



KIRKLAND PARK BOARD

Date: September 14, 2011

Time: 7:00 p.m.

Place: Council Chambers, City Hall

The mission of the Park Board shall be to provide policy advice and assistance to the Department of Parks and Community Services and City Council in order to ensure the effective provision of Parks and Community Services programs and facilities to the residents of the City of Kirkland.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL** *5 minutes*
3. **APPROVAL OF MINUTES** *5 minutes*
June Park Board Meeting Minutes
4. **ITEMS FROM THE AUDIENCE** *5 minutes*
5. **REVIEW OF ACTION ITEMS**
No items
6. **PRESENTATIONS**
Kirkland American Little League
7. **COMMUNICATIONS** *15 minutes*
 - a. Correspondence
 - b. Staff Reports
-September update
 - c. Committee Reports
 - d. Comments from the Chair
8. **UNFINISHED BUSINESS**
 - a. **Off-Leash Area** *30 minutes*
Topics: 1. Consider naming request; 2. Receive project update by KDOG
Action: Discussion only
 - b. **Update on Park Projects and Other Items of Interest** *30 minutes*
Topic: Briefing on Park Projects
Action: Discussion only

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9. **NEW BUSINESS**

- a. Private Access Easement at Kiwanis Park *10 minutes*
Topic: Consider request for a private access easement at Kiwanis Park
Action: Provide recommendation to City Council

10. **EXECUTIVE SESSION**

No items

11. **MEETING EVALUATION**

5 minutes

12. **ADJOURNMENT**

Next meeting: October 12, 2011, 7:00 p.m., Council Chambers.

Estimated Meeting Completion: 8:12 p.m.

PARK BOARD MINUTES – June 8, 2011

1. CALL TO ORDER

The June 8, 2011 Park Board regular meeting was called to order at 7:00 p.m. by Chair Robert Kamuda.

2. ROLL CALL

Members present: Chair Robert Kamuda, Vice Chair Sue Keller, Sue Contreras, Jennifer Davies, Shawn Fenn, Shelley Kloba, Ted Marx and Barbara Ramey.

Amy Johnson arrived at 7:46 p.m.

Staff present: Michael Cogle, Linda Murphy and Jennifer Schroder.

3. APPROVAL OF MINUTES

Ms. Contreras noted a correction. Ms. Davies moved to approve the May minutes as amended. Ms. Ramey seconded. Motion carried (8-0).

4. ITEMS FROM THE AUDIENCE

No items.

5. REVIEW OF ACTION ITEMS

No items.

6. PRESENTATIONS

a. Levy and Bond Funding 101

Ms. Schroder introduced Financial Planning Manager Sri Krishnan who provided a presentation on levy and bond funding and answered related questions.

b. Green Kirkland Partnership

Ms. Schroder introduced Environmental Education and Outreach Specialist Sharon Rodman who provided a presentation on the Green Kirkland Partnership.

7. COMMUNICATIONS

a. Correspondence

No items.

b. Staff Reports

Ms. Schroder reported on the Wednesday and Friday farmers markets, Bluefish Festival, Junk in Your Trunk, Big Finn Hill Park, July's proclamation of National Park and Recreation Month.

Ms. Murphy answered a question related to taxation of team league fees, shared coupons from Land o' Frost, and was thanked for her involvement in the planning of the Annexation Celebration events.

c. Committee Reports

Ms. Ramey attended the June 3rd Annexation event, and reported on Peter Kirk playground, the New Juanita Neighborhoods Association and the Butterfly Garden opening.

Mr. Marx reported on the Annexation events, neighborhood development and Juanita Beach.

Ms. Davies reported on Juanita Bay Park and the Annexation Celebration event.

Ms. Kloba reported on the Annexation Open House on June 1st.

Ms. Johnson reported on the stairs at Crestwoods Park and the lacrosse leagues at Big Finn Hill Park.

Ms. Contreras reported on the Park Board's new name cards, the stairs at Crestwoods Park, Juanita Bay Park volunteer event and writing for Kirkland Reporter.

Mr. Fenn reported on the Annexation events and Peter Kirk playground.

d. Comments from the Chair

Mr. Kamuda commented on the Annexation events and Juanita Beach park.

8. UNFINISHED BUSINESS

a. Potential Park Funding Ballot Measure

Mr. Cogle shared direction received from City Council on the creation of a citizen exploratory committee.

The Board selected two candidates to serve on the committee: Mr. Kamuda and Ms. Ramey. Ms. Keller and Mr. Fenn volunteered to serve as alternates.

b. July Park Board Tour

Mr. Cogle shared the proposed itinerary for a July Park Board Tour.

9. NEW BUSINESS

a. Consideration for Park Board Blog Participation

Ms. Schroder presented considerations for Park Board members' participation in blogs and public forums.

10. EXECUTIVE SESSION

No items.

11. MEETING EVALUATION

"Very complex presentation, but very good."

"I loved the Green Kirkland presentation."

12. ADJOURNMENT

Mr. Davies moved to adjourn. Mr. Marx seconded. Motion carried (9-0).

Meeting adjourned at 9:17 p.m.

Jennifer Schroder, Director
Parks and Community Services

Robert Kamuda, Chair
Park Board

DRAFT


CITY OF KIRKLAND

Department of Parks & Community Services

505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300

www.ci.kirkland.wa.us

To: Park Board
From: Jennifer Schroder, Director
Date: September 9, 2011
Subject: September Staff Update

RECREATION DIVISION
Recreation

- The past summer was an amazing safe and successful season for the Recreation Division with over 6,700 enrollments and over 43,247 visits to a recreation program, class or activity.
- Below is a revenue comparison of the first eight months of 2010 and 2011:

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUGUST	YTD
2010	\$57,789	\$32,799	\$287,680	\$149,024	\$109,217	\$122,896	\$60,703	\$97,337	\$919,455
2011	\$52,919	\$25,892	\$267,949	\$145,562	\$113,264	\$124,302	\$51,856	\$102,572	\$886,327
variance	(\$4,870)	(\$6,907)	(\$19,731)	(\$3,461)	\$4,047	\$1,405	(\$8,847)	\$5,234	(\$33,128)

North Kirkland Community Center

- A fun time was held by all this summer in 10 uniquely different camps spread out across the City. From Yoga Camps at McAuliffe Park, to Lego, and Jump Rope Camps at North Kirkland Community Center, to the historically popular Peter Kirk Camp at the Peter Kirk Community Center. We managed a total of 863 registered campers. An outstanding staff of highly-skilled Leaders outfitted with unlimited enthusiasm led the way through outdoor games, crafts, field trips, and water activities. We wish to also thank the volunteers and the 13 students who completed the spring Counselor-in-Training program who helped out in our camps and spread smiles throughout the summer.
- Fall cleaning is currently taking place at McAuliffe Park to prepare for the Parent/Child Preschool Cooking series. It continues to prove popular with all eight sessions filled to capacity with 48 registered participants. Additional classes will be added to accommodate demand.
- As the dance program expands at NKCC, we are excited to introduce three newly hired, highly skilled dance instructors to our line-up: Ashley FitzSimmons-Olson, Eric Esteb and Chelsey Hauk.

Aquatics

- The Aquatic team is very pleased to report that it was a fun and safe summer at the Peter Kirk Pool and Houghton and Waverly Beaches. Over 38,000 patrons visited Houghton and Waverly Beaches this summer. The City of Kirkland Lifeguards administered 1,240 swim tests to children 12 and under who visited the beaches. Swim tests determine what depth of water is a safe location of patrons to swim, reducing risk of accidents. Beach lifeguards also loaned 429 lifejackets.
- Through the end of our aquatics season on Labor Day, we had 52 seasonal aquatics team members to staff the Peter Kirk Pool, Houghton and Waverly Beaches.
- The Orca Swim Team celebrated 10 years as a swim team in Kirkland this summer! The team had another successful summer with 180 participants. The Peter Kirk Pool held the Craze League Championship Meet hosting seven teams with 525 swimmers participating in the meet!
- All six sessions of Peter Kirk Learn-to-Swim Swimming Lessons were very full. American Red Cross Certified Water Safety Instructors taught 2,508 youth the life safety skill of swimming.

Sports and Fitness

- The Move It! fitness program has continued to exceed expectations by boasting 179 participants compared to 137 last year, a gain of 42 participants and \$3,700 in revenue over last year! For the upcoming fall season of Move It!, which begins September 12th, we have added a new instructor, Karen Malnoske, whose class is sure to be a hit with those wanting to tone their lower body.
- Over the summer we offered numerous youth sports camps including soccer, fencing, cricket, tennis (classes), football, golf and more. Our most attended camps were our two UK Elite British Soccer Camps and our first time offering of a youth fencing camp. The UK Elite soccer camps were attended by 115 kids over the two weeks offered, equaling a major debut success. The fencing camp also posted strong numbers for a first-time showing with 22 children, which was 78% of capacity.
- Tennis lessons were also a hit this year serving a total of 227 participants. We are fortunate to have two great, experienced tennis instructors who had the right balance of fun as well as instructional technique to keep the children and adults coming back week after week.
- The summer softball league ended its season on August 17th. We had a total of 14 teams participate which held steady from summer 2010. The fall season of softball began on August 29th with two divisions of men's softball also totaling 14 teams and will run through mid-October.
- We began registration for the fall Pee Wee soccer program in late summer this year since we expected a strong response. Two weeks before the season began, we reached capacity with a total of 180 children! This figure is almost double the amount we had last fall's inaugural season.
- We had a very successful summer with Tennis camps lead by Marceil Whitney who is a USTA International Tennis Hall of Fame Award Winner and a USTPA tennis professional. 368 students were enrolled for this camp. The camp activities included on and off court drills, skills, and game play. Half day camps were held at Lake Washington High School and full day camps were held at the Peter Kirk Park tennis courts. The full day camp included swim time at the Peter Kirk Pool – Parents love to enroll their children to camp where they learn the joy of tennis with the added benefit of cooling off in the pool.
- 23 Students signed up for Leap into Summer Ice Skating Camp! This camp is for all abilities. Camper learn the basic fundamentals of ice skating. On the last day the students do a performance for Parents to come watch.

Peter Kirk Community Center

- The Peter Kirk Community Center's Kirkland Stepper's program is in full swing and as popular as ever. We have had two "Special Destination" walks with close to 70 walkers attending each one. The first one was to Kelsey Creek Park in June and then to Marymoor Park in July. We have one more destination walk scheduled in September to the Arboretum.
- On August 12th PKCC staff dusted off their platform shoes and pulled out their leisure suits to host the End of the Summer Disco Party. Over 85 seniors and day campers participated in this fun event learning dances and answering 70's trivia followed by lunch prepared by staff.
- PKCC was closed August 22nd-September 5th for annual maintenance. We received a fresh coat of paint in the Lobby Meeting room, our carpets and upholstery were shampooed, the kitchen was cleaned till it shined, as well as several other small projects that needed to be completed. We were anxious to re-open on September 6th to greet our customers and start off the fall refreshed and looking good.
- This summer PKCC offered some great van trips including sold out trips to the Sand and Sawdust Festival in Ocean Shores and to Poulsbo and Port Gamble. Another popular trip was a cruise to Kianna Lodge and Suquamish Casino. Starting this fall Northshore Senior Center will be partnering with us by advertising our van trips alongside the trips that they offer leaving from their center. Staff is having a planning meeting in November to get feedback from participants about what trips they would like to see offered in the spring and summer of 2012.

COMMUNITY SERVICES DIVISION

Youth Services

- Kirkland Youth Council (KYC) held a successful Bluefish Festival on June 11th.

- KYC had eight members who were a part of the graduating classes of 2011.
- Two sessions of Teen Traffic Court were held.
- We've Got Issues program on Distracted Driving is now complete. Should be on KGOV airing schedule and YouTube soon.
- 2011-12 Youth Council Leadership Retreat was held on Tuesday, August 23rd
- Leadership partook in some teambuilding activities with facilitator Jill Sheldon. This was followed by planning out the events and activities for the 2011-12 school year including the 2012 Youth Summit to be held in March.
- KYC held its first meeting of the year on August 29th.
- New member recruitment is in full force. KYC members hope to fill about 20 spots. Applications are due Friday, September 23rd.

Human Services

- This year's Eastside Month of Concern food drive runs September 24th- October 22nd. Participating cities include, Kirkland, Bellevue, Redmond, Sammamish, North Bend, Issaquah, and Mercer Island. Kirkland's efforts will focus on two Saturday store-front drives September 24th and October 8th. All 11 grocery stores will be involved in this effort. We are currently looking for volunteers to take shifts outside the stores (<http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2011+Eastside+Concern+for+the+Hungry.pdf>).

Business Services

- In the world of Parks & Community Services, weather plays a huge part and can make or break a program. The summer of 2011 finally did make an appearance, a little late, but nonetheless it did come. Saying all that, we are happy to report some successes in our 2011 summer programs with contracted vendors in our parks. This past summer over 2,000 people have tried Stand Up Paddle-boarding (SUP) in Kirkland. With a little balance the sport is easy to learn and have a high success rate. In addition to regular SUP, our vendor at Marina Park also offers SUP combined with mix of Yoga, Strength-Training & Pilates, supplementing a core and balance challenge to their personal strength and conditioning routine.
- Staff has formed a Citizen Boating Group to review procedures on the docks in Kirkland. Policy and procedures are often formulated in response to repeated situations. The Citizen Boating Group was formed to provide input from Kirkland boaters to assist staff the development of these policies and procedures.
- Upcoming Events
 - September: Kirkland Wednesday Market is having a wonderful time at our new location. Such a lovely, quaint environment! It is like stepping into a different time in downtown Kirkland on Park Lane. The Market will run through September 28th.
 - September: Juanita Friday Market hosts 35+ Vendors selling: fresh organic fruits & vegetables, beautiful flowers, herbs, dry dip mixes, chutneys, kettle corn, taffy, cupcakes, breads, and other tasty treats. The artisan section showcases fine-looking jewelry, pottery, handmade soaps & lotions. The market will continue to operate by the Forbes House for the remainder of the 2011 season.
 - September 11th: Kirkland Concours d'Elegance - Among car enthusiasts this family oriented event has quickly become recognized as one of the premier concours events in the country with participant vehicles selected from across the United States and Canada. All profits from this spectacular event benefit uncompensated children's care at Seattle Children's Hospital and Evergreen Hospital Medical Center, with more than one million dollars already donated to these needy recipients.
 - September 17th: The Kirkland Triathlon & Duathlon is perfect for both novice and veteran tri-athletes. The start location for the event has moved to downtown Kirkland at Marina Park. The bike course is very similar to the previously used route; there is a new run course accompanying this change in venue.
 - September 18th: The Kids Triathlon (Ages 6-12) Timed but non-competitive - 50yd Swim, 1mi Bike .25mi Run.
 - September 24th: Junk in Your Trunk. Community garage sale runs from 9:00 am to 2:00 pm at Juanita Beach Park.

MAINTENANCE DIVISION

Notes from the Field

- September brings many opportunities for staff to serve. We are helping with a Community Build Picnic shelter at 132nd Square Park. Additionally, work at the Heronfield Wetlands is under way and KDOG is beginning to make progress on the off-leash site. Also at the end of the month a new labyrinth will be installed by neighbors, with the help of a contractor, at Rose Hill Meadows.
- The nice weather trend in early September has been a benefit to park patrons. Waterfront parks are packed with customers looking for a cool place to beat the heat. It's great to see so many using the sites and especially enjoying the new amenities of Juanita Beach.
- We welcomed Kyle Johnston to the maintenance team this past month. Kyle filled a .5 FTE position that was vacated when Ryan Fowler became the full-time Field Arborist for Public Works. We are excited about the skills that Kyle brings to the team and look forward to his contributions.
- The repurposing of the Real Estate Excise Tax (REET) funding has been a real blessing for us operationally. Reopening restrooms and restoring the portable toilet service at some of our neighborhood parks has been well received by patrons. Additionally, the ability to hire some seasonals to provide care at the Cemetery and provide some needed staining and painting has helped maintain value of the aesthetic quality of the parks system. Thank you for the resources!!

Athletic Fields

- Lee Johnson Field is popular August and September for Kirkland's Softball Program, Redmond Parks baseball program, Puget Sound Senior Baseball League, the occasional High School or youth select organization, and for the occasional company use as well. Games continue on almost a nightly basis through early October.
- During the fall it's soccer season. Crestwoods, Juanita Beach, Spinney, Terrace, Highlands and the school sites are all used by either Lake Washington Youth Soccer Association programs, Kirkland Boys and Girls Club programs, or our own Parks Department Pee Wee soccer programs. It's a busy season!
- Kirkland American Little League has started a fall baseball and softball program this year! Both girls and boys will be playing at Everest with practices three afternoons a week and games all day on Sundays. Private party rentals of the shelter and Field D are sprinkled within as well.

Volunteers

- 35 wonderful Windermere Real Estate employees provided hours of help at Juanita Beach for Windermere's annual Community Service day. They did a great job! Their efforts came at a time where we were rushing to prepare for the reopening. We needed the help! Thank you to Windermere!
- We worked with two Eagle Scouts over the summer on two separate projects – Eagle Scout Nathan Lee and his fellow boy scouts and Eagle Scout Alex Burt and his fellow troop members. Each group worked on turnpike improvements of the main trail at Edith Moulton Park. They did such a great job! We really appreciate their efforts. Thank you, Alex and Nathan!
- The North Rose Hill Neighborhood Association takes the lead every summer with restaining benches and tables at North Rose Hill/Woodlands Park. This past August was no exception. We had the helping hands of 19 people on a hot summer day. Boy, did they do a good job! Thank you NRH neighbors!!
- Northwest University had their annual Welcome/Welcome Back week for students the week of August 22nd. We LOVE this week because one of their events is a community service day! On August 27th, over 200 NWU students provided three hard-working hours each at the Cemetery, Rose Hill Meadows, Carillon Woods, and Everest. They pulled weeds, they mulched, they picked up litter and cleaned. They did a great job. Our staff is so grateful for the help! Even community members came out to say hello and thank you. It was a fun day. Thank you, NWU!

GREEN KIRKLAND PARTNERSHIP

- Event totals for the first half of this year were 894 volunteers clocking up 2555 hours over 45 events at 6 different parks.
- On-going/non-event totals for the first half of this year were 50 volunteers clocking up 1415 hours of service. These hours included steward planning and fieldwork, admin, data management, UW-REN students.
- Friends of Kiwanis Park continue to hold monthly work parties with on-going support from the Courtyard by Marriott hotel and Kiwanis Sunrisers Club.
- Nona Ganz continues to lead regular Thursday afternoon park parties at Juanita Bay Park
- During the summer months Karen Story is leading Wednesday morning work parties at Cotton Hill Park.
- The WNPS Steward groups of 2009 and 2010 continue to host work parties at their sites in Juanita Bay Park.
- The table below summarizes Green Kirkland events and other activities conducted by volunteers in June and July.

Volunteers

Date	Park/Work	Group Name	Youth	Adult	Total	Hours	Dollar Equivalent¹
6/9	Juanita Bay Park	Juanita Bay Park Volunteers		4	4	8	170.08
6/16	Kiwanis Park	Courtyard by Marriott with Green Kirkland Steward		7	7	21	454.02
6/16	Juanita Bay Park	Juanita Bay Park and Rose Point Crew Volunteers		5	5	9	194.58
6/17	Watershed Park and Butterfly Garden	EarthCorps Partnership with Wildlife Habitat Team	2	48	50	200	4324
6/18	Kiwanis Park	Friends of Kiwanis	5	12	17	49	1059.38
6/23	Juanita Bay Park	Juanita Bay Park Volunteers		5	5	10	216.3
7/7	Kiwanis Park	Courtyard by Marriott with Green Kirkland Steward		7	7	19	410.78
7/9	Juanita Bay Park	WNPS-2010		4	4	17	367.54
7/9	Kiwanis park	Friends of Kiwanis	2	4	6	17	367.54
7/20	Cotton Hill park	Green Kirkland Steward		3	3	4.5	97.29
7/23	Juanita Bay Park	WNPS-2009		3	3	9	194.58
7/27	McAuliffe Park	Native Plant Nursery Steward		3	3	9	194.58
7/27	Cotton Hill Park	Green Kirkland Steward		3	3	6	129.72
Ongoing	June Administration		2	9	11	162.4	3511.09

Ongoing	July Administration		1	10	11	149.4	3230.03
Ongoing	June Field Work		1	23	24	108	2334.96
Ongoing	July Field Work		2	18	20	<u>130.75</u>	<u>2826.81</u>
						929.05	\$20,083.28

¹ Dollar Equivalent = Hours x 21.62

- Upcoming events for volunteers from the general public:
 - Saturday, September 24 at Juanita Bay Park, 9:00 am to noon. Contact Native Plant Stewards JBRollers@gmail.com
 - Saturday, October 8 at Juanita Beach Park, 9:00 am to noon. Contact Betsy Adams 425-587-3858, badams@kirklandwa.gov
 - Saturday, October 15 at Kiwanis Park, 9:00 am to noon. Sign up online at www.earthcorps.org/volunteer.php. Contact Chris LaPointe chris@earthcorps.org
 - Saturday, October 22 at Juanita Bay Park, 9:00 am to noon. Contact Native Plant Stewards JBRollers@gmail.com
 - Friday, October 28 at Carillon Woods, 10:00 am to 2:00 pm. Sign up online at www.earthcorps.org/volunteer.php. Contact Chris LaPointe chris@earthcorps.org
 - Saturday, November 5 at Juanita Beach Park, 9:00 am to noon. Contact Betsy Adams 425-587-3858, badams@kirklandwa.gov
 - Saturday, November 12, Arbor Day at Juanita Bay Park, 9:00 am to noon: work party; Noon: Arbor Day ceremony. Sign up online at www.earthcorps.org/volunteer.php. Contact Chris LaPointe chris@earthcorps.org



CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.kirklandwa.gov

MEMORANDUM

To: Park Board
From: Jennifer Schroder, Director
Date: September 1, 2011
Subject: KDOG Off-Leash Area Update and Naming Request

RECOMMENDATION:

That the Park Board:

1. receives a presentation from the Kirkland Dog Off-Leash Group (KDOG) on the education materials and rules proposed for the new off leash area;
2. considers a request to name the off-leash area "Jaspers Dog Park"

BACKGROUND DISCUSSION:

Education materials and rules

With the City Council's approval in November, 2010, to site an off-leash area at the parcel of park property next to Heronfield Wetlands, KDOG is actively raising funds to develop the City's first off-leash park. In addition to fund raising, KDOG has formed an Education Committee that is working on educational materials and rules for the off-leash area. Amy Introligator, a KDOG member who is serving on its Education Committee, will present the proposed rules and education materials for the Board's review.

No action is required by the Board. Staff is requesting the Board's review and feedback. Per Kirkland Municipal Code (KMC 11.80.220 – Adoption of rules and regulations by Director), the Parks and Community Services Director has authority to post park rules.

Request to name the off-leash area

KDOG is requesting the new off-leash area be named "Jasper's Park." Jasper was the name of KDOG President Jean Guth's dog which passed away last year. The name is proposed in recognition and appreciation of Ms. Guth's leadership and tireless commitment to build the off-leash park.

KDOG is working toward a goal of opening Kirkland's first off-leash park this fall. Although this will provide a long awaited resource for dog owners, it should not be assumed that it is the one and only Kirkland off-leash park. Therefore, naming the off-leash area would be helpful in identifying this facility.

The general policy and procedure for naming public parks and facilities is based upon the relationship to one or more of the following criteria:

1. Neighborhood or geographical identification (e.g., Houghton, Bridle Trails, Rose Hill, etc.);
2. A natural or geological feature (e.g., Forbes Creek);
3. Historical or cultural significance;
4. An individual (living or deceased) who has given outstanding civic service to the Kirkland park system, or has donated substantial funds or land to the Kirkland park system, or has been otherwise instrumental in the acquisition or development of critical park acreage (e.g., Marsh Park). Parks or facilities shall not ordinarily be named for a living person, unless that person has made a significant and outstanding contribution of land, money, or civic service. A waiting period of at least one year should expire before naming a park or facility under the policy of this subparagraph;
5. A civic group or corporation whose mission statement is compatible with City goals and objectives and that has made a significant contribution of land, money or civic service to the Kirkland park system (e.g., Lee Johnson Field);
6. The wishes or preference of residents of the neighborhood surrounding the public park or facility should, in all cases, be considered.

The final authority in establishing or designating a name of a public park or facility is the responsibility of the City Council. It is the Park Board's role to forward a recommendation to the City Council. Should the Board recommend approval of this naming request, staff will schedule the naming of the off-leash park as an action item at the October 18th City Council Meeting.

KDOG's Dog Park Education Committee Tasks

- Develop Park Logo
- Develop Park Rules
- Develop Signs (educational, directional, etc.)
- Provide Website Information (park rules, park etiquette, safety information)
- Offer Educational Dog Park Presentations & Workshops

Committee Members:

Amy Introligator, Committee Chair

Sandy Dain, Owner of Metamorphosis Pet Training

Jennifer Stearns, Owner of Pup Strut Pet Sitting & Dog Walking

Matt Opsahl, Graphic Designer

Dog Park Rules

Park is open from 7 am until dusk.

Prohibited	Required
No more than 2 dogs per handler.	Healthy, vaccinated, licensed dogs.
No aggressive dogs.	Immediate removal of all dogs involved in scuffle. A walk will relieve stress for all.
No unneutered males or females in heat.	Use leash coming to and going from the park. Carry leash throughout the park.
No puppies under 6 months.	Direct supervision of your dog at all times.
No harnesses or correction collars (choke, slip, prong, pinch, shock, citronella, etc.)	Handlers must be at least 16 years old. Children must be supervised.
No digging. You must fill any holes your dog digs.	Clean up after your dog inside and outside the park.
No smoking, alcoholic beverages, food, bikes, or strollers.	HAVE FUN!

Users of this park do so at their own risk. Neither the City of Kirkland nor Kirkland Dog Off-Leash Group shall be liable for any injury or damages sustained in this park. Dog owners are legally responsible for their dog's actions and are liable for any injuries caused by them. Call 911 in an emergency.

Educational Dog Park Information Created for KDOG's Website

Planning Your Visit

- ◆ **Hours:** 7:00 am – Dusk
- ◆ **Location:** TBA
- ◆ **Parking:** On street parking only.
- ◆ **Bring:** Leash, flat collar, poop bags, & water (water is not available at park).
- ◆ **Park Patrons:** This park is a safe space for owners to play with their dogs off leash. Handlers must be at least 16 years old and physically capable of controlling their dogs.
The park is not a safe place for the elderly or anyone who is unsteady on their feet as the ground is uneven and dogs don't always watch where they are going.
Similarly, this park is not an appropriate space for young children because they can easily be knocked down. In addition, not all dogs have been well socialized around children.
- ◆ **Dogs:** Dog parks are appropriate for dogs with good play skills that enjoy playing with a large number of dogs and a lot of different breeds (different breeds can have very different play styles). If your dog has rough play skills or is shy/under socialized see a professional trainer for better options. Many training facilities offer supervised play groups and can help you improve your dog's social skills.

Reporting a Problem

If you've noticed maintenance problems at the park (downed trees, fencing, gates, bag dispensers, etc.) or if you have safety concerns due to someone repeatedly not following the park rules please contact president@kdog.org. Please note this is a volunteer run organization and it may take a few days for someone to respond.

If you have urgent questions or concerns regarding the park contact Jennifer Schroder, City of Kirkland Park & Community Services Director, at 425-587-3301.

For non-emergency incidents that require the Kirkland Police call 425-577-5656.
For all medical emergencies call 911.

Dog Park Rules

- ◆ “Same as Park Rules Sign”

FAQ About Park Rules

- ◆ **Is there a separate area for small dogs?** Small dogs aren't required to use the small dog area, but that space has been set aside for dogs under 30 pounds to reduce the risk of serious injury. While some large dogs can play safely with smaller dogs, a predatory instinct can be triggered in some dogs when a small dog makes a high pitched shriek and/or runs. Be aware of significant size differences and monitor play closely.
- ◆ **What exactly does “no aggressive dogs” mean?** Dogs that threaten, bully, or intimidate dogs or people are not allowed in the park. Dogs with a bite history (a bite to a dog or person that broke skin) are not allowed. See the *Inappropriate Behavior* section to learn more.
- ◆ **Why aren't unneutered males and females in heat allowed in the park?** Unfamiliar dogs, particularly those giving off a sexual scent, attract a lot of attention from other dogs. In an off-leash setting intact males and females in heat are a magnet for other dogs and can quickly become overwhelmed by the other dogs in the park. As arousal level increases in all the dogs present the risk of a fight also increases.
- ◆ **Why can't I bring my puppy to the park?** The 6-month age limit has been established to minimize the risk of disease, physical injury, and emotional trauma. Please see a professional trainer for puppy classes that involve puppy socialization for dogs 2-6 months old. It's important that your puppy have lots of great experiences with other dogs and learns good social skills *BEFORE* you bring him to an off leash park.
- ◆ **My dog's on a correction collar, why can't I use it at the park?** Correction collars (choke, slip, prong, pinch, shock, citronella, etc.) can inflict pain and injure the dog wearing the collar and the dogs he plays with during romp time at the park. Before entering the park correction collars should be removed and replaced with a flat collar for safety. If you are using a correction collar to walk your dog consider switching to a front clipping body harness such as Wonder Walker or Easy Walk for better control.
- ◆ **My dog wears a body harness instead of a collar, why aren't they allowed at the park?** A body harnesses can be a great tool for managing strong tuggers and preventing handlers from applying too much force to the throats of small dogs. In an off leash setting other dogs might grab them with their mouths or get their feet tangled in them during play, which can lead to panic and a fight. Replace your harness with a collar when you enter the park.
- ◆ **Dogs love to dig; why is this against the rules?** A park full of holes can lead to sprained ankles. If you see your dog digging a hole please get him involved in less destructive activity and fill in the hole.
- ◆ **Where can I get a dog license?** <http://www.kingcounty.gov/safety/regionalAnimalServices/License.aspx>

- ◆ **Why does my dog need to leave the park if another dog starts a fight?** Regardless of which dog started the scuffle a quiet break is appropriate to lower the arousal level of each dog. If the incident was small you can re-enter the park after a quiet walk around the block to give your dog the opportunity to end the play session on a good note.
- ◆ **I'm not sure how my dog will do, can I keep him leashed?** Mixing leashed and unleashed dogs often leads to trouble because the leashed dog either experiences frustration or is quickly overwhelmed by the other dogs. All dogs within the park need to be off leash. If you have concerns about off-leash play contact a trainer about supervised playgroups so you can learn more about your dog's social skills before coming to the park.
- ◆ **Why do I need to carry my leash while I'm in the park?** In the event of a fight you may need to quickly leash your dog so you can leave the park without further incident.
- ◆ **What does appropriate play look like?** In older dogs a nice greeting followed by moving through the park to investigate things together is great socialization time. In young dogs play involves bouncy movements, often side to side, that is punctuated by short rests. Wrestling matches and games of chase that go on to long raise arousal levels and can escalate into scuffles. Monitor your dog's play and interrupt every now and then to lower your dog's arousal level to keep the play session friendly. Don't allow your dog to overwhelm another dog (excessive jumping on, pinning down, chasing). If you aren't sure how the other dog feels, call your dog to you and see if the other dog comes over to get your dog's attention or uses that opportunity to escape.

Appropriate Play Behaviors & Gestures

- **Play Bow:** front legs & chest down while rear is in the air; this is a solicitation to play.
- **Exaggerated, Repetitive Movements:** leaping or spinning.
- **Lateral Movements:** side-to-side movements, not forward or backward.
- **Relaxed, Loose, Curved Bodies:** rather than stiff and straight.
- **Mounting:** a social behavior that has a wide variety of meanings. It can be a sign of confidence, an invitation to play, or a nervous habit in a dog with limited play skills. Intervene only if your dog is a habitual mounter and is annoying other dogs.
- **Chasing:** some dogs love to chase, others love being chased. Interrupt behavior if it lasts more than a couple minutes at a time, the chaser becomes stiff and fixated, or the dog being chased looks stressed.
- **Neck Biting:** a form of wrestling that involves gently mouthing the neck, face, & ears. Often seen when dogs are tired and laying next to each other.

- **Pinning:** if a dog pins another dog to the ground during play he should relinquish control fairly quickly. Intervene if a dog pins another and freezes on top or refuses to let the other dog up.
- **Body Slamming:** a form wrestling play seen in larger breeds where a dog will knock into another dog. This type of play should be monitored to make sure the dogs aren't getting over stimulated.
- **Cat-Like:** smaller dogs will often bat each other with their front paws and use quick movements to spin around one another.

Inappropriate Behavior

Any play that is allowed to continue uninterrupted for too long has the potential to turn into inappropriate behavior.

- **Bullying:** one dog picks on another dog in an intense manner. You may spot this behavior by noticing signs of stress in the dog being bullied or by watching for these behaviors in the bullying dog:
 - Charging
 - Snarling
 - Snapping
 - Prolonged chasing or stalking
 - Body slamming that frightens rather than induces play
 - Cornering or crowding a dog
 - Not letting the dog get up after being pinned down
- **Pack Behavior:** serious behavior problems can occur when dogs form loose packs. These dogs can easily attack a weaker dog.
- **Rough Play:** when dogs have different play styles rough play can be perceived as rude and aggressive.
- **Stalking:** stalking behavior can start out playful, but if allowed to continue for a prolonged period it can become excessive and turn into a form of bullying.
- **Excessive Barking:** some vocalizations are normal during play, but excessive barking is a sign of arousal levels being too high and can create stress in the park.
- **Persistent Mounting:** dogs mount for many reasons including arousal, playfulness, confidence, nervousness, and anxiety. Intervene if the dog being mounted looks uncomfortable or the dog doing the mounting becomes fixated on one dog.
- **Over Stimulated:** when dogs are in a high state of arousal you may notice dilated pupils, high pitched vocalizations, repetitive barking, pacing or excessive jumping.

Fight Prevention - What You Can Do

- Pay attention to your dog. Be aware of where he is and what he is doing at all times.
- Stay close enough to intervene if needed. Break up packs of dogs. Don't allow one dog to bully another.
- Keep walking. Walking defuses tension and reduces conflict. Avoid the temptation to stand around and chat or sit in one place for very long.
- Leave the park. Some days it's just a bad mix. Go for a walk or come back later. Trust your instincts! If it doesn't feel right—leave.
- If your dog is repeatedly involved in scuffles think carefully about why you are coming to the park and if it's a good environment for your dog. A professional trainer can help you evaluate the situation and work with your dog.

Fights & Scuffles

- Stay calm. Most fights end within a minute or two on their own.
- Advise other park patrons to leash their dogs and move away from the fight.
- Never reach your hands into the middle of a dog fight.
- Distract and divert (try a loud whistle or blast of water).
- If any dogs are hurt exchange contact information. Each party is responsible for damages or injury caused by their dog.
- Once a fight occurs the adrenaline levels of the dogs involved, and many of those who witnessed the fight, will be raised for several hours. All dogs involved in the incident should be removed from the park to cool down.
- Take your dog to the vet if bitten. Bite wounds are often more serious than they appear because the damage on the surface of the skin is usually less severe than the injury to underlying tissue. Bite wounds often become infected.
- Go to your doctor or urgent care if bitten.

Recommended Reading

Off-Leash Dog Play by Robin Bennett, CPDT & Susan Briggs, CKO

Play Together, Stay Together by Karen London, PhD & Patricia McConnell, PhD

On Talking Terms With Dogs: Calming Signals by Turid Rugaas

Type of Signage	Information on Sign	Sign Location
Informational	“Dog Park this way”	Street
Informational	“Dogs must be leashed until you enter the gated area”	Street
Informational	Welcome & Park Rules	Between street & park entrance path
Informational	“Deposit dog park trash here”	On dumpster or dumpster gate
Business Sponsor Recognition	\$3,000 + level Business Sponsors	Before double gated entry
Business Sponsor Recognition	\$500 + level Business Sponsors	Inside double gated entry
Informational	Park Rules	Inside the main park
Informational	Park Rules	Inside the small dog area
Informational	“Small Dog Area – for dogs 30lbs and less”	On gate to small dog area
Informational	Bag Dispenser 1 – list where to throw away waste & list sponsor	Main Dog Park
Informational	Bag Dispenser 2 – list where to throw away waste & list sponsor	Main Dog Park
Informational	Bag Dispenser 3 – list where to throw away waste & list sponsor	Small Dog Park
Educational	Park Tips (10 signs)	Throughout Main Dog Park
Informational, Educational, & Sponsor Recognition	Park Kiosk (1 side recognizes \$125+ level Sponsors & other side will be for posting City and KDOG Informational and Educational Info. and Events)	Main Dog Park



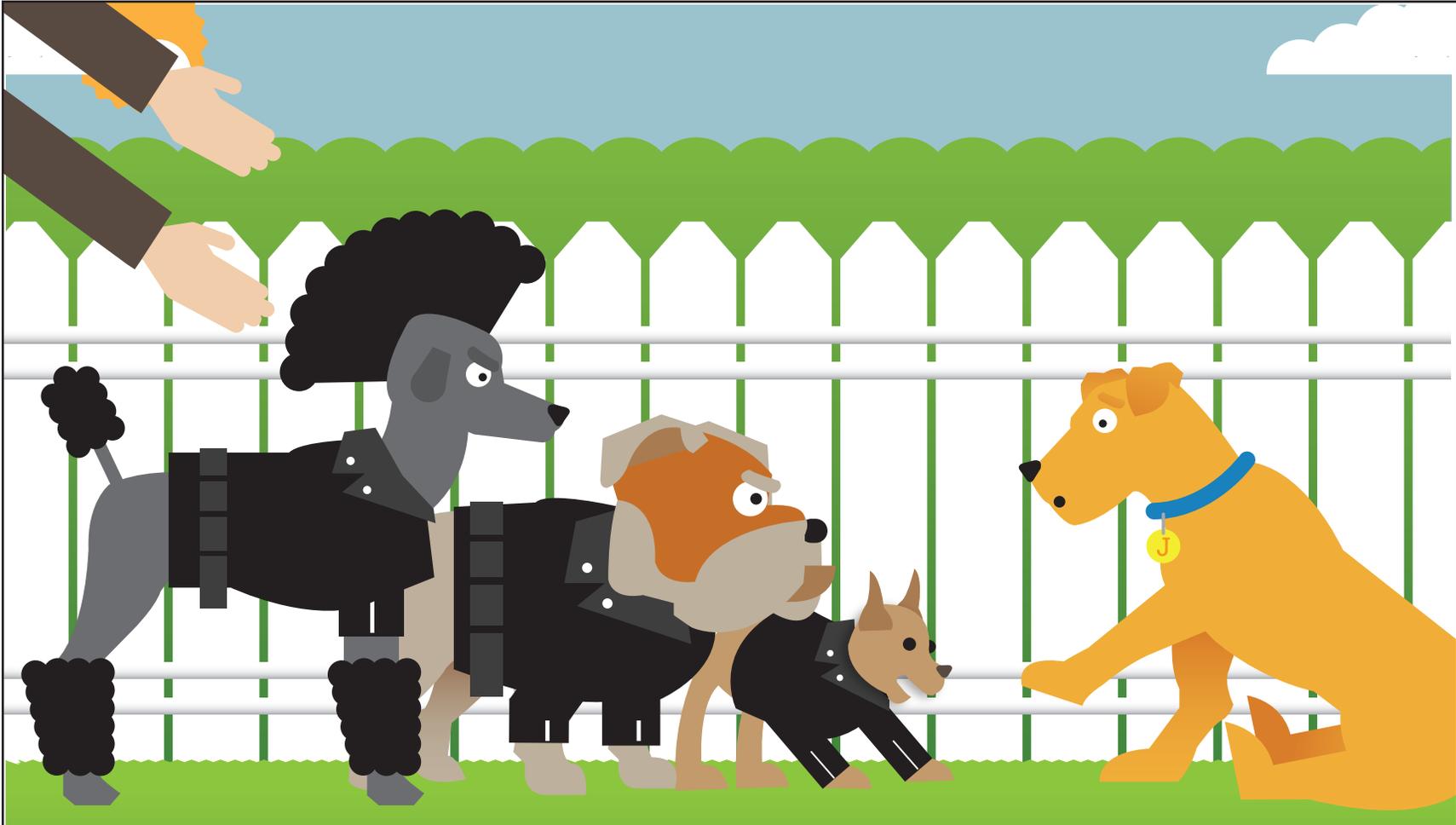
LEASHED DOGS ARE EASILY OVERWHELMED

JASPER'S TIP SIGN #1



JASPER'S TIP

**LEASHED DOGS ARE
EASILY OVERWHELMED**



JASPER'S TIP

**BREAK UP PACKS OF DOGS
- DON'T ALLOW BULLYING**



JASPER'S TIP

**AMBUSH! DON'T CONGREGATE
AT THE PARK ENTRANCE**



JASPER'S TIP

**DON'T USE TREATS AND TOYS
AROUND DOGS YOU DON'T KNOW**

KEEP MOVING TO PREVENT SCUFFLES

JASPER'S TIP SIGN #5

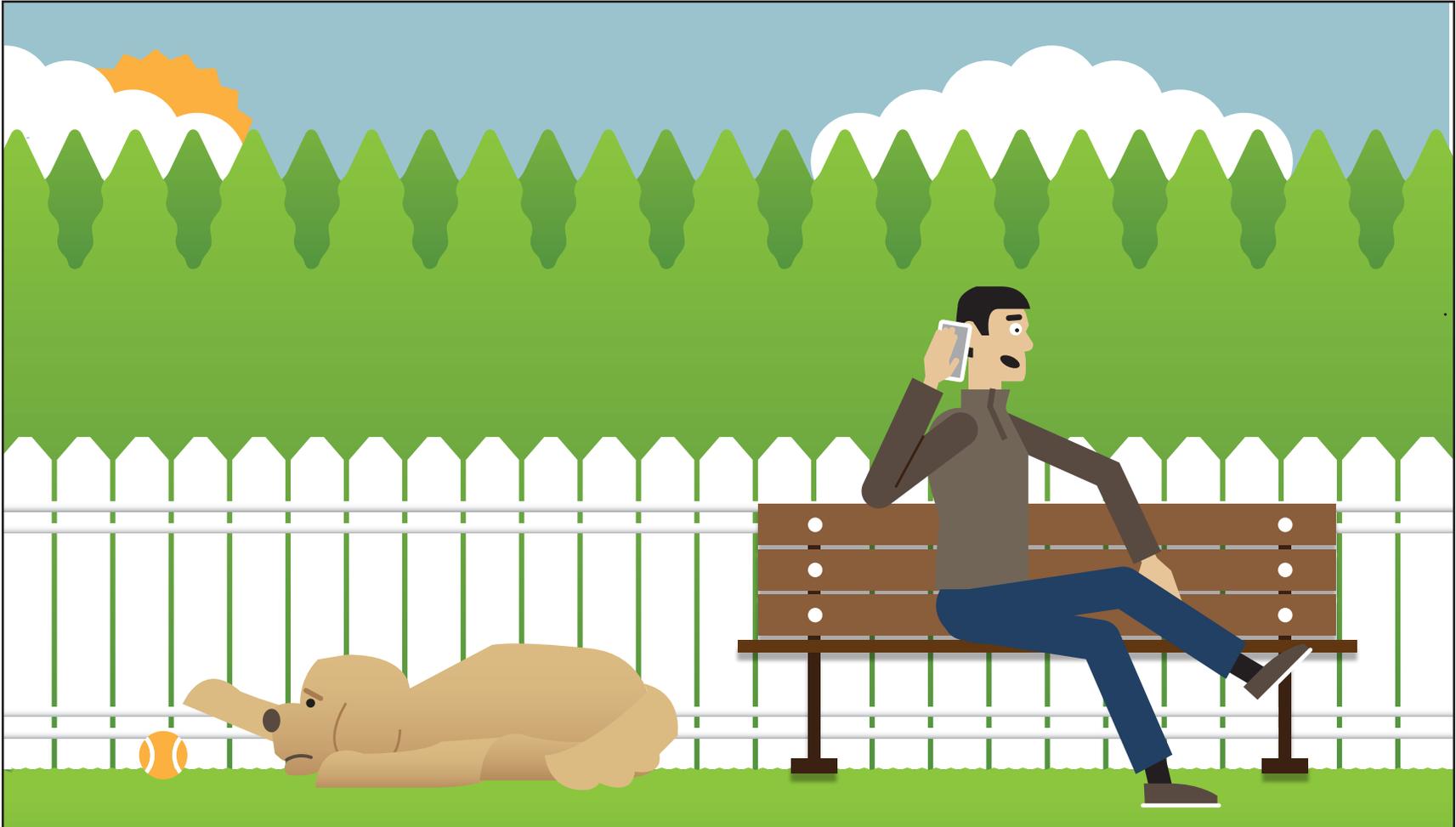


JASPER'S TIP

KEEP MOVING TO PREVENT SCUFFLES

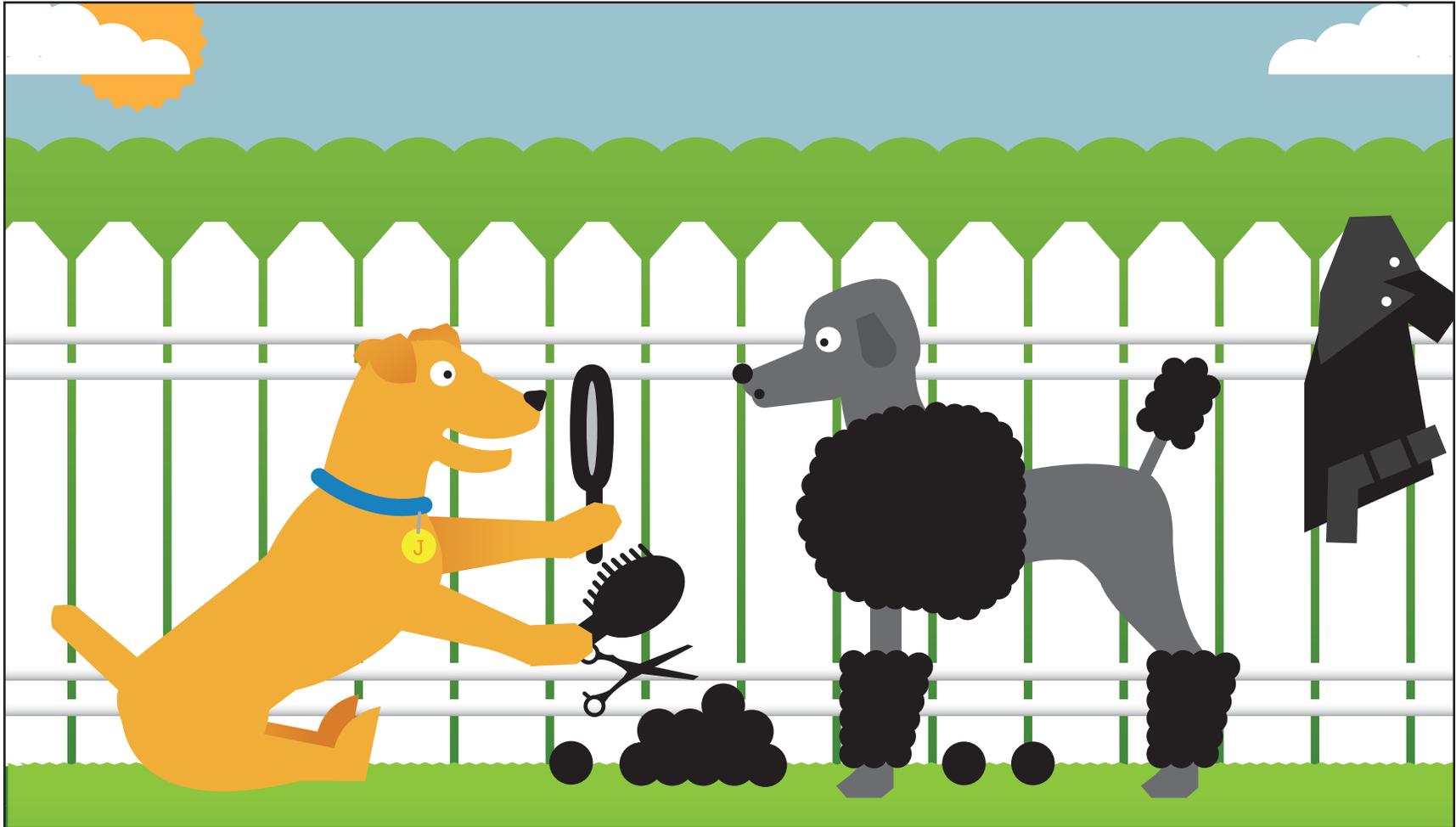
PHONE FREE ZONE - PLAY WITH YOUR DOG

JASPER'S TIP SIGN #6



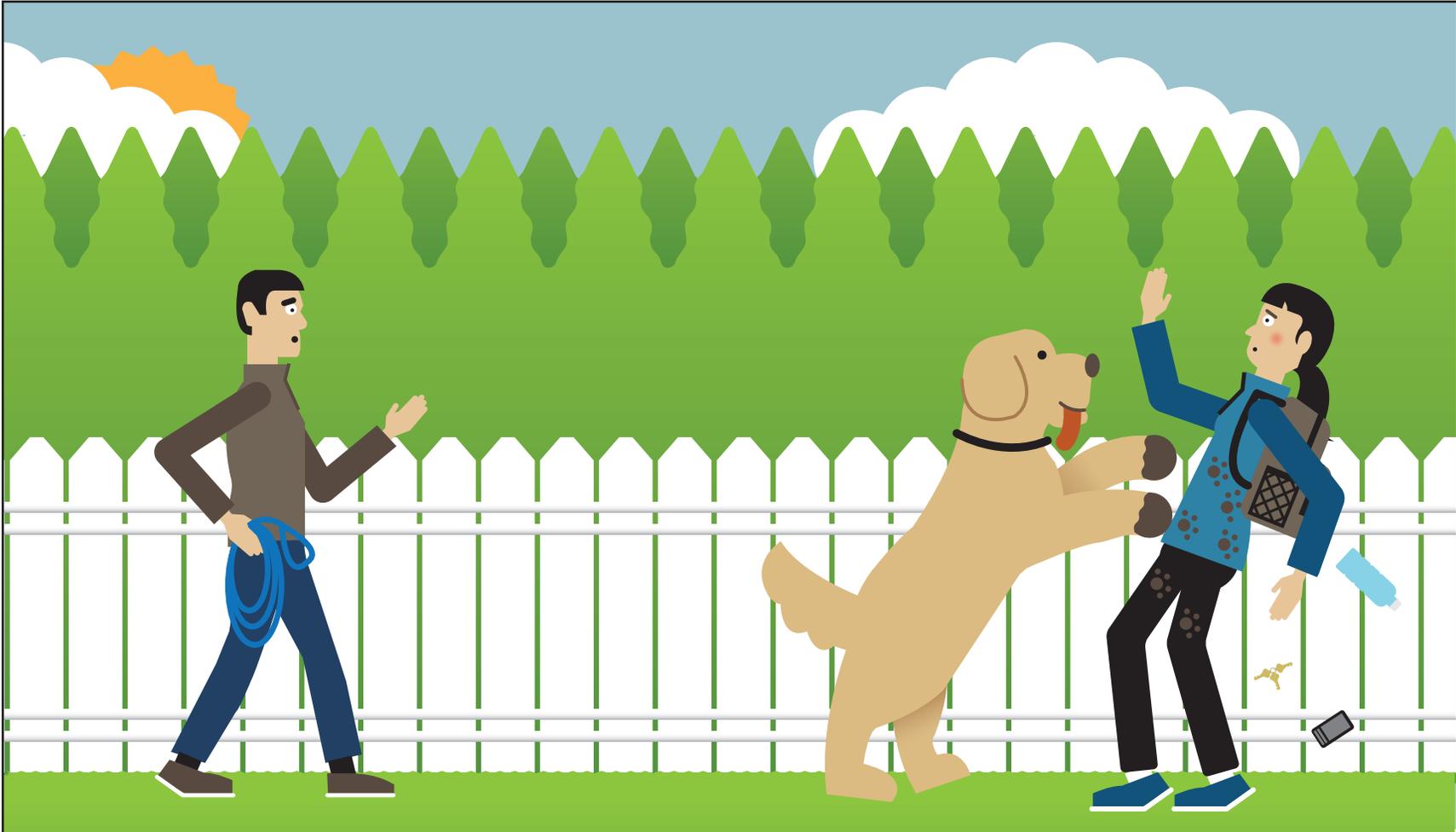
JASPER'S TIP

PHONE FREE ZONE - PLAY WITH YOUR DOG



JASPER'S TIP

THIS ISN'T A DAY SPA -
NO GROOMING IN THE PARK



JASPER'S TIP

**OFF LEASH DOES NOT
MEAN OUT OF CONTROL**



JASPER'S TIP

**BE AN ANGEL - ADOPT
AN ORPHANED POOP**

BRING YOUR OWN WATER

JASPER'S TIP SIGN #10



JASPER'S TIP

BRING YOUR OWN WATER



CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.kirklandwa.gov

MEMORANDUM

To: Park Board
From: Michael Cogle, Interim Deputy Director
Date: September 8, 2011
Subject: Update on Park Projects and Other Items of Interest

RECOMMENDATION:

None. Information only.

BACKGROUND DISCUSSION:

As the Board returns from summer hiatus, staff would like the opportunity to provide brief updates and also answer questions on a number of items of interest, including:

1. Juanita Beach Park Improvements (see attached report from Sept. 6 Council meeting)
2. Park Funding Exploratory Committee
3. Tobacco in Parks
4. Supplemental 2011 Funding for Park Maintenance and Operations
5. 2012 Budgetary Issues
6. 132nd Square Community Gathering Place Project
7. Rose Hill Meadows Park Labyrinth Project and Sidewalk Improvements
8. Eastside Rail Corridor
9. Totem Lake Park
10. Code of Conduct for City Council, Boards and Commissions

Attachment



CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Jennifer Schroder, C.P.R.P., Director
Michael Cogle, Interim Deputy Director

Date: August 30, 2011

Subject: Request for Supplemental Funding to Complete Environmental and Other Park-Related Improvements to Juanita Beach Park

RECOMMENDATION:

City Council approves funding from the General Capital Contingency to complete improvements to Juanita Beach Park.

BACKGROUND DISCUSSION:

In 2010 the City Council awarded a construction contract to DMSL Construction, Inc. (DMSL) as the low responsive bidder for the Juanita Beach Park Project – Phase I. Project items include all work related to demolition of existing shelters and creek bridge, construction of a concrete waterfront promenade, parking lot reconfiguration and associated rain gardens, surface drainage bio-filtration swales and associated water quality improvements, wetland restoration, riparian restoration of Juanita Creek including side channel (marsh) creation, removal of hazard trees, significant new plantings, lawn renovation, new site furniture, new bridge, new irrigation, new paths, and a public art sculpture. Scheduled improvements are consistent with the approved 2005 park master plan.

On June 3, 2011 the City terminated the contract of DMSL for non-performance. The contractor was only compensated for actual work which it completed. Approximately \$450,000 of DMSL's contract is available to help defray costs to complete the project, as shown below:

\$1,180,390.57	Authorized Original DMSL Contract
<u>\$ 165,668.83</u>	Approved Change Orders (\$180,000 Construction Contingency Budgeted)
\$1,346,059.40	Revised Contract Amount
<u>(\$ 897,315.28)</u>	Amount paid to DMSL for work completed
\$ 448,744.12	Balance to Finish Contract

Due to an urgent need to complete environmental work within permitting requirements and strong community interest in seeing the park's beachfront reopened this summer, the City Council on June 7 approved Resolution R-4883, thereby waiving competitive bidding requirements and authorizing staff to execute all necessary contracts for emergency completion of the project.

After receiving the waiver, staff hired Marshbank Construction on June 13 to protect the site, implement erosion control measures and evaluate the steps necessary to complete the project and reopen the park. At the same time, we began working cooperatively with DMSL's bond company, First Sealord Surety Inc, in order to protect the City's financial interests. At the request of First Sealord, the City evaluated a subsequent proposal by DMSL to complete the work. DMSL's proposal did not demonstrate the ability to finish the project. Therefore on June 23 we gave Marshbank Construction direction to proceed with the work as soon as possible, with activities compensated on a "time and materials" basis (rather than a lump sum).

Due to the actions of the City Council and the responsiveness of Marshbank Construction, the City was able to partially reopen the park, including the popular beachfront, on August 5. Construction activities are ongoing and are anticipated to be substantially complete by September 23.

In the interim, the City continues to work with First Sealord Surety. Sealord and the City continue to evaluate what the full cost will be to complete the entire project and what costs will be the responsibility of the surety. Financial projections are difficult at this point, since not all the costs have been accounted for yet. Based on a rough order of magnitude projection, we anticipate that the cost to complete the work will exceed the DMSL contract balance of approximately \$450,000 by an estimated \$850,000. The additional costs are due in part to the transition from DMSL to Marshbank and the correction of nonconformities and defects in DMSL work that were discovered. After the project has been fully completed the City will provide comprehensive project accounting to Sealord for remission to the City as anticipated by the terms of DMSL's payment and performance bonds.

Impact to State Grant

The City received a \$500,000 matching grant from the State in 2007, and another \$500,000 matching grant in 2008, for a total of up to \$1,000,000 in State matching funds to complete the project. Due to the City receiving a favorable bid from DMSL, the City estimated that a total of \$925,000 of project costs would be eligible for reimbursement under the terms of the grant agreement.

The original terms of the agreement were for the project to be completed in 2009. Due to permitting challenges which delayed the start of construction, the City received an initial time extension from the State to complete the project by the end of 2010. After construction started, a second and final extension request was approved by the State, requiring project completion by June 1, 2011. Because the project was not completed by this date, the City will be eligible to receive reimbursement for only \$700,000 of project expenses. Staff has asked State grant officials to reconsider the City's situation to see if a waiver might be granted and potentially reimbursing the City for up to \$225,000 of additional project expenses accrued since June 1.

Need for Supplemental Project Funding

As shown in Figure 1 below, the project has a potential funding deficit of up to \$750,000. This is the difference between available funding resources for the project and anticipated expenses to complete the all of the remaining project elements in the coming weeks.

Figure 1 - Juanita Beach Park Project Completion (CPK0119)

	Estimated Completion
Resources:	
City Contribution	1,500,000
State Grant	700,000
KC Flood Control District Grant	100,000
King County Contribution	200,000
<hr/>	
Total Resources	2,500,000
<hr/>	
Expenses:	
DMSL Contract	895,000
Marshbank Contract (Projection)	1,175,000
In-house management	120,000
Master Planning, A&E, Permitting, Inspections	775,000
Required Long Term Wetland Monitoring Services	50,000
Remove Pier Vertical Wave Baffles (separate contract)	60,000
Miscellaneous Costs 2003 - Present ⁽¹⁾	175,000
<hr/>	
Total Expenses	3,250,000
<hr/>	
Projected Project Deficit/Request from Contingency	(750,000)
<hr/>	

⁽¹⁾ *Miscellaneous Costs include:
Interim improvements to park after City takeover in 2003; Public Art;
Utility Connection Charges; Bathhouse repairs; Other costs such as
printing, advertising, supplies, etc.*

The funding request of \$750,000 is the net effect of expenditures over and above the original estimated amount and lost grant revenue. As shown in the following table, the original project would have had a positive balance of \$325,000. But the lost revenue of \$225,000 and the added cost of \$850,000, eliminated the projected project savings and left a deficit funding need of \$750,000.

Figure 2 - Juanita Beach Park Project Completion (CPK0119)

	Original (DMSL)	Revised (Marshbank)	Variance
Resources:			
City Contribution	1,500,000	1,500,000	-
State Grant	925,000	700,000	(225,000)
KC Flood Control District Grant	100,000	100,000	-
King County Contribution	200,000	200,000	-
Total Resources	2,725,000	2,500,000	(225,000)
Expenses:			
Paid to DMSL	1,345,000	895,000	(450,000)
Paid to Marshbank (Projection)	-	1,175,000	1,175,000
In-house management	120,000	120,000	-
Master Planning, A&E, Permitting, Inspections	650,000	775,000	125,000
Required Long Term Wetland Monitoring Services	50,000	50,000	-
Remove Pier Vertical Wave Baffles (separate contract)	60,000	60,000	-
Miscellaneous Costs 2003 - Present ⁽¹⁾	175,000	175,000	-
Total Expenses	2,400,000	3,250,000	850,000
Projected Project Savings/Funding Deficit	325,000	(750,000)	
Total Financial Impact			(1,075,000)

The City will continue to pursue eligibility for the State grant and will be requesting reimbursement from Sealord Surety to compensate for the over-expenditure, currently estimated to be \$850,000. If the City is successful on both fronts, the Capital Contingency will be repaid and the positive balance of \$325,000 will again be available to apply to the next phase of the Juanita Beach project.

Original project balance/(deficit) available to apply to next phase	325,000
LESS State grant revenue lost due to delay of project	<u>- 225,000</u>
Revised project balance/(deficit) available to apply to next phase	100,000
LESS project costs above original estimate due to change in contractor	<u>-850,000</u>
Revised project balance/(deficit) available to apply to next phase	-750,000
Request from Capital Contingency	<u>750,000</u>
Revised project balance/(deficit) available to apply to next phase	0
Potential recovery of State grant	225,000
Potential recovery from Surety	<u>850,000</u>
Total Potential Recovery	1,075,000
LESS repayment to Capital Contingency Reserve	<u>(750,000)</u>
Potential project balance/(deficit) available to apply to next phase	325,000

In summary, staff requests supplemental funding from the General Capital Contingency Fund in the amount of \$750,000 to complete environmental and park improvements to Juanita Beach Park. Please see the attached fiscal note. The Fund will be replenished pending the outcome of the City's discussions with the bonding company. Ideally, the project will end with the same positive balance as it started (prior to the contractor change) with a balance available to apply to the next phase of the Juanita Beach project.

Attachment

FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Jennifer Schroder, Director Parks and Community Services							
Description of Request							
Request for \$750,000 from the General Capital Contingency to complete the Juanita Beach Park project improvements (CPK 0119) pending resolution of negotiations with the original contractor's bonding company.							
Legality/City Policy Basis							
Fiscal Impact							
One-time use of \$750,000 from the General Capital Contingency. The reserve is able to fully fund this request.							
Recommended Funding Source(s)							
Reserve	Description	2012 Est End Balance	Prior Auth. 2011-12 Uses	Prior Auth. 2011-12 Additions	Amount This Request	Revised 2012 End Balance	2012 Target
		4,669,463			750,000	3,919,463	N/A
Revenue/Exp Savings							
Other Source							
Other Information							

Prepared By	Neil Kruse, Senior Financial Analyst	Date	August 26, 2011
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August 24, 2011

**VIA EMAIL &
FIRST CLASS MAIL**

MCarson@FirstSealord.biz

Michael Carson
First Sealord Surety, Inc.
789 East Lancaster Ave, Suite 200
PO Box 900
Villanova, PA 19085

windus@lfa-law.com

Tom Windus
Livengood, Fitzgerald & Alskog, PLLC
PO Box 908
Kirkland, WA 98083-0908

*Re: City of Kirkland Juanita Beach Park Project Phase I
Job Number 18-09-PK
Bond Number 10-00537-PP*

Dear Messrs Carson & Windus:

I am writing to you in follow-up to my July 6, 2011 letter, as I have not yet received a response from either First Sealord Surety, Inc. ("Sealord") or its legal counsel. Thus, the City of Kirkland ("City") has been proceeding forward with the completion of DMSL Construction's ("DMSL") remaining contract work. Here is a status of the construction and financial projection of where the project will likely be at completion. This projection is also the amount the City expects to be paid to fully compensate the City for Sealord's principal's default.

1. Beach Front Access.

The beach was opened to the public on Friday, August 5, 2011. As previously explained in my letters, this event was a primary concern to the Kirkland citizens who had been promised that the beach was going to be open at different times for months before it actually opened in August. Those failed projections and missed opening dates were based on DMSL's unwarranted ever-changing construction schedule and were in part the cause for the default termination of DMSL.

2. Creek Bed Restoration.

As advised in my July 6, 2011 letter, when the City did not receive the promised proposal from Sealord for the creek bed restoration work, which was subject to a "fish window" closing of August 31, 2011, the City awarded that scope of work to Marshbank Construction, Inc. ("Marshbank") on July 7, 2011. As you will recall, in my letter of June 22, 2011, I had advised Sealord that if Sealord desired to complete the creek bed restoration, the City needed a response from Sealord no later than July 1. Since no response was received by July 1, the City proceeded

Michael Carson
Tom Windus
August 24, 2011
Page 2

forward with Marshbank. The creek bed work is on track to be completed by the August 31 date on which the fish window closes.

3. Projection of Remaining Work.

Sealord has been monitoring the project since the default termination continuously through its agents, received bids to complete some or all of the remaining work and promised it would provide the City with contractor bids to finish the job. The City, however, received no plan or proposal from Sealord or its contractors to complete this work and thus the City proceeded to engage Marshbank to finish up the project (including the creek bed restoration). Based on Sealord's inaction while the City completed this project, the City came to the inevitable conclusion that Sealord has tacitly accepted the City's engagement of Marshbank to finish DMSL's work rather than complete the work through its own contractors.

The City anticipates that the completion of the remaining work will occur on approximately September 23, 2011. Financial projections are difficult at this point, since not all the cost has been accounted for yet. Based on a rough order of magnitude projection, the City anticipates that the cost to complete DMSL's work will exceed the DMSL contract balance by \$850,000. The overruns are due in part to the transition from Marshbank to DMSL, the correction of nonconformities and defects in DMSL work that were discovered and DMSL's failure to pay its subcontractors and suppliers when it was performing the work for the City. When the project is complete and the accounting has been finished, we will provide a copy of that accounting to Sealord for remission to the City as anticipated by the terms of DMSL's payment and performance bonds.

Very truly yours,

Marilynne Beard
Assistant City Manager
For Kurt Triplett
City Manager

cc: John P. Ahlers, Ahlers & Cressman PLLC (via email, jahlers@ac-lawyers.com)
Wm. R. Evans (via email, wevans@kirklandwa.gov)



CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.kirklandwa.gov

MEMORANDUM

To: Park Board

From: Jennifer Schroder, Director

Date: September 1, 2011

Subject: REQUEST FOR PRIVATE ACCESS AND UTILITY EASEMENT AT KIWANIS PARK

RECOMMENDATION:

That the Park Board forward to the City Council a recommendation to grant an access and utility easement over property at Kiwanis Park as requested by Mr. Duke Goss.

BACKGROUND DISCUSSION:

Mr. Goss' residence is directly south of Kiwanis Park; the property address is 1330 8th Street West. Mr. Goss would like to subdivide his property into two residential parcels and build a new residence on the resulting waterfront parcel. In order to accomplish this, Mr. Goss has requested that the City grant an easement for access and utilities over a portion of Kiwanis Park (see attachment A) totaling approximately 1,808 square feet (approx. 15' x 120'). The legal description, map, and square footage calculation for the requested easement is shown in Attachment B.

Granting the requested easement will have no negative impacts on either public use of the park or plans for future park development. As a result, staff recommends approval of the request.

In determining the appropriate valuation of the proposed park easement, staff considered the current assessed land value of the adjacent property owned by Mr. Goss. This was calculated to be \$54.60 per square foot. Using the methodology typically used by the City to acquire easements for the purposes of right-of-way improvements, the value was discounted by 50%. Using this formula, the City's compensation for the proposed easement is established at \$49,358 (\$54.60/sq. ft. x 50% x 1,808 square feet).

The Park Board recommendation will be forwarded to the City Council for consideration in October.

Kiwanis Park Easement Request

Attachment A

KIWANIS PARK
1405

10TH ST W

14TH AVE W

9TH ST W

812

1411

815

805

1410

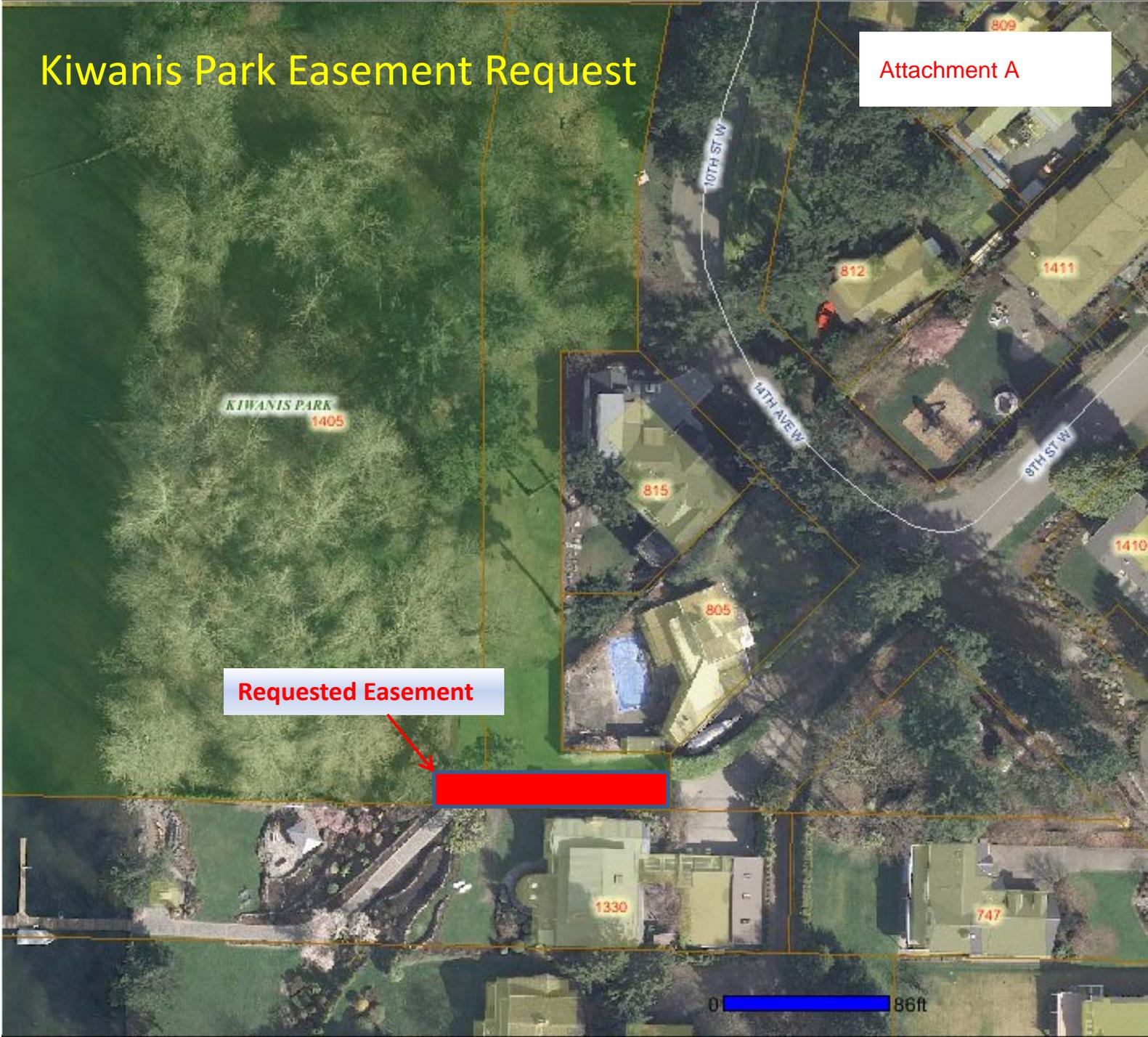
Requested Easement



1330

747

0 86ft



August 25, 2011

**LEGAL DESCRIPTION
FOR
DUKE GOSS**

ACCESS AND UTILITIES EASEMENT

The South 15.00 feet of the following described property:

That portion of vacated Lake Avenue lying South of the North line of Blewett's 1st Addition to Kirkland, according to the Plat thereof recorded in Volume 6 of Plats, Page 82, Records of King County, Washington;

EXCEPT the East half of said vacated Lake Avenue adjacent to Block 32 of said Plat as vacated by City of Kirkland Ordinance No. 899;

TOGETHER WITH the South 15.00 feet of the East 25.00 feet of the following described property:

That portion of Government Lot 8, Section 31, Township 26 North, Range 5 East, W.M., in King County, Washington described as follows:

BEGINNING at the intersection of the North line of Blewett's 1st Addition to Kirkland with the Westerly line of Lake Avenue as shown upon said Plat;

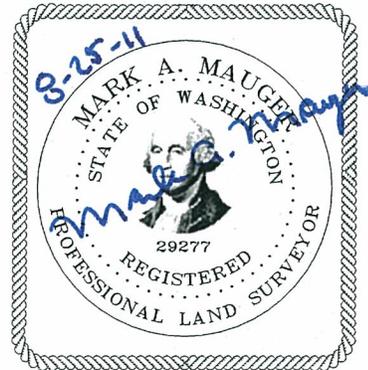
Thence S 8°55' W along the Westerly line of said Lake Avenue a distance of 92.21 feet;

Thence S 1°24' E continuing along said Westerly line a distance of 330.94 feet;

Thence N 89°51' W to the shore of Lake Washington;

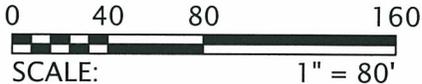
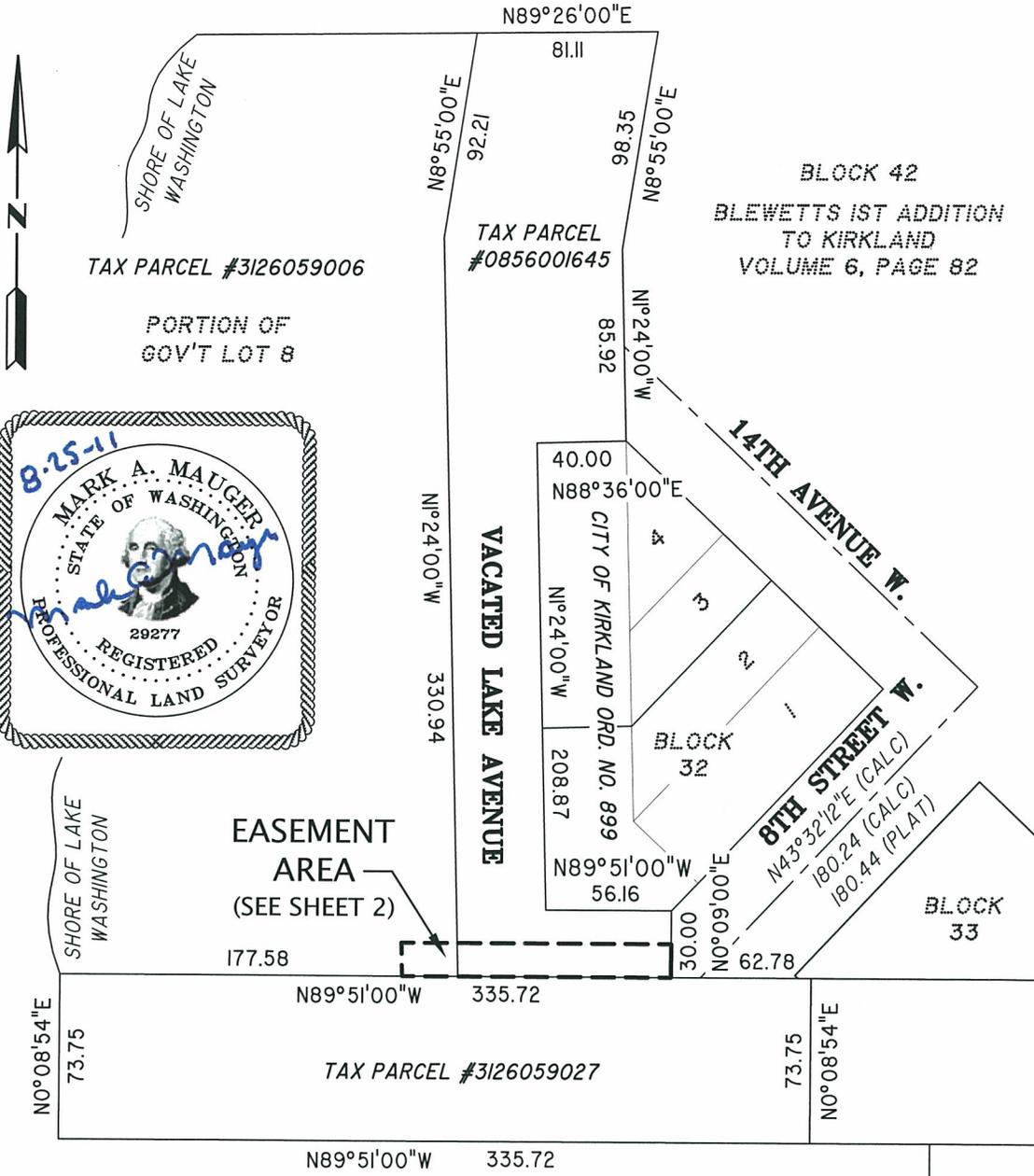
Thence Northerly along said shore to a point which is S 89°26' W of the POINT OF BEGINNING;

Thence N 89°51' E to the POINT OF BEGINNING.



Prepared by:	mm
Checked by:	DL

SW 1/4, SE 1/4 SECTION 31, TOWNSHIP 26 N, RANGE 5 E, W.M.
CITY OF KIRKLAND, KING COUNTY, WASHINGTON



<p>GOLDSMITH LAND DEVELOPMENT SERVICES PO Box 3565, Bellevue, WA 98004 T 425 462 1080 F 425 462 7719</p>	DUKE GOSS 11085	
	ACCESS & UTILITIES EASEMENT FOR DUKE GOSS KING COUNTY WASHINGTON	
SCALE: 1" = 80' APR: MMAUGER BY: EMALM 11085X03.dwg EMALM 08/25/11 13:27 M:\ACAD\SURVEY\11\11085\11085X03.dwg	1/2	

DUKE GOSS SURVEY #11085 REFERENCE 03063-22P
COORDINATE FILE : 03063C22.CRD

SET #10 PROPOSED ACCESS/UTIL ESMT

FROM	BEARING/ANGLE	DISTANCE	TO	NORTH	EAST	ELEV
			76	8758.8997	10072.2787	
76	NW 89 51'00"	95.362	66	8759.1494	9976.9170	
66	NW 89 51'00"	25.009	79	8759.2149	9951.9081	
79	NW 01 24'00"	15.005	78	8774.2154	9951.5415	
78	SE 89 51'00"	25.009	75	8774.1499	9976.5504	
75	SE 89 51'00"	95.767	77	8773.8992	10072.3171	
77	SW 00 09'00"	15.000	76	8758.8993	10072.2778	
CLOSURE:						
76	NE 66 02'15"	.001	76	8758.8997	10072.2787	
		ERROR:		-.0004	-.0009	

1 PART IN 275313

PERIMETER	AREA (sq ft)	AREA (acres)
271.1529	1808.537	.042