1, 2007; Ord. 3872 § 1, 2002; Ord. 3759 § 2, 2000) 	<p>Appointment of Youth Members to Boards and Commissions</p>

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<p><i>Incompatibility of Offices</i></p> <p>There is no single statutory provision governing dual office holding. Statutory law is generally silent on that question except where the legislature has deemed it best either to prohibit or permit particular offices to be held by the same person. Chapters 35.24 and 35A.12 RCW expressly permit the offices of clerk and treasurer to be combined in certain cases. However, RCW 35A.12.030 and 35A.13.020 prohibit a mayor or Council Member in a code city from holding any other public office or employment within Kirkland’s government “except as permitted under the provisions of Chapter 42.23 RCW.” A statute expressly permits Council Members to hold the position of volunteer fire fighter (but not chief or other officer). RCW 35A.13.060 expressly authorizes a city manager to serve two or more cities in that capacity at the same time, but also provides that a city council may require the city manager to devote his or her full time to the affairs of that code city.</p>	<p><i>Incompatibility of Offices</i></p>
<p>Chapter 3.30 Design Review Board</p> <p>KMC 3.30.010—Membership—Appointment—Compensation—Removal.</p> <p>The design review board shall be composed of seven appointed members. In addition, the director of planning and community development shall sit on the design review board (“DRB”) as a nonvoting member for purposes of advising the board on regulatory and urban design issues. Members shall be appointed by a majority vote of the city council, without regard to political affiliation. The members of the DRB shall serve without compensation. Each member shall be appointed to a four-year term; provided, that as to the two positions added in 2003, one new member’s initial term shall expire March 31, 2005, and the other new member’s initial term shall expire March 31, 2007. Any vacancy shall be filled for the remainder of the unexpired term of the vacant position. When a member misses three or more consecutive meetings not excused by a majority vote of the DRB, the DRB will consider recommending removal of that member. The board shall recommend removal if the absences have negatively affected the board’s abilities to perform its duties. The recommendation will be forwarded to city council. Members finding themselves unable to attend regular meetings are expected to tender their resignations. A member may be removed by a majority vote of the city council. (Ord. 3901 § 1, 2003; Ord. 3683A § 1 (part), 1999)</p> <p>KMC 3.30.020—Qualifications.</p> <p>Members of the design review board shall include design professionals and building/construction experts, and residents of Kirkland capable of reading and understanding architectural plans and knowledgeable in matters of building and design. The board shall at all times have a majority composition of professionals from architecture, landscape architecture, urban design/planning, or similar disciplines. In selecting members, professionals who are residents and/or whose place of business is within Kirkland will be preferred. (Ord. 3683A § 1 (part), 1999)</p> <p>KMC 3.30.030—Powers and duties.</p> <p>The design review board shall have the responsibilities designated in the zoning code. In addition, the design review board shall perform such advisory functions related to design issues as designated by the city council. (Ord. 3683A § 1 (part), 1999)</p>	<p>Design Review Board</p>

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<p>Chapter 3.28 Kirkland Library Board* KMC 3.28.010—Purpose. The library board shall serve as an advisory body to the Kirkland city council, the Kirkland city manager, and shall also serve as liaison to the King County rural library district so that the residents of Kirkland can contribute input to the King County rural library district and its designated librarian regarding library service issues and community interests. (Ord. 3333 § 1(part), 1992)</p> <p>KMC 3.28.020—Kirkland Library Board. The Kirkland library board shall be composed of five members who shall be residents of the city appointed by the city council for terms of four years and shall otherwise serve at the pleasure of the city council. (Ord. 3333 § 1(part), 1992)</p>	<p>Kirkland Library Board</p>
<p>Chapter 5.19 Lodging Excise Tax KMC 5.19.210—Lodging Tax Advisory Committee. A lodging tax advisory committee is hereby declared to have been established and created by the city council on July 3, 2001. The purpose of the lodging tax advisory committee ("LTAC") is to perform the functions of a lodging tax advisory committee under RCW 67.28.1817 and also to be an ongoing advisory committee to the Kirkland city council, with duties as described in this chapter or as directed by the city council, following procedures as provided in this chapter. (Ord. 3798 § 1 (part), 2001)</p> <p>KMC 5.19.220—Membership. The LTAC shall be comprised of seven voting members, each appointed by the Kirkland city council. The Kirkland city council may appoint nonvoting members to the LTAC. Members of the LTAC are not required to be residents of the city of Kirkland.</p> <p>a) Voting members shall be as follows:</p> <ol style="list-style-type: none"> 1) One member shall be a Kirkland city council member, who shall serve as chair; 2) Three members shall be representatives of businesses required to collect tax under this chapter; 3) Three members shall be persons involved in activities authorized to be funded by revenue received under this chapter. <p>b) The term of membership shall be through June 30th of the year following appointment; provided, that a member's term shall not expire until the appointment of a new member is effective. By statute, eligibility for appointment under subsections (a)(2) or (a)(3) of this section is mutually exclusive. The city council shall review the membership of the advisory committee annually and make changes as appropriate. Each year, organizations representing businesses required to collect the lodging tax, organizations involved in activities authorized to be funded by lodging tax revenue, and local agencies involved in tourism promotion may submit recommendations for membership on the LTAC. (Ord. 3798 § 1 (part), 2001)</p> <p>KMC 5.19.230—Duties. a) A city proposal shall be submitted to the LTAC for review and comment if the</p>	<p>Lodging Tax Advisory Committee</p>

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<p>city proposes an increase in the rate of the tax imposed under this chapter, the repeal of an exemption from a tax imposed under this chapter, or a change in the use of revenue received under this chapter. The LTAC shall submit comments on such a proposal to the city council in a timely manner through generally applicable public comment procedures. Comments from the LTAC shall include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to which the proposal will affect the long-term stability of the lodging tax fund created under this chapter.</p> <p>b) The LTAC should submit its comments on the proposal no more than forty-four days after its receipt of the proposal. However, failure of the LTAC to submit comments shall not prevent the city from acting on the proposal once forty-five days have elapsed since the proposal was submitted to the LTAC. The city is not required to submit an amended proposal to the LTAC.</p> <p>c) In addition to the foregoing, the LTAC will submit a report to the city’s finance director as to whether the proposed budget for lodging tax revenue and lodging fund expenditures is consistent with long-term stability of the lodging tax fund. (Ord. 3798 § 1 (part), 2001)</p> <p>KMC 5.19.280—Removal. A member of LTAC may be removed during their term by the city council only for sufficient cause. Sufficient cause means:</p> <p>a) Absence for two consecutive meetings without prior excuse from the chair; or</p> <p>b) Violation of the public trust or malfeasance. (Ord. 3798 § 1 (part), 2001)</p>	<p style="text-align: center;">Lodging Tax Advisory Committee <i>(continued)</i></p>
<p>Chapter 3.32 Planning Commission</p> <p>KMC 3.32.015—Membership—Appointment—Compensation—Removal. The planning commission of the city shall be composed of seven members, appointed by majority vote of the city council, without regard to political affiliation from among the residents of the city. The members of the planning commission shall serve without compensation. A commissioner shall be appointed to a four-year term. A commissioner will be expected to attend no less than eighty percent of all meetings in any twelve-month period for which there is no prearranged absence. City council may waive the eighty percent attendance requirement; however, no less than sixty percent of all meetings shall be attended. A commissioner may be removed by majority vote of the city council. Vacancies shall be filled for the remainder of the unexpired terms. (Ord. 3511 § 5, 1995; Ord. 3178 § 1, 1989; Ord. 3065 § 2, 1987)</p> <p>KMC 3.32.020—Powers and duties. The planning commission shall be the principal planning advisory board for all matters relating to land use, comprehensive planning and zoning. Unless the city council assigns otherwise, all public hearings required by Chapter 35A.63 RCW to be held in the course of the adoption or amendment of the text of the zoning code, adoption or amendment of the zoning map, or adoption or amendment of regulations for the subdivision of land, shall be held by the planning commission. The planning commission shall perform such other advisory functions (including hearings on certain land use permit applications) as shall be assigned to it by the provisions of Ordinance 2740 (the zoning code) or as may be from time to time directed by resolution or motion of the city council. (Ord. 3613 § 1, 1997; Ord.</p>	<p style="text-align: center;">Planning Commission</p>

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<p>3065 § 3, 1987)</p>	
<p>Chapter 3.36 Park Board KMC 3.36.020—Creation—Eligibility. There is hereby created an advisory board of park commissioners, consisting of seven members, appointed by majority vote of the city council, without regard to political affiliation from among the residents of the city. No commissioner shall receive any compensation for their services. (Ord. 3511 § 2, 1995: Ord. 1007 § 2, 1965)</p> <p>KMC 3.36.030 Terms of commissioners—Vacancies. A commissioner shall be appointed to a four-year term. A commissioner will be expected to attend no less than eighty percent of all meetings in any twelve-month period for which there is no prearranged absence. City council may waive the eighty percent attendance requirement; however, no less than sixty percent of all meetings shall be attended. Members of the board may be removed by majority vote of the city council. Vacancies shall be filled for the remainder of unexpired terms. (Ord. 3511 § 3, 1995: Ord. 2526 § 1, 1980: Ord. 1007 § 3, 1965)</p> <p>KMC 3.36.050 Powers and duties. a) The board shall advise the city council, the city manager, and the park and recreation department, regarding the general supervision and control of all parks and recreational facilities and programs of the city. The board shall have the power to advise regarding conduct of any form of recreation or cultural activity that will employ the leisure time of the people in a constructive and wholesome manner, and shall advise regarding control and supervision of all parks belonging to the city, and advise regarding planning, promotion, management and acquisition, construction, development, maintenance, and operation, including restrictions on, and compensation to be paid for, concessions or privileges in parks and/or playgrounds, either within or without the city limits, of parks, squares, parkways and boulevards, play and recreation grounds, and/or other municipally owned recreational facilities, including community buildings, and improvement and ornamentation of the same; make recommendations regarding entering into written contracts with the United States, the state of Washington, any county, city or town, park district, school district, or any such public organizations for the purpose of conducting a recreational program or exercising any other power granted by this chapter.</p> <p>b) The board shall submit to the city council through the city manager each year recommendations for the development of the park and recreation program and facilities as it may deem advisable, for the information and guidance of the city council in preparing the budget, for the operation and maintenance of the city parks, the recreational program and the necessary facilities, and the acquisition of land, structures, or facilities needed therefor. The board may recommend rules and regulations for the management, supervision and control of city parks and recreational facilities and programs. (Ord. 1007 § 5, 1965)</p>	<p style="text-align: center;">Park Board</p>
<p>Chapter 3.40 Parking Advisory Board KMC 3.40.010—Membership—Compensation. The parking advisory board shall consist of eight board members, who shall be appointed by majority vote of the city council. No board member shall receive any compensation for his or her services. (Ord. 4088 § 1, 2007: Ord. 3940 § 1 (part),</p>	<p style="text-align: center;">Parking Advisory Board</p>

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<p>2004)</p> <p>KMC 3.40.020—Qualifications.</p> <p>Members of the parking advisory board shall include downtown commercial property owners, professionals in service industries, retailers, restaurateurs, residents of downtown Kirkland or an adjacent neighborhood with an interest in and knowledge of downtown parking issues, one “at-large” member who shall be a resident of Kirkland and a youth member. The preferred composition of the board will include a majority of members who are downtown professionals or commercial property owners. The qualifications of the youth member shall be as described in the applicable portions of Kirkland Municipal Code Section 3.08.110. Non-youth members that, after their appointment, fail to meet the qualifications of this section may complete their term. (Ord. 4088 § 2, 2007: Ord. 3940 § 1 (part), 2004)</p> <p>KMC 3.40.030—Terms of commissioners—Filling vacancies.</p> <p>Initial terms shall be: two members for terms expiring March 31, 2005, one member for term expiring March 31, 2006, two members for terms expiring March 31, 2007, and two members with terms expiring March 31, 2008. The youth member’s initial term shall expire March 31, 2006. Subsequent terms shall be for four years, except that subsequent terms for the youth member shall be two years. Vacancies shall be filled for the remainder of the unexpired term of the vacant position. A member’s term shall begin upon appointment by the city council. A commissioner will be expected to attend no less than eighty percent of all meetings for which there is no prearranged absence. In addition, when a member misses three or more consecutive meetings not excused by a majority vote of the parking advisory board, the board shall consider recommending removal of that member. The parking advisory board shall report to the city council about a member’s pattern of absence, together with the board’s recommendation concerning removal. A member may be removed by a majority of the city council. A member finding himself/herself unable to attend regular meetings is expected to tender his/her resignation. A resignation will be effective on such date as designated by the resigning board member. (Ord. 3940 § 1 (part), 2004)</p> <p>KMC 3.40.050—Powers and duties of board.</p> <p>The parking advisory board shall advise the city council, city manager, and city departments regarding those parking issues referred to them. The board shall assist the parking coordinator in the implementation of the parking management plan; review parking issues over time; and advise the city council on strategy implementation based on the “Parking Guidelines for Downtown Kirkland.” The board shall submit to the city council through the city manager recommendations for other parking issues of interest to the board or associated with council-directed items as the board feels is advisable. (Ord. 3940 § 1 (part), 2004)</p>	<p style="text-align: center;">Parking Advisory Board <i>(continued)</i></p>
<p>Chapter 3.45 Transportation Commission</p> <p>KMC 3.45.010—Membership—Compensation.</p> <p>The transportation commission shall consist of eight commissioners, who shall be appointed by majority vote of the city council from persons who reside or work within the city of Kirkland or its potential annexation area. At least three of the eight members should have some expertise in transportation related issues, such as a background in one of the following disciplines: engineering, transportation demand management, or land use planning. One member shall be a youth who, at time of appointment, is at least sixteen but not yet eighteen years of age. No</p>	<p style="text-align: center;">Transportation Commission</p>

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<p>commissioner shall receive any compensation for his or her services. (Ord. 3846 § 1 (part), 2002)</p> <p>KMC 3.45.020—Terms of commissioners—Vacancies.</p> <p>Initial terms shall be: two members for terms expiring March 31, 2004, two members for terms expiring March 31, 2005, two members for terms expiring March 31, 2006, and one member for a term expiring March 31, 2007. The youth member’s initial term shall expire March 31, 2005. Subsequent terms shall be for four years, except that subsequent terms for the youth member shall be two years. Vacancies shall be filled for the remainder of the unexpired term of the vacant position. A member’s term shall begin upon appointment by the city council and taking the usual oath of qualification. A commissioner will be expected to attend no less than eighty percent of all meetings for which there is no prearranged absence. In addition, when a member misses three or more consecutive meetings not excused by a majority vote of the transportation commission, the commission shall consider recommending removal of that member. The transportation commission shall report to city council about a member’s pattern of absence, together with the commission’s recommendation concerning removal. A member may be removed by a majority vote of the city council. A member finding themselves unable to attend regular meetings is expected to tender their resignation. A resignation will be effective on such date as designated by the resigning commission member. (Ord. 3846 § 1 (part), 2002)</p> <p>KMC 3.45.040—Powers and duties of commission.</p> <p>The commission shall advise the city council, city manager, and the public works department regarding those transportation issues referred to them by the city council. The commission shall have the power to advise regarding planning and development of those transportation issues given them by the city council. The commission shall submit to the city council through the city manager recommendations for other transportation issues of interest to the commission or associated with council-directed items as the commission feels is advisable. (Ord. 3846 § 1 (part), 2002)</p>	<p style="text-align: center;">Transportation Commission <i>(continued)</i></p>
<p>Chapter 3.54 Civil Service Commission (Refer to KMC 3.54.010)</p>	<p style="text-align: center;">Civil Service Commission</p>
<p>Chapter 3.56 Disability Board</p> <p>KMC 3.56.010 Established—Membership.</p> <p>Pursuant to RCW 41.26.110, the Kirkland disability board (the “board”) is established. The board shall be composed of two members of the city council, one firefighter, one law enforcement officer, and one at-large member. Said two council members will be appointed by the mayor and approved by the city council. Said firefighter and law enforcement officer are to be elected as provided under state law. Said at-large member shall be a city resident who is appointed by majority vote of the other members. (Ord. 3670 § 1, 1998; Ord. 3449 § 1, 1994; Ord. 3110 § 1 (part), 1988)</p> <p>KMC 3.56.020 Terms—Vacancies.</p> <p>All members of the disability board shall serve for a two-year term with the exception of the law enforcement member who, on the first term, shall serve for one year only. Vacancies shall be filled for the unexpired term of a member whose death, resignation, or removal creates a vacancy. Each member shall hold office</p>	<p style="text-align: center;">Disability Board</p>

City Council Policies and Procedures

<p>until a successor is appointed or elected. (Ord. 3110 § 1 (part), 1988)</p> <p>KMC 3.56.030 Duties and powers—Rules and regulations. The board shall perform all functions, exercise all powers, and make all determinations as specified in RCW Chapter 41.26 for disability boards. The board may adopt reasonable rules and regulations to carry out its authority and to govern the manner and form of filing, presentations, and hearings before the board. (Ord. 3110 § 1 (part), 1988)</p>	<p>Disability Board <i>(continued)</i></p>
<p>Chapter 3.60 Fireman’s Pension Board KMC 3.60.010—Relief and pension system established—Board membership. A fireman’s relief and pension system is hereby declared to have been established and created for the city full-time, full-paid fire department as of March 1, 1969, and the fireman’s pension board thereby created shall consist of the following five members, ex officio the mayor who shall be chairman of the board, the city manager, the director of administrative services and in addition two members to be elected by secret ballot of the firemen, at least one of which must be a regularly employed fireman. (Ord. 3573 § 6, 1997: Ord. 2041 § 1, 1969)</p>	<p>Fireman’s Pension Board</p>
<p>Advisory Councils In addition to Boards and Commissions established by ordinance, the City Council may create advisory councils by resolution.</p> <p>Human Services Advisory Committee—Resolution R-3315 <i>Purpose</i> The Committee is to review annual funding requests from human service provider agencies and to prepare recommendations to the City Council in accordance with the priorities and criteria established in the human services policy and program.</p> <p><i>Membership & Terms</i> The membership of the Human Services Advisory Committee shall be composed of the City Manager, the Director of Parks and Community Development and the Human Services Coordinator together with one (1) youth representative and four (4) residents of the City of Kirkland to be appointed by the City Council. Terms are for a two-year period.</p> <p><i>Qualifications</i> Each shall be a resident of the City of Kirkland; and have no financial or proprietary interest in a human service provider organization, either as staff, board member or otherwise.</p> <p>Kirkland Senior Council (KSC)—Resolution R-4347 <i>Purpose</i> The purpose of the KSC shall be to participate in the advocacy, education and creation of programs that meet their needs. Advise the City Council and the City Manager regarding issues affecting seniors in Kirkland and make recommendations to the City Council and City Manager on senior issues of interest or associated with Council-directed items.</p>	<p>Advisory Councils</p> <p><i>Human Services Advisory Committee</i></p> <p><i>Kirkland Senior Council</i></p>

City Council Policies and Procedures

<p><i>Membership and Terms</i></p> <p>The KSC shall consist of no less than 11 members and no more than 21 members. At least 51% of the members shall be over the age of 50 and shall live, work or serve a population in the City of Kirkland. The terms of office shall be three years each, with one-third of the Council selected each year.</p> <p>Kirkland Youth Council Mission Statement</p>	<p><i>Kirkland Senior Council (continued)</i></p>
<p>Kirkland Cultural Council—Resolution R-4353</p> <p><i>Purpose</i></p> <p>The Cultural Council is to promote strategic planning and development for arts, culture and heritage in the community. The City Council would like advice from the Cultural Council regarding public art acquisitions. The Cultural Council shall advise the City Council, City Manager and City staff regarding those issues referred to it by the City Council. After consultation with the City Manager, the Cultural Council may serve as the City’s official representative on an arts, culture or heritage matter. The Cultural Council may submit to the City through the City Manager recommendations for other issues to be submitted to the Cultural Council as it feels is advisable.</p> <p><i>Membership</i></p> <p>There will be no less than 7 members and no more than 15 members of the Cultural Council. A member will serve in an individual capacity even if he or she works for an organization that may make a proposal to the Cultural Council. The membership of the Cultural Council is intended to reflect balance, taking into account such elements as the diversity of the community and connection to various geographic areas of the City. Five members are appointed by the City Council. Cultural Council working with the city staff that will assist with the process, will appoint the remaining members. Members serve without compensation for a two or three-year term.</p> <p><i>Qualifications</i></p> <p>All members shall reside or own a business within the City of Kirkland or its potential annexation area. The youth member of the Cultural Council must be at least 16 but not yet 18 years of age. All members must have an interest in the arts.</p>	<p><i>Kirkland Cultural Council</i></p>
<p>Kirkland Youth Council</p> <p><i>Purpose</i></p> <p>The Mission of the Kirkland Youth Council is to provide a vital link between the youth of Kirkland, the greater community, and the government. This alliance will promote mutual respect, ensure that the voice of youth is heard, and create and encourage opportunities for youth to give back to the community.</p> <p><i>Membership</i></p> <p>Current Kirkland Youth Council members recruit potential new members to fill existing vacancies. Applicants must complete an application and interview process. Youth Council Leadership makes the final selections. The Kirkland Youth Council is governed by a group of six peer elected members who serve as the Leadership</p>	<p><i>Kirkland Youth Council</i></p>

City Council Policies and Procedures

group, 2 Co-Chairs, 2 Community Representatives, and 2 City Council Representatives. Each of these positions are held for one calendar year, June–June. Members can be selected for more than one term.

Eligibility

Members must remain on the Council until graduation from high school, not to exceed 6 years. The number of representatives from each school is based upon a percentage of each school building’s population.

*Kirkland
Youth Council
(continued)*

City Council Policies and Procedures

Appendix A Council Committee Assignments 2009

City Standing Committees: Finance Public Safety Lodging Tax Disability City/School District Coordinating Committee Economic Development Housing Committee Community Survey Committee	Joan, Jessica, Jim Dave, Mary-Alyce, Bob, chair Tom Jim, Jessica Jim, Joan Jim, Jessica, Bob Jessica, Tom, Joan Dave, Jessica, Bob	City Standing Committees
City Task Forces: I-405 Advisory Legislative Solid Waste/HTS Active Living	Joan, Dave Dave, Joan, Mary-Alyce Jessica, Jim, Mary-Alyce Joan, Tom	City Task Forces
Liaison Positions: Bridle Trails Park Foundation Northshore Health & Wellness Project Senior Council	Mary-Alyce Mary-Alyce Joan McBride	Liaison Positions
Regional Committees: Law & Justice WRIA 8 Cascade Water Alliance enterpriseSeattle Board Sound Transit Board and Finance Committee ETP Eastside Human Services Forum Jail Oversight Assembly MWSMAC King Co Conservation Dist. Adv. King Co Flood Control Advisory Bd Shoreline Hearing Board AWC Legislative, Comm. Safety, CLJWG	Dave Joan, Jim (A) Mary-Alyce, Jim (A) Bob Mary-Alyce Dave, Joan, Mary-Alyce (A) Jim (chair) Bob Jessica, Jim (A) Joan Joan Mary-Alyce Mary-Alyce	Regional Committees
Suburban Cities Regional Committees: SCA Board of Directors SCA Public Issues Committee Growth Management Planning Council Puget Sound Regional Council Executive Board BNSF	Bob Dave, Bob (A) Bob Mary-Alyce Tom Hodgson	Suburban Cities Regional Committees

City Council Policies and Procedures

Appendix B City of Kirkland - Advisory Boards & Commissions Membership & Qualification Matrix

	Membership	Term Length	Appointing Authority	Residency Requirements	Special Requirements
Civil Service Commission KMC 3.54	3 members	6-year terms	City Manager	Resident of the City of Kirkland for at least three years immediately preceding appointment	Citizen of the United States and an elector of King County
Design Review Board KMC 3.30	7 members	4-year Terms	City Council	Resident of the City of Kirkland and/or whose place of business in City preferred	Shall include design professionals and building/construction experts, and residents capable of reading and understanding architectural plans and knowledgeable in matters of building and design. The Board shall have at all times a majority composition of professionals from architecture, urban design/planning or similar disciplines.
Disability Board KMC 3.56	Membership, Appointing Authority, Term Lengths, Residency Requirements, and Special Requirements 2 members of the City Council to be appointed by the Mayor (2-year term) ; 1 firefighter to be elected as provided by state law (2-year term); 1 law enforcement officer to be elected as provided by state law (2-year term) ; 1 member from the public at large, residing within the Kirkland city limits to be appointed by the other 4 members (2-year term).				
Kirkland Library Board KMC 3.28	5 members	4-year terms	City Council	Resident of the City of Kirkland	None
Park Board KMC 3.66	7 members	4-year terms	City Council	Resident of the City of Kirkland	None
Planning Commission KMC 3.32	7 members	4-year terms	City Council	Resident of the City of Kirkland	None

**CITY OF KIRKLAND****Department of Public Works****123 Fifth Avenue, Kirkland, WA 98033 425.587.3800****www.ci.kirkland.wa.us**

MEMORANDUM

To: Dave Ramsay, City Manager

From: Daryl Grigsby, Public Works Director

Date: March 5, 2009

Subject: Downtown Street and Waste Can Maintenance

During the 2009-10 budget review for Public Works, the Department recommended reducing the seasonal employee budget by 80% of the 2007-08 budget. Although this recommendation was accepted by the Council, there was discussion on the need to improve the cleanliness of downtown streets and waste cans. Council Members noted that problems were more evident during the summer months. As a result, the City Council allocated \$25,000 as a pilot program for 2009 downtown maintenance.

In addition, staff was asked to return to Council with a plan on how that additional money would be expended on downtown services. We considered two options per Council direction. One option is to provide funding to the Kirkland Downtown Association (KDA) to provide this service. A second option is for city staff to perform the pilot in-house. After careful review, the first option is not recommended based on the following issues:

- The City currently has some downtown services (street sweeping, garage maintenance) that provide the benefit of economies of scale or coordination that cannot be duplicated by KDA or another organization.
- The City has recently performed some of these services, so there are existing equipment, vehicles and tools available.
- Given the City's other responsibilities there is a supervisory and support structure in place that does require additional funding.

Therefore, we are recommending the pilot project be performed by city staff. Noted below is the staff proposal for utilizing the \$25,000 allocation.

1. *Sweep and blow downtown sidewalks.* This would be a restoration and expansion of the 2007-08 level of service. We would perform this approximately 100 times per year and conduct this service in conjunction with the regenerative air/vacuum vehicle (street sweeper). This service is performed on weekdays only. It is not provided uniformly throughout the year, but instead is allocated seasonally. Specifically, fall and summer receive a higher level of service than winter and spring. Without this funding there would be no sweeping or blowing of downtown sidewalks. That activity was funded in 2007-08 but is part of the 2009-10 budget reductions. The street sweeper would continue to operate as it is a funded activity.
2. *Sidewalk Litter removal.* This is a new service. There would be an average of one-hour per day during the week and service for sixteen summer weekends. The weekend shift would include Friday, Saturday and Sunday. There will be 20 hours of time over the three day weekend shift devoted to three activities: sidewalk litter removal, waste can check and waste disposal, and parking garage check and cleaning. The allocation of those 20 hours will be based on the

greatest need at the time. In all three cases, sidewalk litter removal, waste can disposal and garage maintenance; the weekend shift is a new service.

3. *Waste can check and waste disposal.* This is a new service. There would be an average of 1.5 hours per day during the week and service for sixteen summer weekends. The summer weekend service will be the same as described above for the sidewalk litter removal, that is, 20 hours total during Friday, Saturday and Sunday; allocated for waste can check and waste disposal, sidewalk litter removal, and parking garage check and cleaning. This service would complement the existing Waste Management can service of Monday, Wednesday, and Friday from after Labor Day to June 1st and Monday, Wednesday, Friday, Saturday and Sunday from after June 1st to Labor Day. Waste Management pickups are in the morning so city staff would perform their can check and disposal in the late afternoon and early evening.
4. *Special Event Service.* This is a new service. There would be service for sidewalk litter removal and waste can check and disposal for two major special events during the summer. This is in addition to the new weekend service described above.
5. *Parking Garage Check and Cleaning.* This is restoration and expansion of a service reduced in the 2009-10 budget. There would be 1 hour/day during the week. This is close to the 2007-08 level. The expanded service beyond prior years' includes 16 summer weekends. As described above, the service is 20 hours per weekend shift for this activity, sidewalk litter removal and waste can check and disposal.

If approved by Council, staff would begin this level of service immediately. In addition, we would monitor this service as the year progresses and have the ability to adapt it to changing conditions. If, for example, waste can disposal was a larger problem than anticipated we could reduce service on sidewalk litter and/or garage cleaning.

Attachment 1: CBD Street Garbage Can Locations



Vicinity Map
 0 7,400 14,800 22,200
 Feet

Legend

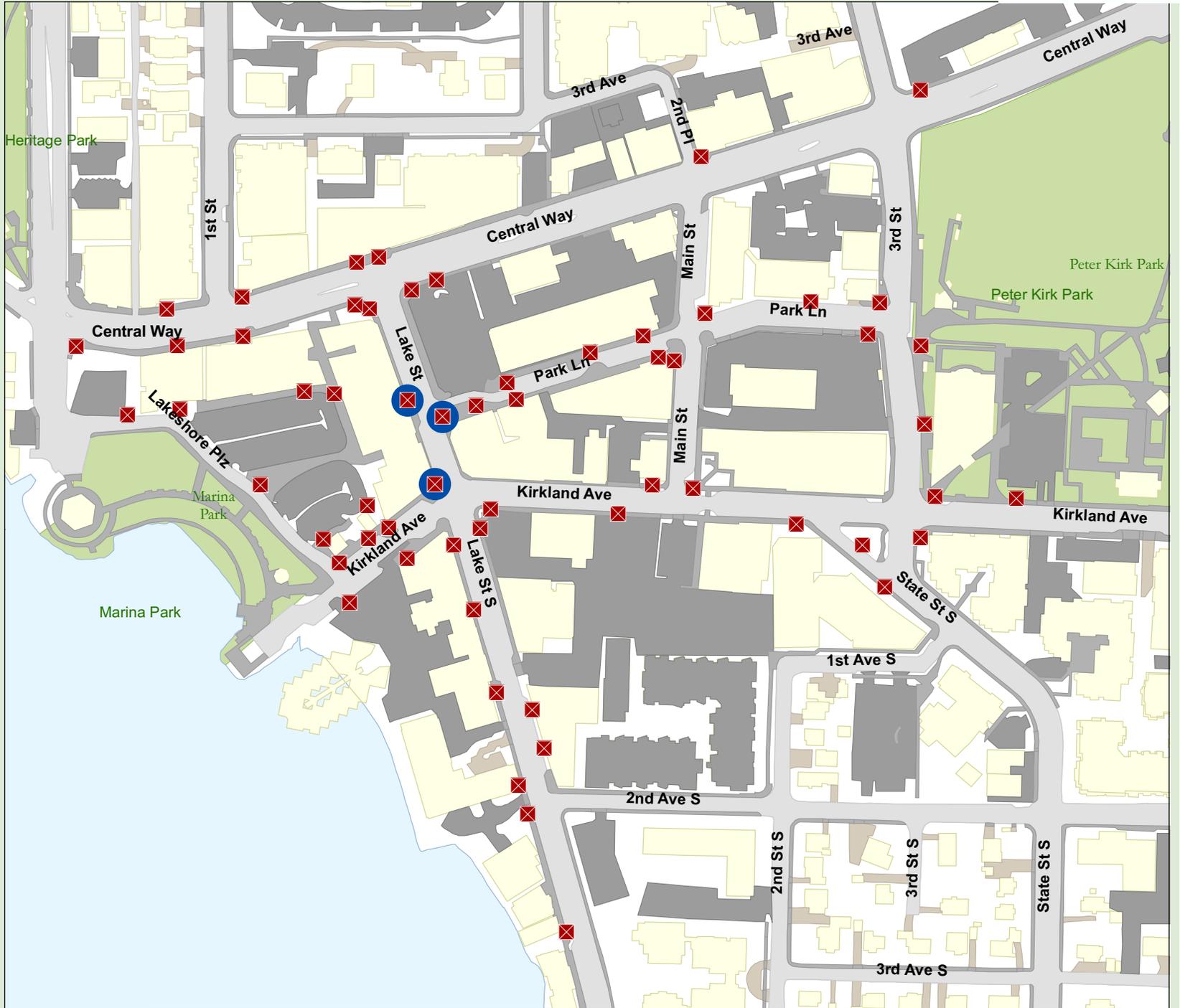
-  Existing Recycle/ Garbage Can
-  Existing Garbage Can



0 75 150 225
 Feet



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CBD Street Garbage Can Locations

**CITY OF KIRKLAND****City Manager's Office**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

MEMORANDUM

To: Kirkland City Council

From: David Ramsay

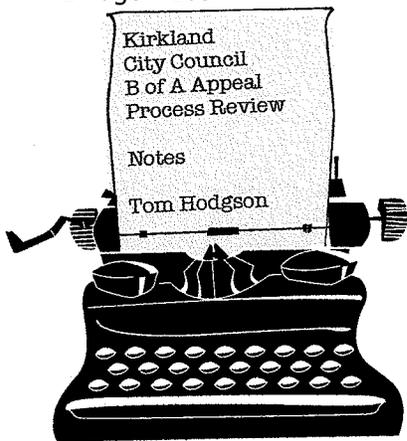
Date: March 5, 2009

Subject: **Bank of America Project Review Process**

At the February 17th City Council meeting, Council Members identified issues that are to be considered in the Bank of America project review. Please find these issues listed below.

1. This process needs to be examined from the very beginning. What can we learn?
2. There was confusion about the roles of the various groups involved. There is a need to examine their roles, latitude and perspective in order to bring this process into alignment. These groups include:
 - Developer
 - Planning staff
 - Legal Staff
 - City Council
 - Design Review Board (DRB)
 - Appellants
 - Citizens
3. Management of communication to and from the City including newspapers
4. The preparation of background materials provided to the City Council
5. Role of the City Boards and Commissions and staff support to them
6. The role of the City in supporting both sides to the issue
7. The application process: Is this the root cause of the problem?

In addition, please find attached the list of issues provided by Council Member Hodgson at the March 3rd City Council Meeting.



March 3, 2009

Issues for review

1. Role of Design Review Board

- Did the DRB feel empowered to fully consider the 5th floor?
- How did staff support deliberations of DRB?

2. Preparation of background materials for a quasi-judicial process

- Was background material balanced and unbiased?
- Was the confidentiality privilege used appropriately?

3. Management of correspondence

- What is the policy regarding unsigned correspondence?
- Was advisory legal counsel retained properly?

4. City support of applicant and appellant

- Did staff support both applicant and appellant equally and fairly?
- Was Council influenced by campaign contributions?

5. Relationship of staff, applicant and appellant

- Did staff act as an advocate for either interest?
- Was there an understanding of outcome prior to the DRB process?

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

MEMORANDUM

To: City Council
From: Cultural Council
Date: February 17, 2009
Subject: Cultural Council Terms

Recommendation

The Cultural Council (Council) seeks guidance from the City Council regarding the amendment of Resolution R-4353, dated November 1, 2002, which created the Council and set out its mission, membership and financial support. The resolution was written with the intention that the Council would become a non-profit. The Council surveyed the local arts community and determined that if the Council became a non-profit it would hurt the fundraising efforts of other non-profits engaged in the arts. The Cultural Council would like to revise the resolution or substitute a new resolution to acknowledge that the Council has been performing as a City board or commission and should therefore be consistent with these other boards. The main concerns requiring City Council consideration are term lengths, position appointments, and term limits.

Background Discussion

The Cultural Council was formed in 2002 with the intention that it would become a non-profit by the year 2005. The response from local arts agencies to this possibility was quite negative; local art agencies felt strongly that it would create undue competition between the City and the arts agencies for limited funds. This sentiment was echoed more recently through the strategic planning process that began in 2008. The Council believes that it can be more effective as a City entity, and that the City benefits greatly from its work. Through the 1% for Art program and Art in Private Development, Cultural Council members have worked with staff in the Public Works, Planning, and Parks Departments. It can point to many accomplishments during its six years of existence, a sampling of which include:

- Passage of a 1% for the Arts policy for public projects which has resulted in artists being hired to integrate art into the Juanita Beach redevelopment and the City Hall Annex,
 - Assistance to the Norkirk and Houghton Neighborhoods with art procurement, as well as assistance to the Totem Lake Freeway Station art and the I-405 Soundwalls,
 - Fundraising of \$212,000 to purchase the loaned Ballentine sculptures,
 - Sponsorship of local art events such as the Kirkland Artist Studio Tour and Uncorked,
 - Procurement of grant funds to bring performance art to Kirkland, as well as "Artists In Action" at the Wednesday Market,
 - Development and distribution of "Bringing Art to Private Development", a DVD to encourage art in public/private places and collaboration with developers that will bring additional art to 2 developments in downtown Kirkland as well as Park Place,
- and countless other projects that have helped define Kirkland as an artist's town.

Current on-going projects include the art in private development program, the % for art program, the strategic plan, and continued coordination with neighborhoods to bring art to all areas of the city. The recent move of the Cultural Council along with Tourism to become part of the Economic Development Program has created synergy among these disciplines, with one benefit being increased visibility and marketing of Kirkland as an arts destination.

Proposed Changes

Term Lengths

Currently, the Cultural Council members have either 2 or 3 year terms. The Council would like these term lengths to be consistent. The Cultural Council recognizes that the City Council's preference is for 4 year terms (with the exception of the Youth position). This is the case for many of Kirkland's boards and commissions (Design Review Board, Park Board, Library Board, and Planning Commission). Staff suggests the terms be staggered by 2 years. This also would reduce staff time needed to recruit and plan for turnover, while still allowing for fresh ideas.

Position Appointments

Currently the first 5 members of the Cultural Council are appointed by the City Council and the rest of the members by the Cultural Council. Consistency in this regard is desired as well, with appointment by the City Council. The current resolution states that the "member's term shall begin upon the member accepting his or her appointment". Staff recommends that terms end on March 31st as recommended in the City Council policies and procedures: "Terms shall expire on the 31st of March of the applicable year." This also reduces staff time and adds consistency.

Term Limits

There are currently 5 members who have served six years apiece on the Council, which under current rules does not allow them to apply again. Staff recommends that those who chose to be allowed to serve an additional portion of or complete 4 year term. This would be consistent with City Council's policies and procedures for boards and commissions, which allow that "no individual shall serve more than two full four-year terms".

Conclusion

The Cultural Council believes that with these changes it can more effectively function as an agent of the City Council and implement its original purpose "to promote strategic planning and development for arts, culture and heritage in the community." It invites City Council comments and suggestions in response to these proposed changes.

Attachment A – Resolution R-4353

Attachment B –Cultural Council Accomplishments

ATTACHMENT A

RESOLUTION R- 4353

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO THE CULTURAL COUNCIL

Be it resolved by the City Council of the City of Kirkland as follows:

Section 1. Creation of the Kirkland Cultural Council. The Kirkland Cultural Council is hereby created, effective November 1, 2002. The Kirkland City Council approves the Cultural Council as a local arts agency and requests that King County recognize the Cultural Council as a local arts agency located in Kirkland, Washington.

Section 2. Purpose. The City is creating the Cultural Council to promote strategic planning and development for arts, culture and heritage in the community. The City Council would like advice from the Cultural Council regarding public art acquisitions. The Cultural Council shall advise the City Council, City Manager, and City staff regarding those issues referred to it by the City Council. After consultation with the City Manager, the Cultural Council may serve as the City's official representative on an arts, culture or heritage matter. The Cultural Council may submit to the City through the City Manager recommendations for other issues to be submitted to the Cultural Council as it feels is advisable.

Section 3. Membership. There will be no less than 7 members and no more than 15 members of the Cultural Council. All of the members shall reside or own a business within the City of Kirkland or its Potential Annexation Area. All members must have an interest in the arts. A member will serve in an individual capacity, even if he or she works for an organization that may make a proposal to the Cultural Council. The membership of the Cultural Council is intended to reflect balance, taking into account such elements as the diversity of the community and the connection to various geographic areas of the City.

The table printed in Section 4 below sets forth certain factors applicable to the appointment of members. The special qualification "Artist" means a person who has a demonstrated commitment as an artist. The special qualification "Cultural Heritage" means a person who has a demonstrated commitment to cultural heritage matters. The special qualification "Youth" means a person who, at the time of appointment, is at least 16, but not yet 18 years of age.

A member's term shall begin upon the member accepting his or her appointment. A member may be reappointed; provided that, no person shall serve as a member for more than six consecutive years. Vacancies shall be filled for the remainder of the unexpired term of the vacant position. A member will be expected to attend no less than 80% of all meetings for which there is no prearranged absence. In addition, when a member misses three or more consecutive meetings not excused by a majority vote of the Cultural Council, the Cultural Council shall consider removal of that member. In the case of a member who was appointed by the City Council, the Cultural Council shall report to the City Council about a member's pattern of absence, together with a recommendation concerning removal by the City Council. A member finding themselves unable to attend regular meetings is expected to tender his or her resignation. A resignation shall be effective on such date as designated by the resigning member.

Section 4. Table.

POSITION	APPOINTED BY	LENGTH OF TERM	SPECIAL QUALIFICATION	NOTES
1	City Council	2 years		
2	City Council	3 years		
3	City Council	2 years		
4	City Council	3 years		
5	City Council	2 years		
6	Cultural Council	3 years	Artist	a
7	Cultural Council	3 years	Cultural Heritage	a
8	Cultural Council	2 years	Youth	b
9	Cultural Council	2 years		c
10	Cultural Council	3 years		c
11	Cultural Council	2 years		c
12	Cultural Council	3 years		c
13	Cultural Council	2 years		
14	Cultural Council	3 years		
15	Cultural Council	2 years		

Notes:

- a. If a person who meets the special qualification listed for this position happens to be serving in another position, then this position may be filled without regard to the special qualification.
- b. If a person who meets the special qualification listed for this position happens to be serving in another position, then this position may be filled without regard to the special qualification or left unfilled at the discretion of the Cultural Council.
- c. Positions 9-15 may be filled or left unfilled, at the discretion of the Cultural Council.

Section 5. Officers. As soon as possible, the persons appointed to Positions 1 through 5 shall meet and appoint persons to fill the remaining 2 to 10 positions. Within one month after that initial meeting, the Cultural Council shall meet and organize by electing from the members of the Council a Chair and a Vice Chair. The Chair will have an initial term of one year. For subsequent years the Cultural Council will pick a Chair for a term of one year with the possibility of selection for an additional year. The term for Vice Chair shall be one year, and the Vice Chair will not automatically ascend to become the Chair. There will be no term limit on serving as Vice Chair. It shall be the duty of the Chair to preside at all meetings of the Cultural Council. In the Chair's absence, the Vice Chair shall preside. The Chair shall propose an agenda for meetings and shall vote on matters being voted on by the Cultural Council. The Chair shall select a member to record decisions of the Cultural Council that establish policies or recommendations.

Section 6. Voting. A quorum of the Cultural Council shall be a majority of persons currently serving as voting members. A quorum must be present in order for a vote to be taken on a recommendation or a permanent policy. Each voting member is entitled to one vote. All matters establishing policies, recommendations, or decisions shall be decided by a majority vote of voting members present.

Section 7. Liaisons. The Cultural Council may designate "Cultural Council Liaisons." Liaisons are intended to be resources for technical advice or expertise or to provide connections to other organizations. Liaisons will be invited to all Cultural Council meetings, but will not be required to attend and will not vote. The Cultural Council may choose to designate any number of Liaisons. The Cultural Council shall, at least once per

calendar year, review and make current the list of Cultural Council Liaisons. Typically one City Councilmember will be designated a Liaison.

Section 8. Procedure. All business of the Cultural Council shall be guided by "Roberts Rules of Order". The Cultural Council may adopt a written policy of Cultural Council practices; so long as prior to December 31, 2005 such practices are not inconsistent with this Resolution or other direction of City Council. The City Council intends that the members of the Cultural Council will lead its transformation into a private nonprofit organization prior to December 31, 2005. In turn, the City Council will no longer appoint members of the Cultural Council nor determine operating procedures for it.

Section 9. The members of the Cultural Council shall receive no compensation from the City of Kirkland. Expenses specifically authorized by the City Manager may be advanced or reimbursed to a member.

Section 10. Funds. The Cultural Council may choose to do fundraising with the goal of support for Cultural Council projects. The City Council intends to seek and consider Cultural Council recommendations for use of funds received through such fundraising. Until the Cultural Council becomes a private entity, all fundraising receipts must be handled in accordance with laws, rules and policies applicable to city funds. For example, The City Council must appropriate funds before they are available to be spent and funds may only be used for allowable public purposes. In the event that the Cultural Council also wishes to seek other (general fund) financial support from the City, the Cultural Council must forward such specific request to the City Manager. The Cultural Council shall not imply City commitment to an expenditure before City approval of that recommendation or request.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of July, 2002.

Signed in authentication thereof this 16th day of July, 2002

MAYOR

Attest:

City Clerk

Kirkland Cultural Council Achievements 2002-2008



2002

2003

2004

2005

2006

2007

2008

City Council passes resolution 4353 creating KCC.

KCC members selected & appointed 2002.

Mission Statement & Action Plan created.

Strategic Plan developed.

Public neighborhood discussions held regarding the arts.

Public Art Policy adopted by City Council

"Artists in Action" series @ Kirkland Wed market begins with \$1500 grant from 4Culture.

Recycled Art Exhibit held at City Hall.

Research conducted on 501c3 status option.

Landscape painting exhibit "Terrific Terrains" held at City Hall.

Christine Bourdette sculpture design approved.

Coordinated Biennial Art Exhibit visit from Vancouver BC.

\$212,000 raised to purchase "Save the Animals" sculptures.

Recycled art exhibits at City Hall and Library held.

Vicky Scuri selected as artist for soundwall installation along I-405 corridor.

Kirkland downtown public art walking tour guide developed.

Became a sponsor of annual Kirkland Artist Studio Tour (KAST).

Brought "There Goes the Neighborhood" performance art to streets of downtown Kirkland.

Selected planning artist, Pam Beyette, to be involved in the Totem Lake project.

Held public Open House to kick off Kirkland Cannery project.

Completed pre-design study for Kirkland Cannery project.

Brought site specific art performance "urban beach walk" to downtown Kirkland.

Initiated "Art in Private Development" program to assist developers with including art in their projects.

Created neighborhood art selection guidelines.

Purchased Charlotte Renata Simpson work entitled "Bath House."

Installed Matador sculpture in Norkirk neighborhood.

City Council approved "Percent for Art" program and set aside \$50K to fund public art.

Vicky Scuri soundwall installation along I-405 corridor completed.

Installed "Gyro 2" sculpture at Fire Station 21.

Sponsored annual Kirkland "Uncorked" art and wine event.

Completed appraisal for Kirkland Cannery project.

Produced Art in Public Places DVD to illustrate integrated art to developers.

Assisted with selection of artist for Totem Lake Freeway Station project.

Sponsored annual Kirkland Artist Studio Tour (KAST).

Initiated the 20/20 Vision for the Arts and Culture strategic planning process and hired outside consultant.

Assisted the Houghton neighborhood in purchasing Gesture #1 sculpture for Carillon Woods Park.

Sponsored annual Kirkland "Uncorked" art and wine event.

**CITY OF KIRKLAND**

Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager
From: Eric Shields, Planning Director
Date: March 5, 2009
Subject: Housing and Job Growth Target Update

RECOMMENDATION

Hear a presentation on the process for updating housing and job growth targets. No action is requested at this time.

BACKGROUND DISCUSSION

The State Growth Management Act (GMA) requires counties and cities to establish targets for accommodating future growth over a rolling twenty year period. Every five years the state Office of Financial Management (OFM) makes population forecasts for counties. Every ten years, the forecasts must be distributed to individual jurisdictions and used as the basis for updating Comprehensive Plans and development regulations. The most recent OFM forecasts were made in 2007. The next Comprehensive Plan updates are due in December, 2011. Discussions are now underway among County and City staff to begin the target update process.

In King County, growth targets for individual cities are adopted in the King County Countywide Planning Policies (CPPs). The CPPs establish a collaborative process among jurisdictions for updating the targets and amending the CPPs. CPP amendments must be first adopted by the Growth Management Planning Council (GMPC), a committee of elected officials representing a broad spectrum of jurisdictions. Adoption is also required by the King County Council followed by ratification by other jurisdictions representing a majority of the County population. It is hoped that draft targets for the year 2031 can be presented to the GMPC for adoption this fall.

Although the GMA only addresses population targets, King County has also adopted job targets. In the last target update, the allocation process sought to maintain a jobs/ housing balance among four County subareas: Seattle/ Shoreline, East King County, South King County, and Rural cities. In this update, we will also have to address the Vision 2040 plan recently adopted by the Puget Sound Regional Council (PSRC). Vision 2040 targeted growth to groupings of cities referred to as "regional geographies." Kirkland is in the regional geography referred to as "Core Cities" which is targeted to take a significant share of growth.

Attachments:

1. GMA Growth Targets update for King County
2. PowerPoint staff presentation for Council meeting

GMA Growth Targets Update for King County

This briefing paper was prepared by King County and the Suburban Cities Association as a resource for local planning staff in communicating with elected officials and the public about the growth targets update process.

New Growth Targets for King County and Cities: Key Points

- The Growth Management Planning Council is considering updates to county and city **Growth Targets** along with other amendments to the **Countywide Planning Policies** in 2009 and 2010.
- Updated targets provide a framework for local GMA **comprehensive plan updates** due in 2011 while accommodating new **state population projections**.
- Updates to CPPs and targets are guided by Multicounty Planning Policies and the Regional Growth Strategy contained in **Vision 2040**.
- During spring 2009, local governments will review draft targets for both housing and jobs. Final targets to be adopted by GMPC in fall 2009 with ratification by the county and cities.

Planning for Growth under the Growth Management Act

Under Washington State's GMA, King County and its cities must adopt comprehensive plans that accommodate 20 years of anticipated population and employment growth. Plans must provide for land uses and densities, capital facilities and transportation infrastructure, that are sufficient to meet future needs. Local governments have discretion as to how they will accommodate the growth within their borders. Local jurisdictions must update their comprehensive plans at least every 7 years. Cities in King County last completed their plan updates in 2004. The deadline for the next plan update is December 2011.

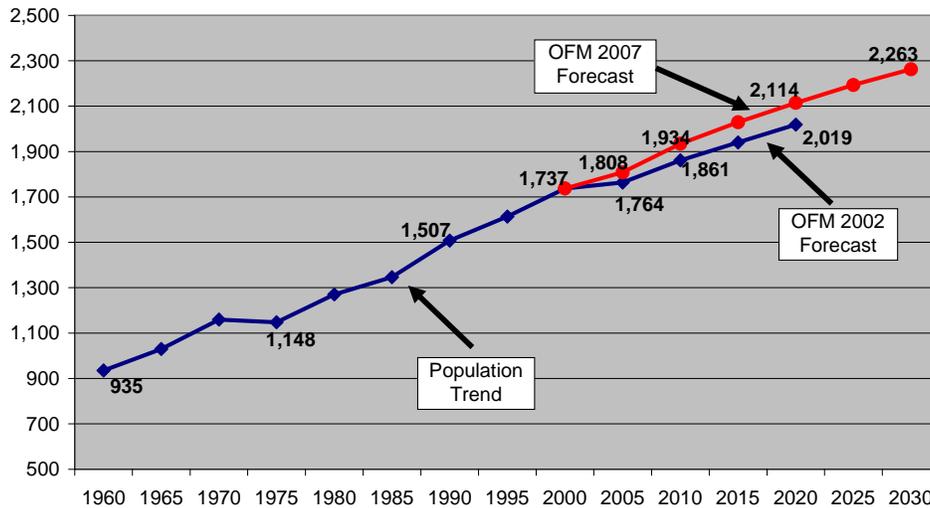
Every five years, the state Office of Financial Management (OFM) issues population projections for each county in the state as a basis for GMA planning. Based on these projections, counties and cities collaborate in determining local allocations of that growth. The act requires that local growth numbers be updated at least every ten years.

New Population and Employment Projections for King County

In King County, growth targets are policy statements indicating the minimum number of households and jobs each jurisdiction plans to accommodate during the current Growth Management period. The targets are based on the OFM population projections along with employment forecasts produced by the Puget Sound Regional Council (PSRC). The county is an attractive region which, over the long term, is expected to see robust amounts of growth.

- OFM released new projections in 2007, which show King County growing at a faster rate than previously forecasted. The result: nearly 100,000 more people countywide in 2022 than currently planned for. Overall, the county is expected to grow by about 450,000 people between 2006 and 2031 to a total population of 2.3 million. The graph on the next page shows the new projection as an extension of historical trends and compared with the 2002 OFM projection.
- The latest employment forecasts released by PSRC in 2006 show growth in the county, over this same period, of nearly 450,000 jobs to a total of 1.7 million jobs.

OFM Population Trends/Forecasts for King County
Numbers in thousands



Adoption of Growth Targets by the Growth Management Planning Council

The GMPC is a formal body consisting of elected officials from King County, Seattle, Bellevue, other cities and towns, special purpose districts, and the Port of Seattle. The GMPC responds to the GMA requirement that counties and cities collaborate to develop and adopt Countywide Planning Policies (CPPs). Household and job growth targets are contained in the CPPs.

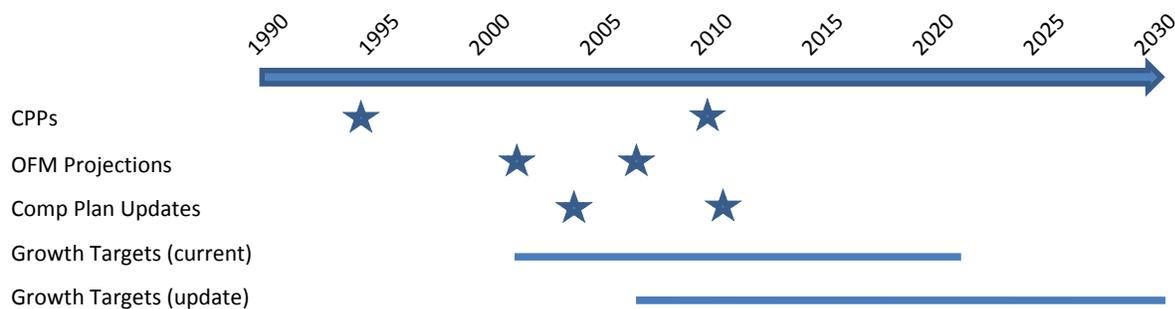
The CPPs were originally adopted by the GMPC in 1994. Growth targets were updated in 2002, for a planning period extending to 2022. The county and cities incorporated those targets into their 2004 plan updates. The GMPC will be considering new updates to the targets based on the new population projections from OFM, thus providing substantive guidance to cities as they update their 20-year comprehensive plans once again. New growth targets would extend the countywide planning period out another 9 years, with a horizon of 2031, 20 years beyond the 2011 comprehensive plan update requirement.

The CPPs establish the policy framework for allocating growth targets. Those policies include:

- 1) Limiting growth in Rural and Resource areas,
- 2) Focusing growth within the existing Urban Growth Area, within cities, and within designated Urban Centers and Manufacturing/Industrial Centers,
- 3) Improving jobs-housing balance within four planning subareas, and
- 4) Fostering a pattern of growth that ensures efficient use of infrastructure and can be served by public transportation.

Development of the targets, which are formally adopted by the GMPC and ratified by the county and cities, involves extensive coordination among staff from throughout the county. Through this process, every jurisdiction is expected to take its fair share of growth. The rationale for the staff recommended target allocation is based on best available demographic, economic, and land use data, and also incorporates unique factors and local policies.

The timeline below gives an overview of the schedule for GMA planning actions for King County.



New Policy Guidance from *Vision 2040*

The Puget Sound Regional Council recently adopted *Vision 2040*, a growth management, transportation, and economic development strategy for the 4-county region. With *Vision 2040*, the PSRC has amended its Multicounty Planning Policies (MPPs) to address coordinated action around a range of policy areas, including land use and development patterns. The GMPC will be updating its countywide policies in 2010 to bring them into consistency with the MPPs.

Vision 2040 also contains a Regional Growth Strategy that provides substantive guidance for planning for the roughly 1.7 million additional people and 1.2 million additional jobs expected in the region between 2000 and 2040. The Strategy retains much of the discretion that counties and cities have in setting local targets, while calling for broad shifts in where growth locates within the region. In comparison to current targets and plans, the Strategy calls for:

- **Increasing** the amount of growth targeted to cities that contain regionally designated urban centers (to include both metropolitan centers and many suburban cities)
- **Increasing** the amount of growth targeted to other large cities (with combined population and employment of at least 22,500)
- **Decreasing** the amount of growth targeted to Urban designated unincorporated areas, Rural designated unincorporated areas, and to smaller cities
- Achieving a greater **jobs-housing balance** within the region

New growth targets for King County are expected to move toward achieving the desired pattern of growth laid out in *Vision 2040*, while recognizing the long-term nature of the regional land use goals and the many challenges involved in “bending the trend” away from past growth patterns.

Next Steps

Staff work toward updated growth targets for King County is underway now. In the coming months, cities will be asked to review and provide input on a range of potential future growth scenarios. Based on this process, recommended draft targets may go to the GMPC as early as July 2009, with a vote for adoption possible at the council’s September 2009 meeting. Once adopted, growth targets must be ratified by the county council and cities.

As described in this paper, the proposed update schedule for the CPPs and growth targets is intended to meet state, regional, and local policy objectives. Adopting targets ahead of the 2011 comprehensive plan updates will ensure that appropriate and timely planning can be done to accommodate projected growth. Many cities will find that their current land uses and densities do accommodate housing and jobs needed through 2031; others may need to adjust their plans and regulations in the 2011 update. With an updated CPP framework, including growth targets, in place, all cities will be in a much better position to align their plans with both *Vision 2040* and the GMA.

Questions about King County's growth targets can be directed to Chandler Felt, King County Office of Strategic Planning and Performance Management at (206) 263-9693 / chandler.felt@kingcounty.gov, or to Michael Hubner, Suburban Cities Association at (253) 856-5443 / mhubner@ci.kent.wa.us.

**King County Housing and Job
Growth Targets**
Update to Kirkland City Council
March, 2009

Planning for Growth Under GMA

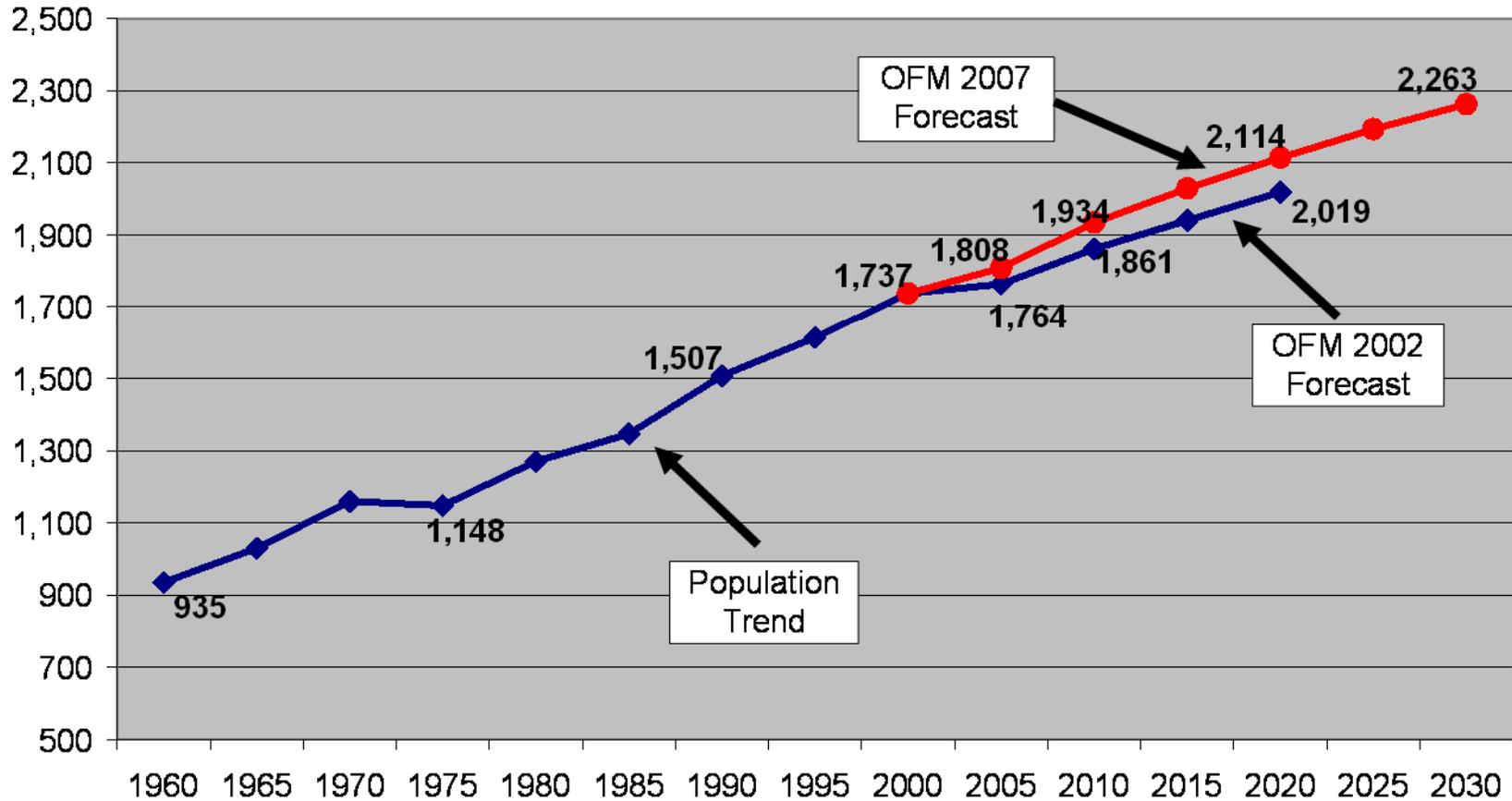
- **Comprehensive Plan Requirements of the Growth Management Act**
 - ❑ Accommodate 20 years of population and job growth
 - ❑ Provide for sufficient land uses, densities, capital facilities, and transportation
 - ❑ Update plans at least every 7 years
 - ❑ King Co. cities last updated their plans in 2004
 - ❑ Comprehensive plan updates next due Dec. 2011

 - ❖ See RCW 36.70A.110, .115, .130. and .215
-

GMA Growth Projections

- **State Office of Financial Management forecasts of population for counties**
 - Issued every 5 years
 - Counties and cities collaborate in allocating OFM projected growth to cities and unincorporated areas
 - Local allocations updated at least every 10 years
 - Latest OFM projections released in 2007
 - They show King County growing faster over the long-term than previous forecasts

OFM Population Trends/Forecasts for King County Numbers in thousands



Allocation of Growth Targets

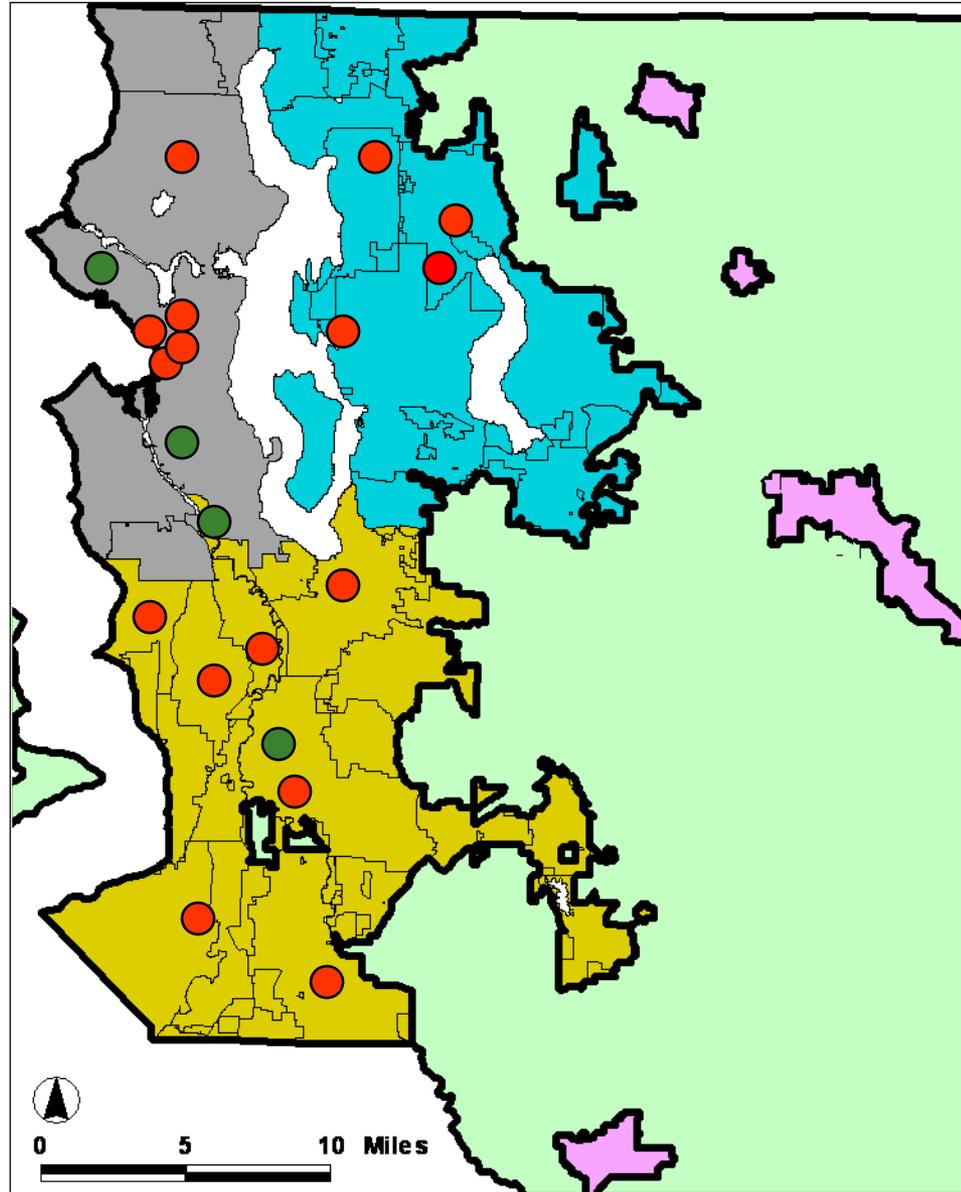
- **Growth Management Planning Council (GMPC)**
 - Body of city / county elected officials oversee Growth Mgmt
 - Adopts Countywide Planning Policies (CPPs)
 - CPPs must be ratified by county and cities
 - **CPPs and Growth Targets**
 - Growth Targets are adopted in CPPs as policy statement
 - Minimal amount of growth that local govts must plan for over a 20-year planning period
 - Expressed as household- and job-growth numbers
 - Current targets cover 2002-2022 planning period
 - GMPC considering targets update in its 2009 work plan
 - Proposed target update pushes planning out 9 years to 2031
-

CPP Guidance for Target Allocations

- **County and cities develop target jointly**
 - Each jurisdiction takes fair share of growth
 - Based on best available data, countywide policy, and local factors
 - **CPPs establish guiding principles:**
 - 1) Limit growth in Rural and Resource areas
 - 2) Focus growth in Urban Growth Area, cities, and Urban Centers
 - 3) Land use pattern efficient to serve with infrastructure and transit
 - 4) Jobs-housing balance in 4 subareas
-

Subareas of King County UGA

-  Urban Centers
-  Manufacturing Centers
-  UGA Boundary
- Subareas**
-  East County
-  Rural Cities
-  South County
-  Sea-Shore
-  Rural Unincorporated



Vision 2040, CPPs, and Growth Targets

■ Vision 2040

- Long-range strategy for growth management, transportation, and economic development in 4-county region
- Adopted by counties and cities in 2008

■ Multicounty Planning Policies

- Policy guidance for regional, county and local government
- CPPs must be amended by Dec 2010 to align with MPPs

■ Regional Growth Strategy

- Desired pattern of growth in region over 40 years (2000-2040)
 - Sets quantitative guidance (%s) for county and city target allocations
 - Retains countywide discretion in target setting while “bending the trend” away from past growth patterns and plans
-

Growth Strategy

Share of Growth

	Population	Employment
--	------------	------------

Increased share to:

- | | | |
|------------------------|--------------|--------------|
| • Metropolitan cities: | 39.8% | 44.7% |
| • Core cities: | 28.3% | 37.8% |
| • Large cities: | 13.9% | 10.4% |

Decreased share to:

- | | | |
|-------------------------|------|------|
| ■ Small cities: | 6.2% | 3.2% |
| ■ Unincorporated urban: | 8.4% | 3.3% |
| ■ Rural areas: | 2.8% | 0.7% |

Job Growth Shifted somewhat to other counties

Direction for Kirkland

- Accommodate growth target as much as feasible within Totem Lake Urban Center

Update Process

- **Sept. '08 – Feb. '09:**
 - Staff committee formed
 - Technical issues resolved: e.g. adjustments for growth since 2000, household size and vacancy rates.
 - **Feb. – April '09:** Council briefings
 - **April '09:** GMPC briefing and direction
 - **April - June '09:** Draft targets prepared
 - **July '09:** GMPC considers draft targets
 - **Sept. '09:** GMPC adopts final targets
 - **Oct. '09 +:** King Co. adoption and city ratification
-

Questions?

**CITY OF KIRKLAND****Department of Parks & Community Services**505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.ci.kirkland.wa.us

MEMORANDUM

To: City Council

From: Park Board

Date: March 3, 2009

Subject: Off-leash areas within the City of Kirkland park system

Recommendation

It is recommended that the City Council direct the Park Board to conduct a study to identify opportunities or alternatives for off-leash area(s) within the Kirkland park system and for the Park Board to chair a community stakeholder committee.

Background

In response to citizen complaints regarding leash law violations and dog owners requesting that an off-leash area be developed in Kirkland, Kirkland City Council authorized the Park Board in 2003 to study the issue and recommend sites to consider pilot off-leash areas in existing city parks. The committee was comprised of Park Board members, Parks staff, and representatives from Lake Washington School District, East Lake Washington Audobon Society, Juanita Bay Park Rangers, Kirkland American Little League, as well as neighborhood representatives. As a result, in 2004 the Park Board completed their study and recommended to City Council a process to follow when a citizen stewardship group voiced interest and commitment to support an off-leash area within a Kirkland park.

On November 16, 2004 the City Council passed Resolution-4478 approving the Park Board's recommendation regarding dogs and parks, as amended:

- Include off-leash dog areas as a program element for public consideration as part of all future park master planning projects.
- When a stewardship group steps forward to champion an off-leash area, the following criteria should be followed:
 - Conduct a Public Hearing
 - Involve Neighborhood Associations in the public process
 - Funding for start-up costs and ongoing maintenance should be offset by user fees, donations, and volunteer stewardship.

As a result of the resolution, staff has included consideration of an off-leash area in the master planning processes of Juanita Beach Park, McAuliffe Park, Carillon Woods and Rose Hill Meadows. However, this element was not supported by the community nor was there a stewardship group in support of an off-leash area; therefore an off-leash area was not included in these master plans.

Off-leash areas within the City of Kirkland park system

March 3, 2009

Page 2 of 2

Status

In 2008, a citizen group called Kirkland Dog Off-leash Group (KDOG) has organized, filed for 501(c)3 status, developed a website and to-date has over 500 signatures in support of an off-leash area in Kirkland. Attached is a copy of a presentation KDOG gave to the Park Board on October 8, 2008, that summarizes their organization and readiness to participate with the city in a long-term stewardship agreement.

The Park Board has been reviewing the work of the off-leash study of 2004 and in December 2008 toured two parks with off-leash areas: Beaver Lake Park, Sammamish; and Robinswood Park, Bellevue. At the Park Board's January meeting, Crestwoods Park was discussed as a site that was recommended in 2004 as a potential off-leash area and viewed by the Park Board as a viable site to consider for a pilot off-leash area.

On February 4th the Norkirk Neighborhood Association invited the Park Board Chair and the Director to attend their meeting to hear the community's concerns and to seek clarification as to the process of siting an off-leash area in the park system. Park Board Chair, Colleen Cullen, and board members Chuck Bartlett, Jennifer Davies and Sue Keller listened to concerns and responded to questions. The meeting was well attended and there was a mix of Norkirk residents both for and against an off-leash area at Crestwoods Park.

At the Park Board's February 10th meeting, the Park Board, after a full discussion on whether it was time to reconvene a committee to study viable alternatives to provide off-leash areas within Kirkland's park system, passed a motion to recommend to the City Council that they authorize an off-leash area study committee.

Attachments:

November 16, 2004 Resolution-4478

KDOG PowerPoint presentation October 8, 2008

RESOLUTION R- 4478

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PARK BOARD RECOMMENDATION REGARDING DOGS AND PARKS.

WHEREAS, in response to several requests that the City of Kirkland provide pet owners with an off-leash recreational area, the City Council held a joint study session with the Park Board, in April 2003, to discuss dogs and parks; and

WHEREAS, the Council directed the Park Board to form a Dogs and Parks Committee, which committee was formed in May 2003, and included representatives from the Park Board, K-Dog, Lake Washington School District, Audubon Society, Juanita Bay Ranger Program, Kirkland American Little League, and citizens at-large; and

WHEREAS, the Committee was charged with developing recommendations concerning: leash law enforcement priorities; park use policy relating to pets; and off-leash recreational opportunities; and

WHEREAS, the Committee looked at existing off-leash areas in Seattle and throughout King County to learn about size criteria, maintenance needs, infrastructure elements, enforcement, and other concerns; and

WHEREAS, because the Committee determined that City designation of a single park for off-leash use would effectively create a destination dog park, the Committee recommended off-leash areas be provided in multiple park sites; and

WHEREAS, the Committee presented a list of selection criteria to the City Council in February 2004 and has continued to work to refine those criteria over the last six months; and

WHEREAS, the City Council reviewed the Park Board Recommendation at its meeting on October 19, 2004;

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

Section 1. The Kirkland City Council hereby approves the Kirkland Park Board Recommendations Regarding Dogs and Parks, as amended and set forth in Exhibit A attached hereto and by this reference incorporated herein.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of November, 2004.

Signed in authentication thereof this 16th day of November, 2004.


MAYOR

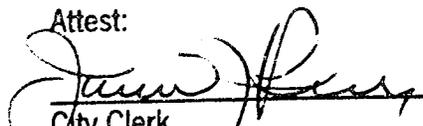
Attest:

City Clerk
Reso\Dogsgreso

EXHIBIT A

Park Board Recommendation

1. Include off-leash dog areas as a program element for public consideration as part of all future park master planning projects.
2. When a stewardship group steps forward to champion an off-leash area, the following criteria should be followed:
 - Conduct a Public Hearing.
 - Involve Neighborhood Associations in the public process
 - Funding for start-up costs and ongoing maintenance should be offset by user fees, donations, and volunteer stewardship.
3. Amend Kirkland Municipal Code Chapter 11.80, "Park Rules" to prohibit pets from entering, McAuliffe Park, Peter Kirk Pool, Tot Lot Park, Ohde Pea Patch and that pets are allowed in the cemetery provided they are on a leash, stay on roads and pathways and under close control.

K-DOG Proposal

Kirkland Parks and Recreation

Background

- Kirkland is a great dog-friendly place to live:
Over 10,000 dogs live in Kirkland
- Dog parks are being created in cities and rural areas:
 - New parks in Sammamish, Monroe, Everett, Kent, Shoreline, Snohomish County
- Park Board members have already begun to identify locations for a dog park, established dogs as park users
- Dog parks are not a novelty, first dog park in Seattle in 1996.

Overview

K-Dog was established in February 2008

- Registered as a non-profit corporation in WA state, elected board and officers
 - Filed for 501c3 status
 - Created an online petition with over 365 signatures to date (10/1/2008)
 - 120+ members
 - Partnering with WOOFD2 event next year
-

Agenda

Kirkland Parks Dept. has asked for support from K-Dog in the following areas:

- Stewardship Agreement drafted
 - Financial support pending signed agreement
 - Education component part of event scheduled for next summer
-

Financial Support

K-Dog is committed to provide financial support:

- From Local businesses and individuals:
 - ❑ Sell sponsorships for parks at tiered pricing on an annual basis (used successfully in Anacortes)
 - ❑ Seek donations in kind from Home Depot, Lowes and Dunn Lumber.
 - ❑ Seek donations from parks grant program at Starbucks
 - ❑ Seek donations from members
 - Events Scheduled 2008:
 - ❑ Halloween Event
 - ❑ Membership Drive
 - ❑ Website and Signage Promotion for Businesses
-

Education

K-Dog is committed to educate dog park users in expectations, rules, dog socialization

- Members are law abiding citizens who want to follow the rules
 - Excellent signage at existing parks (examples Seattle, Sammamish, Anacortes, Everett)
 - K-Dog Website to provide articles from local trainers on socialization skills for puppies and older dogs.
-

Environmental Protection

K-Dog is committed to protecting the safety and beauty of our parks.

- K-Dog members engaged as stewards of park to build, maintain and improve dog park.
 - K-Dog will help to Provide waste bags for parks
-

Community Identification

K-Dog members are active tax-paying Kirkland residents.

- Not a “destination dog park”, a community resource
 - Keeps revenue from dog park users in Kirkland
 - Kirkland needs to maintain it’s reputation for progressive parks activities. We the few communities in King County that does NOT have a dog park? – Bellevue, Mercer Island, Bothell, Bellevue, Redmond, Sammamish, Edmonds, Kent
 - Realtors in our group tell us Dog Parks are selling points giving higher desirability in a community
-

Conclusion

K-Dog and Kirkland residents are ready for an off-leash dog park

- Stewardship Agreement
 - Financial support
 - Educational support
 - Environmental protection
 - Community Identification
 - What do we need to do next?
-