



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
Jenny Gaus, Environmental Services Supervisor

Date: August 21, 2009

Subject: Interlocal Agreement for 2008-2009 King County Flood Control Zone District
Opportunity Fund Projects

RECOMMENDATION:

It is recommended that Council pass the attached resolution (Attachment A) authorizing the City Manager to sign the Interlocal Cooperation Agreement between the King County Flood Control Zone District (KCFCZD) and the City of Kirkland for Opportunity Fund Projects (Attachment B).

BACKGROUND DISCUSSION:

The KCFCZD is a quasi-municipal corporation that was created in April 2007 in order to address regionally significant flood problems. The KCFCZD designated that 10% of the District's annual property tax revenues be put in an Opportunity Fund to be allocated to municipalities based on that municipality's proportional contribution to the overall King County assessed valuation, as collected.

For Kirkland, the Fund can provide approximately \$100,000 per year. Funds can be "banked" or used each year. The funds can be used for flood control or stormwater control improvements pursuant to a comprehensive plan. They can also be used for cooperative watershed management actions for the purposes of water supply, water quality, and water resource and habitat protection and management, provided that salmon habitat protection is linked to construction of a flood or stormwater project.

Applications for projects that will use the funds are due in the fall of each year. This first year, the interlocal agreement process was delayed, because it is the initial year of the opportunity fund. In future years, projects will be approved by KCFCZD in March of each year, and the City can sign an interlocal agreement soon thereafter.

For 2008-2009 funds, the following Kirkland project applications were approved by the KCFCZD Board of Supervisors:

- 122nd Avenue NE Low Impact Development stormwater facilities: \$50,000
- Juanita Creek flood storage/habitat program: \$50,000
- Regional detention in the Forbes Creek watershed: \$100,000

The 2008-2009 projects were approved by Council in October of 2008. The following are brief descriptions of each project:

122nd Ave NE Low Impact Development (LID) stormwater facilities:

The Lake Washington School District is rebuilding Lake Washington High School, and as part of that work, the District is required to provide frontage improvements on 122nd Ave NE between NE 75th and NE 80th Streets. This location is ideal for LID facilities for a number of reasons including the fact that it is a highly visible location and adjacent to a school which will serve as a good community education platform. In this situation, the LID facilities were designed to treat more flow than required for just the School redevelopment making them slightly more expensive than traditional facilities which would have been part of the required frontage improvements. In order to insure that the LID facilities are built, Kirkland is contributing \$50,000 in KCFCZD money to pay for the difference between traditional and LID stormwater facilities. Construction of the LID facilities is currently underway. An interlocal agreement concerning transfer of funds from Kirkland to the Lake Washington School District to fund LID features will be presented to Council shortly.

Juanita Creek flood storage/habitat program:

This program will include partnering with property owners on Juanita Creek to construct projects that will provide flood relief and habitat improvement while protecting structures. Further details of this proposed program will be presented to Council for consideration once it is developed. First-year efforts will include detailed identification of opportunities for increasing flood storage and habitat quality along the Creek, work with property owners to determine the type of partnership that would be most beneficial to both parties, and development of criteria for prioritizing projects. This program would supplement the "private streambank stabilization" projects that are currently part of the surfacewater CIP and would identify opportunities for improvement of habitat and water quality in addition to fixing acute maintenance problems on Juanita Creek.

Regional detention in the Forbes Creek watershed:

This project would reduce erosion and improve habitat in the Forbes Creek watershed by detaining stormwater in a pond or other type of facility. Most of the Forbes watershed was developed before stormwater controls were required, and existing high flows are continually damaging aquatic habitat. Regional detention may be required as part of a WSDOT solution to flooding in the NE 116th/I-405 interchange, and WSDOT has indicated that they may be looking to Kirkland for partnership on such an effort. This project is currently on the unfunded portion of the surfacewater CIP.

Attachment A:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE KING COUNTY FLOOD CONTROL ZONE DISTRICT AND THE CITY OF KIRKLAND FOR OPPORTUNITY FUND PROJECTS

Attachment B:

INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE KING COUNTY FLOOD CONTROL ZONE DISTRICT AND THE CITY OF KIRKLAND FOR OPPORTUNITY FUND PROJECTS

RESOLUTION R-4772

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE KING COUNTY FLOOD CONTROL ZONE DISTRICT AND THE CITY OF KIRKLAND FOR OPPORTUNITY FUND PROJECTS.

WHEREAS, THE King County Flood Control Zone District is a quasi municipal corporation of the State of Washington founded in April 2007; and

WHEREAS, it is the purpose of the District to protect public health and safety, regional economic centers, public and private properties and transportation corridors; and

WHEREAS, Overarching countywide strategies and objectives of the District include improving levee protection through major commercial, industrial and residential areas, improving flood water conveyance and capacity, reducing hazards by removing flood, erosion, and landslide prone residential structures, providing safe access to homes and businesses by protecting key transportation routes, minimizing creation of new risks to public safety from development pressure; and

WHEREAS, the District allocated 10 percent of the District's annual property tax revenues for a sub-regional opportunity fund to be used by King County municipalities; and

WHEREAS, the District Board of Supervisors determined that eligibility of projects for opportunity funds be based on consistency with RCW 86.15.035 and RCW 39.34.190 for salmonoid habitat protection be lined to the construction of a flood or stormwater project; and

WHEREAS, The District Board of Supervisors approved Kirkland's applications for use of 2008-209 funds for the 122nd Ave NE Low Impact Development Stormwater Facilities, the Juanita Creek Flood Storage/Habitat Program, and Regional Detention in the Forbes Watershed,

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

Section 1. The City Manager is hereby authorized and directed to execute on behalf of the City an interlocal agreement substantially similar to the Agreement attached hereto 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

**INTERLOCAL COOPERATION AGREEMENT BETWEEN THE KING
COUNTY FLOOD CONTROL ZONE DISTRICT
AND THE CITY OF KIRKLAND FOR
OPPORTUNITY FUND PROJECTS**

THIS INTERLOCAL COOPERATION AGREEMENT is entered into between the CITY OF KIRKLAND, a municipal corporation of the State of Washington ("City"), and the KING COUNTY FLOOD CONTROL ZONE DISTRICT, a quasi municipal corporation of the State of Washington ("District") ("Parties" or when singular "Party"), and shall be effective upon execution by the Municipality and the District.

Article I. Recitals.

In April 2007, the King County Council, as authorized by chapter 86.15 RCW, created the District as a quasi-municipal corporation. The King County Council members ex officio constitute the Board of Supervisors of the District, the governing body of the District.

In Resolution FCZD 2008-15.2, the Board of Supervisors approved the District's 2009 budget and annual work program, and allocated 10 percent of the District's annual property tax revenues for a sub-regional opportunity fund to be used by King County municipalities . The Board of Supervisors further determined that eligibility of projects for opportunity funds be based on consistency with chapter 86.15 RCW; provided that expenditures under RCW 86.15.035 and RCW 39.34.190 for salmonid habitat protection be linked to the construction of a flood or stormwater project. The Board of Supervisors also allocated the opportunity funds to a municipality based on that municipality's proportional contribution to the overall King County assessed valuation, as collected.

In Resolution FCZD 2009-01.1, the Board of Supervisors included the projects and activities described in Attachment A to this Agreement in an amendment to the District's annual budget and work program for the year 2009.

The Board of Supervisors desires to have the City implement its approved opportunity fund projects and activities for the years 2008 and 2009, as well as the projects and activities that are approved for the City in subsequent District annual budgets and work programs. The City desires to implement such projects and activities, and to receive opportunity funds to finance in whole or in part such projects and activities.

The City and the District are authorized to enter into this Agreement pursuant to Chapter 39.34 RCW (the Interlocal Cooperation Act), and agree as follows:

Article II. Definitions.

2.1 Eligibility Criteria. The term "Eligibility Criteria" means one of the two following criteria that Projects shall meet to qualify for Opportunity Funds:

2.1.1. Under RCW 86.15.110, Opportunity Funds may be expended for either flood control improvements or stormwater control improvements that are extended, enlarged, acquired or constructed, provided that the City has developed a comprehensive plan of development for flood control or for stormwater control, respectively, and the improvement contributes to the objectives of the plan. For flood control improvements, such plan shall be submitted to and approved by the Department of Ecology. In addition, for newly constructed improvements, the City shall develop preliminary engineering studies and plans, and such plans and studies shall be filed with the District's engineer. For all projects, the City shall provide cost estimates and underlying data and shall describe the benefit provided by the improvement.

2.1.2. Pursuant to the criteria in RCW 86.15.035 and RCW 39.34.190, as modified by Resolution FCZD 2008-15.2, District funds may be expended for cooperative watershed management actions, including watershed management partnerships and other intergovernmental agreements, for the purposes of water supply, water quality, and water resource and habitat protection and management, provided that Opportunity Funds expended for salmon habitat protection shall be linked to the construction of a flood or stormwater project, and provided further that all such funds shall be used for the implementation of watershed management plans, including but not limited to the following:

- a. Watershed plans developed under chapter 90.82 RCW;
- b. Salmon recovery plans developed under chapter 77.85 RCW;
- c. Watershed management elements of comprehensive land use plans developed under the growth management act, chapter 36.70A RCW;
- d. Watershed management elements of shoreline master programs developed under the shoreline management act, chapter 90.58 RCW;
- e. Nonpoint pollution action plans developed under the Puget Sound water quality management planning authorities of chapter 90.71 RCW and chapter 400-12 WAC;
- f. Other comprehensive management plans addressing watershed health at a WRIA level or sub-WRIA basin drainage level;
- g. Coordinated water system plans under chapter 70.116 RCW and similar regional plans for water supply; and
- h. Any combination of the foregoing plans in an integrated watershed management plan.

The authority to use funds for implementation of these plans is broadly construed to include:

1. Coordination and oversight of watershed management plan implementation, including funding a watershed management partnership for this purpose;
2. Technical support, monitoring, and data collection and analysis;
3. Design, development, construction, and operation of projects included in the plan; and
4. Conducting activities and programs included as elements in the plan.

2.2 Project. The term "Project" or "Projects" means specific projects or activities that meet the Eligibility Criteria of this Agreement, are approved by the Board of Supervisors in a resolution approving the annual budget and work program, or amendment thereto, and are described in an attachment to this Agreement that is approved pursuant to this Agreement.

2.3 Opportunity Funds. The term "Opportunity Funds" means the funds made available by the Board of Supervisors to the municipalities within King County for implementation of Projects. For each of the years 2008 and 2009, these funds represent 10 percent of property tax revenues collected for each of those years, and are available to individual municipalities based on the proportional amount that municipality's assessed valuation as collected (as determined by the King County Assessor's office) bears to the entire amount of assessed valuation in all of King County (as determined by the King County Assessor's office). For the years after 2009, this term means District funds that are designated as "Opportunity Funds" by the Board of Supervisors in either a resolution approving the District's annual budget and work program or a separate resolution.

2.4 Service Provider. The term "Service Provider" means the Water and Land Resources Division of the King County Department of Natural Resources and Parks.

Article III. Duration of Agreement--Survival of Agreement.

This Agreement shall be effective upon execution by both Parties, and shall remain in effect until terminated by one or both of the Parties. Either Party may terminate this Agreement by providing written notice of termination to the other Party no less than sixty (60) days prior to the effective date of termination. This Agreement also may be terminated

upon mutual agreement of the Parties expressed in writing. Sections 4.2, 5.2, 5.3, 5.4, 5.5, 6.3, 6.4 and 6.5 and Article VII shall survive any termination of this Agreement.

Article IV. Conditions of Agreement.

4.1 Project Descriptions. The initial approved Projects are described in Attachment A, which is incorporated by reference. Subsequent approved Projects shall be described in new Attachments to this Agreement that are approved through the amendment process of Section 7.2.2, which Attachments shall be incorporated by reference into this Agreement.

4.2 Use of Funds. The City shall use Opportunity Funds distributed pursuant to this Agreement only for expenses related to the Projects.

Article V. Responsibilities of City.

5.1 Project Application and Description. The City may submit an application for distribution of Opportunity Funds within a period of time designated by the Service Provider and on a form approved by the Service Provider. As part of the application to receive Opportunity Funds, the City shall submit to the Service Provider the following information for each proposed Project:

5.1.1. Name of proposed project or activity;

5.1.2. Description of the flooding, stormwater, or watershed management problem to be addressed (one to two paragraphs);

5.1.3. Description of how the proposed project or activity will address the problem (one to two paragraphs);

5.1.4. Type of project or activity (e.g., feasibility study, design, construction, acquisition, programmatic activities, etc.);

5.1.5. Description of how the project or activity satisfies the “Eligibility Criteria,” as defined in this Agreement;

5.1.6. Identification of the plan (flood control, stormwater control, or watershed management) that includes the Project;

5.1.7. Product/deliverable and, for constructed Projects, design plans or studies; and

5.1.8. Schedule, milestones, costs and budget for each Project, consistent with the requirements of this Agreement.

The schedule for a Project shall provide for the expenditure of Opportunity Funds within two years after the commencement date of the Project. The City shall submit a request for distribution of Opportunity Funds after an actual expenditure is incurred for the Project, provided that the City may request distribution of up to 10 percent of Opportunity Funds for a Project upon approval of a Project by the Board of Supervisors. After approval of the Project by the Board of Supervisors, the application form, as approved by the Board of Supervisors, shall become an attachment to this Agreement through the amendment process in Section 7.2.2.

5.2 City Obligations for Projects. The City shall implement the Project as described and provided for in the approved attachment to this Agreement. Upon receipt, the City shall deposit Opportunity Funds in a separate account, which shall accrue interest at the rate earned by the City on its investments. To request a distribution of Opportunity Funds, the City shall submit to the Service Provider such information and proof of expenditure as requested by the Service Provider.

5.3. Projects Seeking Opportunity Funds Beyond Current Appropriation Year.

The City may request distribution of Opportunity Funds beyond the appropriation year for the District's budget and annual work program, provided that District approval of such distribution of Opportunity Funds shall not be construed as nor constitute a District obligation or commitment to appropriate Opportunity Funds for the Project beyond the approved appropriation year. The District shall have no obligation to provide Opportunity Funds beyond the appropriation year for the District's budget and annual work program, provided that the District shall distribute to the City after such appropriation year any Opportunity Funds that were allocated to the City in such appropriation year and in previous years and that have not been distributed to the City.

5.4 Reporting.

5.4.1. Until the Project is completed or all Opportunity Funds for a Project have been spent, the City shall provide semi-annually to the Service Provider brief written reports describing the progress on and status of the Project and any other relevant information that the Service Provider may request to determine compliance with this Agreement.

5.4.2. Upon completion of a Project, or upon expenditure of all of the Opportunity Funds for the Project, whichever occurs first, the City shall submit a final report to the Service Provider within 90 days of such completion or expenditure. The final report shall contain a summary of all Project expenditures, copies of invoices if requested by the Service Provider, a description of the Project status and accomplishments, and other relevant information requested by the Service Provider to verify compliance with this Agreement. The final report also shall contain a certification that all Opportunity Funds

provided to the City were expended solely on the Project in accordance with this Agreement and the Project approval. If a Project is not completed prior to termination of this Agreement, a report as described in this Section shall be provided to the Service Provider within 90 days of such termination. All records relating to a Project shall be retained by the City for a minimum of seven years, unless required by law to be retained for a longer period, in which case the longer period shall apply.

5.5 City obligations upon Project completion or termination. As consideration for receipt Opportunity Funds to implement the Project, the City agrees that:

5.5.1. If the Project involves developing a report or study, undertaking a study or collecting data, or producing written or electronic materials of any kind, copies of all such materials shall be provided upon request to the District or the Service Provider; and

5.5.2. If the Project involves the acquisition, extension, enlargement, or construction of a physical improvement, the City shall take ownership of, and shall be obligated to operate, maintain, and repair such improvement for the ordinary expected useful life of such improvement.

5.5.3 If the City terminates a Project, and the City has not expended all of the Opportunity Funds paid in advance pursuant to Section 6.3, the City shall return to the Service Provider the remaining Opportunity Funds within 60 days of the close of the calendar year in which the Project was terminated. Such returned Opportunity Funds shall be credited to the City's Opportunity Fund account, and may be used on future approved Projects, provided that if the Board of Supervisors has terminated the Opportunity Fund program at that time, the returned Opportunity Funds may be used by the District for District projects and activities.

Article VI. Responsibilities of District.

6.1 Upon timely submission of a Project application by the City, the Service Provider will review the application, provide reasonable and appropriate feedback, and consider including the Project as an element of the District's annual budget and work program.

6.2 If the Board of Supervisors approves the Project application by including the Project in the District's annual budget and work program, or an amendment thereto, the Service Provider shall attach a copy of the Project application as approved to this Agreement and it shall become a part hereof.

6.3 The District, through the Service Provider, shall distribute Opportunity Funds, up to the remaining amount of the City's total Opportunity Fund allocation, after City expenditure of funds for a Project as set forth in the approved schedule for the Project, provided that upon request of the City, the District shall pay up to 10 percent of the total Opportunity Funds allocated for a Project upon approval of an attachment to this Agreement. The Service Provider shall pay the Opportunity Funds after confirming that the expenditures have been made consistent with the Project approval and schedule.

6.4 The District assumes no obligation for future support of Projects meeting the Eligibility Criteria except as expressly set forth in this Agreement.

6.5 The District shall have no obligation to provide Opportunity Funds beyond the appropriation year for the District's budget and annual work program, provided that the District shall distribute to the City after such appropriation year any Opportunity Funds that were allocated to the City in such appropriation year and in previous years and that have not been distributed to the City.

Article VII. Other Provisions.

7.1 Hold Harmless and Indemnification.

7.1.1. The District assumes no responsibility for the direct payment of any compensation, fees, wages, benefits or taxes to or on behalf of the City, its employees, contractors or others by reason of this Agreement. The City shall protect, indemnify and save harmless the District, its officers, agents, employees and the Service Provider from any and all claims, cost and whatsoever occurring or resulting from (1) the City's failure to pay any compensation, fees, wages, benefits or taxes, and (2) the supplying to the City of works services, materials or supplies by City employees or agents or other contractors or suppliers in connection with or in support of performance of this Agreement.

7.1.2. The City further agrees that it is financially responsible for and will repay the District all indicated amounts following an audit exception, which occurs due to the negligent or intentional acts by the City, its officers, employees, agents or representatives.

7.1.3. The City shall protect, indemnify and save harmless the District from any and all costs, claims, judgments, or awards of damages, arising out of or in any way resulting from the negligent acts or omissions of the City, its officers, employees or agents in connection with the implementation of the terms of this Agreement and/or implementation of the Projects. For purpose of this Agreement only, the City agrees to waive the immunity granted it for industrial insurance claims pursuant to Washington Statute Chapter 51 to the extent necessary to extend its obligations under this paragraph to any claim, demand, or cause of action brought by or on behalf of any employee, including judgments, awards and costs arising therefrom including attorney's fees.

7.2 Amendment.

7.2.1. This Agreement may be modified by written instrument approved by the City Council and the District Board of Supervisors and signed by the Parties.

7.2.2. This Agreement also may be modified by additional attachment for Projects subsequently approved by the Board of Supervisors. After approval of a Project in the District's annual budget and work program, or amendment thereto, the Project application as approved shall become an attachment to this Agreement and shall constitute an amendment to this Agreement without further action by either Party.

7.3 Contract Waiver. No waiver by either Party of any term or condition of this Agreement shall be deemed or construed to be a waiver of any other term or condition, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach whether of the same or different provision of this Agreement. No waiver shall be effective unless made in writing.

7.4 No Third Party Rights. Nothing in this Agreement shall be construed to create any rights in or duties to any third party, nor any liability to or standard of care with reference to any third party.

7.5 Entirety. This Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated are excluded. This Agreement merges and supersedes all prior negotiations, representations and agreements between the parties relating to the projects and constitutes the entire agreement between the parties. The parties recognize that time is of the essence in the performance of the provisions of this Agreement.

IN WITNESS WHEREOF, authorized representatives of the parties hereto have signed their names in the spaces put forth below:

By _____
Mayor (or City Manager or Executive)
Date: _____

Approved as to form:

Municipal Attorney

KING COUNTY FLOOD CONTROL
ZONE DISTRICT

Kjuntaridun
Executive Director
Date: 4/20/09

Acting under the authority of
Resolution FCD 2008-14.1

ATTACHMENT A

	King County Water Land Resource Division River and Floodplain Management	 King County
<h3 style="margin: 0;">Sub-Regional Opportunity Fund Project Application</h3>		

Application Due Date: December 8, 2008

Jurisdiction: City of Kirkland
1) Do you wish to forego the receipt of your Opportunity Fund allocation this year, allowing it to accrue for a future year? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2) Would you prefer to apply your Opportunity Funds toward an existing project on the District's 6-year CIP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, please provide the name of the project:

If you said Yes to either (1) or (2) above, you do not need to complete the remainder of this form.

3) Proposed project or activity name and location: 122 nd Ave NE Low Impact Development Stormwater Facilities												
4) Description of the flooding, stormwater, or linked watershed management problem that this project or activity will address (1500 character maximum): Lake Washington High School is redeveloping, and will be required to provide street improvements on 122 nd Ave NE between NE 75 th Street and NE 80 th Street as part of that work. This work requires installation of flow control and water quality treatment facilities to serve the street. The school is within the Forbes Creek basin, which has experienced significant development that occurred without any stormwater quantity or quality control. This has led to flooding and water quality problems at various locations in the basin. The school has proposed use of Low Impact Development stormwater facilities such as porous concrete sidewalks and bioretention areas. The cost of these facilities is significantly over the cost of conventional facilities, though they provide the additional benefits of reduced volume of runoff and added treatment of stormwater (i.e. beyond what is required). This site is highly visible and would serve as an excellent demonstration project for other row improvements. The City proposes under this project to support use of LID facilities by contributing up to \$50,000 of FCZD toward the project.												
5) Description of how the proposed activity will address the problem outlined in number 2 (1500 character maximum): Funding would support use of LID facilities that reduce overall stormwater volumes in the Forbes Creek basin. This project would be a companion to the Forbes Creek Regional Detention study, in that it would provide a snapshot of how LID could be used to meet stormwater control goals in the basin.												
6) Type of Activity: <table border="1" style="width:100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width:25%;"><input type="checkbox"/> Feasibility Study</td> <td style="width:25%;"><input checked="" type="checkbox"/> Project Design</td> <td style="width:25%;"><input checked="" type="checkbox"/> Project Construction</td> <td style="width:25%;"><input type="checkbox"/> Property Acquisition</td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Programmatic – identify:</td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Other – identify:</td> </tr> </table>	<input type="checkbox"/> Feasibility Study	<input checked="" type="checkbox"/> Project Design	<input checked="" type="checkbox"/> Project Construction	<input type="checkbox"/> Property Acquisition	<input type="checkbox"/> Programmatic – identify:				<input type="checkbox"/> Other – identify:			
<input type="checkbox"/> Feasibility Study	<input checked="" type="checkbox"/> Project Design	<input checked="" type="checkbox"/> Project Construction	<input type="checkbox"/> Property Acquisition									
<input type="checkbox"/> Programmatic – identify:												
<input type="checkbox"/> Other – identify:												
7) Describe how the proposed project or activity satisfies the eligibility criteria for at least one of the three categories listed in Section III of the attached document (1500 character maximum): The project would constitute stormwater control improvements that would be constructed under Kirkland's 2005 Surface Water Master Plan. Thus, it would satisfy Item 2 of the eligibility requirements.												
8) Identify the management plan (i.e. flood control, stormwater control, or watershed management) within which implementation of the project or activity is an element or is recommended: The Kirkland 2005 Surface Water Master Plan recommends use of LID.												
9) Identify deliverables and any relevant design plans or studies (for construction projects): Project is expected to be constructed in summer of 2009.												

10) Identify a timeline for this project from inception to completion. List any relevant milestones, and provide a rough estimate of project costs and budget:
 produce preliminary engineering studies and plans, and file these with the Flood District's engineer
 Coordinate with Lake Washington School District to maximize the volume reduction and water quality improvement aspects of the 112nd Ave NE street improvements
 Construct LID improvements summer of 2009.

Estimated overall cost of the stormwater improvements is \$395,000. \$50,000 of FCZD funds would go to support creation of LID stormwater facilities in lieu of traditional stormwater facilities.

For Informational Purposes Only: We wish to inform the Flood Control District Board of Supervisors on how Opportunity Funds leverage other resources, and we appreciate any information you are willing to provide in this regard. If you plan to partner with other jurisdictions to conduct a project or otherwise intend to use your Opportunity Fund allocation to leverage grant funds or other surface water management funds, please provide us with this information (1200 character limit):

For Internal Use Only

Authorized Signature	
<input type="checkbox"/> Project Eligible and Accepted	
<input type="checkbox"/> Project Ineligible	



King County Water Land Resource Division
River and Floodplain Management



King County

Sub-Regional Opportunity Fund Project Application

Application Due Date: December 8, 2008

Jurisdiction:

- 1) Do you wish to forego the receipt of your Opportunity Fund allocation this year, allowing it to accrue for a future year? Yes No
- 2) Would you prefer to apply your Opportunity Funds toward an existing project on the District's 6-year CIP? Yes No If Yes, please provide the name of the project:

If you said Yes to either (1) or (2) above, you do not need to complete the remainder of this form.

3) Proposed project or activity name and location: Juanita Creek flood storage study

4) Description of the flooding, stormwater, or linked watershed management problem that this project or activity will address (1500 character maximum):
The Juanita Creek watershed experiences flooding during medium to large storm events that impacts structures near the creek and threatens public safety, partially as a result of lack of floodplain storage. This study would identify opportunities for increasing flood storage along the creek, and would identify methods by which the City could partner with private property owners to leverage dollars in constructing flood storage projects.

5) Description of how the proposed activity will address the problem outlined in number 2 (1500 character maximum):
This project will develop a list of capital projects that would increase floodplain storage. The study also would develop methods for partnering with private property owners to construct projects, thus leveraging FCZD and city dollars.

6) Type of Activity:

<input checked="" type="checkbox"/> Feasibility Study	<input type="checkbox"/> Project Design	<input type="checkbox"/> Project Construction	<input type="checkbox"/> Property Acquisition
<input type="checkbox"/> Programmatic – identify:			
<input type="checkbox"/> Other – identify:			

7) Describe how the proposed project or activity satisfies the eligibility criteria for at least one of the three categories listed in Section III of the attached document (1500 character maximum):
This project is a stormwater control improvement project that satisfies item 2 of the eligibility requirements.

8) Identify the management plan (i.e. flood control, stormwater control, or watershed management) within which implementation of the project or activity is an element or is recommended:
This project is being implemented as part of Kirkland's 2005 Surface Water Master Plan.

9) Identify deliverables and any relevant design plans or studies (for construction projects):
A study report would be the main deliverable for the project.

10) Identify a timeline for this project from inception to completion. List any relevant milestones, and provide a rough estimate of project costs and budget:

1st quarter 2009 Conduct RFP process, select consultant
 2nd quarter 2009 Develop scope, budget, and contract with consultant
 3rd and 4th quarter 2009 Identify opportunities through field visits and hydraulic modeling, interview property owners to develop partnership methods
 4th quarter 2009 Produce study report

It is estimated that this work will cost a maximum of \$50,000. Costs will be refined once a consultant is selected.

For Informational Purposes Only: We wish to inform the Flood Control District Board of Supervisors on how Opportunity Funds leverage other resources, and we appreciate any information you are willing to provide in this regard. If you plan to partner with other jurisdictions to conduct a project or otherwise intend to use your Opportunity Fund allocation to leverage grant funds or other surface water management funds, please provide us with this information (1200 character limit):

For Internal Use Only

Authorized Signature	
<input type="checkbox"/> Project Eligible and Accepted	
<input type="checkbox"/> Project Ineligible	



King County Water Land Resource Division
River and Floodplain Management



King County

Sub-Regional Opportunity Fund Project Application

Application Due Date: December 8, 2008

Jurisdiction: City of Kirkland

- 1) Do you wish to forego the receipt of your Opportunity Fund allocation this year, allowing it to accrue for a future year? Yes No
- 2) Would you prefer to apply your Opportunity Funds toward an existing project on the District's 6-year CIP? Yes No If Yes, please provide the name of the project:

If you said Yes to either (1) or (2) above, you do not need to complete the remainder of this form.

3) Proposed project or activity name and location: Regional Detention in Forbes Creek Watershed

4) Description of the flooding, stormwater, or linked watershed management problem that this project or activity will address (1500 character maximum):
High stormwater flows have caused flooding of the NE 116th Street/I-405 interchange leading to public safety concerns during even small storm events. WSDOT is taking the lead on addressing flooding within the interchange, but it will be necessary for the City to provide stormwater detention so that WSDOT does not just move the flooding problem downstream.

5) Description of how the proposed activity will address the problem outlined in number 2 (1500 character maximum):
This study will identify potential locations, and will develop conceptual design for stormwater detention facilities that will aid in reducing flooding and the impacts of high flows in the Forbes Creek basin.

6) Type of Activity:	<input checked="" type="checkbox"/> Feasibility Study	<input type="checkbox"/> Project Design	<input type="checkbox"/> Project Construction	<input type="checkbox"/> Property Acquisition
	<input type="checkbox"/> Programmatic – identify:			
	<input type="checkbox"/> Other – identify:			

7) Describe how the proposed project or activity satisfies the eligibility criteria for at least one of the three categories listed in Section III of the attached document (1500 character maximum):
This project satisfies item 2, as it is a stormwater improvement project that is being conducted under the City's 2005 Surface Water Master Plan. Please see attached pages from the plan.

8) Identify the management plan (i.e. flood control, stormwater control, or watershed management) within which implementation of the project or activity is an element or is recommended:
The project is recommended in Kirkland's 2005 Surface Water Master Plan.

9) Identify deliverables and any relevant design plans or studies (for construction projects):
Deliverable will be a report that includes evaluation of feasibility and that details conceptual designs for regional detention locations.

10) Identify a timeline for this project from inception to completion. List any relevant milestones, and provide a rough estimate of project costs and budget:

The following is a project schedule:

1st quarter 2009: Conduct Request For Proposals (RFP) process

2nd quarter 2009: Develop scope and contract with consultant, finalize study cost

3rd and 4th quarter 2009: Conduct feasibility analysis

3rd and 4th quarter 2009: Develop conceptual design and cost estimate for one or a combination of locations

1st quarter 2010: Write report on results of study

Estimated cost for consultant is up to \$100,000 (subject to refinement). Costs for Kirkland staff time and resources will not be charged to the project.

For Informational Purposes Only: We wish to inform the Flood Control District Board of Supervisors on how Opportunity Funds leverage other resources, and we appreciate any information you are willing to provide in this regard. If you plan to partner with other jurisdictions to conduct a project or otherwise intend to use your Opportunity Fund allocation to leverage grant funds or other surface water management funds, please provide us with this information (1200 character limit):

For Internal Use Only

Authorized Signature	
<input type="checkbox"/> Project Eligible and Accepted	
<input type="checkbox"/> Project Ineligible	