



CITY OF KIRKLAND CITY COUNCIL

Penny Sweet, Mayor • Jay Arnold, Deputy Mayor • Neal Black • Kelli Curtis
Amy Falcone • Toby Nixon • Jon Pascal • Kurt Triplett, City Manager

Vision Statement

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

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • TTY Relay Service 711 • www.kirklandwa.gov

AGENDA KIRKLAND CITY COUNCIL MEETING City Council Chamber Tuesday, March 17, 2020 5:30 p.m. – Study Session 7:30 p.m. – Regular Meeting

COUNCIL AGENDA materials are available on the City of Kirkland website www.kirklandwa.gov. Information regarding specific agenda topics may also be obtained from the City Clerk's Office on the Friday preceding the Council meeting. You are encouraged to call the City Clerk's Office (425-587-3190) or the City Manager's Office (425-587-3001) if you have any questions concerning City Council meetings, City services, or other municipal matters. The City of Kirkland strives to accommodate people with disabilities. Please contact the City Clerk's Office at 425-587-3190. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Council by raising your hand.

In response to guidance from Public Health Seattle-King County, the Council Chamber will not be open to the public during City Council meeting on Tuesday, March 17, 2020.

The meeting will be live streamed on the City website at <http://www.kirklandwa.gov/depart/council/Meetings/WatchCouncilMeetings.htm> or can be watched on your television on Comcast Cable Channel 21 or Frontier Cable Channel 31. Members of the public will be able to provide comment in advance of the meeting by phone or email to 425-587-3090 or councilmeetingcomment@kirklandwa.gov.

We will provide additional details about providing public comment on Monday, March 16, 2020.

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

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
 - a. Athletic Field Rentals Cost Recovery
 - b. NE 85th Street Station Area Plan
4. *HONORS AND PROCLAMATIONS*
 - a. Prudential Spirit of Community Award Honoree Sanika Datar Proclamation

5. *COMMUNICATIONS*

- a. *Announcements*
- b. *Items from the Audience*
- c. *Petitions*

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

6. *PUBLIC HEARINGS*

7. *SPECIAL PRESENTATIONS*

- a. COVID-19 Update
- b. Community Safety Advisory Group Update
- c. Ordinance O-4718, Relating to the Parking, Prohibited Conduct, Trespass Warnings and the Peter Kirk Municipal Garage

8. *CONSENT CALENDAR*

- a. *Approval of Minutes*
 - (1) March 3, 2020
 - (2) March 4, 2020
- b. *Audit of Accounts and Payment of Bills and Payroll*
- c. *General Correspondence*
- d. *Claims*
 - (1) Claims for Damage
- e. *Award of Bids*
 - (1) 2019 Neighborhood Safety Program
 - (2) Mobile Fire Training Simulator
- f. *Acceptance of Public Improvements and Establishing Lien Period*
 - (1) 3rd Street Watermain Improvement Project
 - (2) Goat Hill Storm Drainage Repair Project
 - (3) Kirkland Justice Center Water Intrusion Repairs
- g. *Approval of Agreements*

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

h. *Other Items of Business*

- (1) January 2020 Financial Dashboard Report
- (2) Resolution R-5412, Relating to the Adoption of the 2020-2021 Transportation Commission Work Plan
- (3) Surplus of Rental Vehicles/Equipment
- (4) Fire Station 27 Leaseholder Settlement Agreement

9. *BUSINESS*

- a. 2020 State Legislative Update #5
- b. Missing Middle Code Amendments – Adoption

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

- (1) Ordinance O-4715, Relating to Zoning, and Land Use and Amending the Kirkland Zoning Code, Ordinance 3719 as Amended, Including Chapters 5, and 115, and Approving a Summary Ordinance for Publication, File No. CAM19-00282
- (2) Ordinance O-4716, Relating to Subdivision of Land and Amending Ordinance No. 3705 as Amended, the Subdivision Ordinance and Approving a Summary for Publication File No. CAM19-00282
- (3) Ordinance O-4717, Relating to Zoning, and Land Use and Amending the Kirkland Zoning Code, Ordinance 3719 as Amended, Including Chapters 20, 25 and 113, and Approving a Summary Ordinance for Publication, File No. CAM19-00152

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

10. *REPORTS*

- a. *City Council Regional and Committee Reports*
- b. *City Manager Reports*
 - (1) Potential Transit Ballot Measure/Transit Service Update
 - (2) Calendar Update

11. *ITEMS FROM THE AUDIENCE*

12. *EXECUTIVE SESSION*

- a. To Discuss Potential Litigation

13. *ADJOURNMENT*

ITEMS FROM THE AUDIENCE Unless it is 10:00 p.m. or later, speakers may continue to address the Council during an additional Items from the Audience period; provided, that the total amount of time allotted for the additional Items from the Audience period shall not exceed 15 minutes. A speaker who addressed the Council during the earlier Items from the Audience period may speak again, and on the same subject, however, speakers who have not yet addressed the Council will be given priority. All other limitations as to time, number of speakers, quasi-judicial matters, and public hearings discussed above shall apply.

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



CITY OF KIRKLAND
Department of Parks & Community Services
123 5th Avenue, Kirkland, WA 98033 · 425.587.3300
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Lynn Zwaagstra, Director
John Lloyd, Deputy Director
Linda Murphy, Recreation Manager
Jairid Hoehn, Recreation Supervisor
Nicci Osborn, Program Coordinator

Date: March 17, 2020

Subject: Athletic Field Rentals Cost Recovery

RECOMMENDATION

That City Council provide direction to staff on the placement of athletic field rentals into the resource allocation model of the fiscal policy for the Parks and Community Services Department. A six-year implementation strategy for field use fees is provided for Council feedback.

BACKGROUND – PARKS AND COMMUNITY SERVICES COST RECOVERY

At the December 11, 2018, City Council Meeting, Council adopted the Parks and Community Services Fiscal Policy through [Resolution R-5347](#) Section iv. of the fiscal policy discusses the resource allocation model (i.e., Pyramid Model), from the Cost Recovery study.

“The appropriate level of cost recovery will be based on an assessment of who is benefiting from the programs and services provided, along a spectrum ranging from “mostly community benefit” to “mostly individual benefit.” Cost recovery ranges will be identified by “community” versus “individual” benefit tier levels guided by the Pyramid Model...”

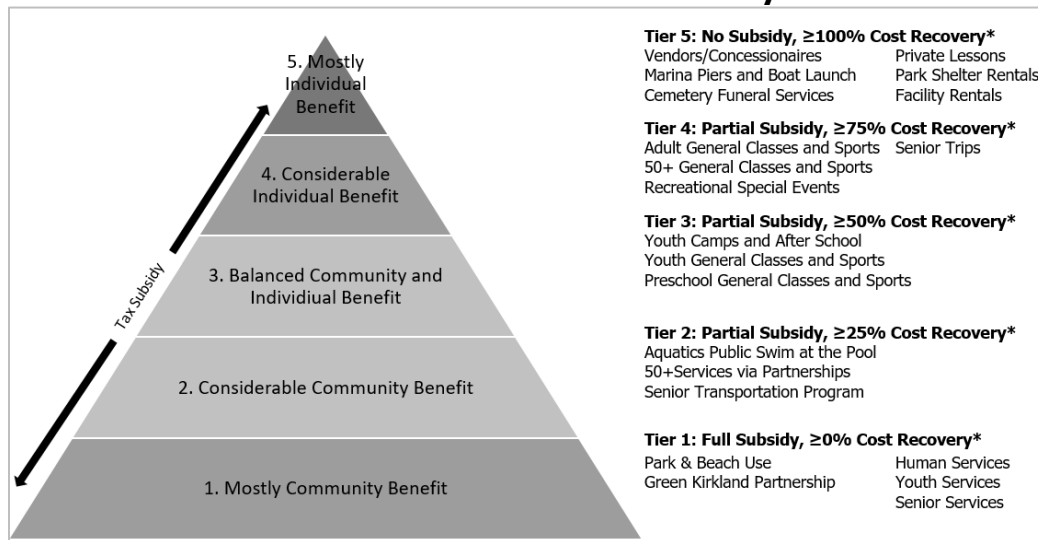
The Pyramid Model was adopted by Council on [October 1, 2019](#).

The model begins with grouping all parks, recreation, and community services offerings into programmatic categories. The Kirkland Parks and Community Services Department groupings resulted in 33 programmatic categories, which are defined in **Addendum A**. The Pyramid Model sorted the categories into the 5 tiers in the pyramid through a community engagement process. Tier 1 has the most community benefit and is primarily supported through tax funding. Tier 5 has the most individual benefit and receives the least tax dollar support. Tiers 2 through 4 have both community and individual benefits and are supported by a mix of tax dollars, fees

and other alternative revenue sources. For a detailed explanation of the Pyramid Model, please see **Addendum B**. Parks and Community Services adopted a scholarship policy to provide access to programs to everyone, regardless of income (**Addendum C**). Scholarships do not apply to athletic field rentals, however, the fiscal policy encourages outside organizations utilizing City property to offer a scholarship program.

The adopted model is shown below in **Figure 1**. Each programmatic category in the tier shall achieve the set cost recovery target shown.

Figure 1: Resource Allocation Model of R-5347 Fiscal Policy



2018 Cost Recovery Results for Athletic Fields

The original MGT cost recovery evaluation placed athletic field rentals in Tier 3 along with other youth programming. The athletic field rentals programmatic category was subsequently deferred by the Council from placement in the resource allocation model because the actual cost recovery differed significantly from the recommended cost recovery target. The 2018 cost analysis completed by MGT Consulting Group showed the following results.

Table 1: 2017 MGT Financial Analysis

2017 Actual Cost	2017 Actual Revenue	2017 Cost Recovery	Original Tier Recommendation
\$1,390,314 • Department overhead • City overhead • Parks maintenance overhead • Direct expenses for grounds maintenance staff • Supplies and equipment • Direct expenses for customer service staff conducting reservations and administration of the fields	\$69,690 • Field rental fees • Game prep fees • Tournament fees • Light fees • Late fees or other damages assessed	5%	Tier 3 (50+%)

Results of the community engagement process also recommended that athletic field rentals be placed in Tier 3 of the pyramid where there is a relatively equal mix of community versus individual benefit. Staff and Park Board concurred with this recommendation as Tier 3 is the same tier where City-offered youth sports, general programs and camps are placed. The primary users of athletic fields are non-profit organizations providing youth sports programs. This creates alignment between services offered to outside youth sports organizations (i.e., field rentals) with city provided youth programs and indicates that both types of programs are of equal value to the community.

Since both the City and outside youth sports organizations offer similar programs, the following comparison data is offered. Chart 1 below shows the City’s investment in each programmatic category based on 2017 actual expenses compared to revenue. Athletic fields received the second-largest tax subsidy of the Department’s programmatic categories. Table 2 provides some general comparative data for Kirkland youth sports versus athletic fields.

Chart 1: Parks and Community Services 2017 Tax Subsidy by Programmatic Category

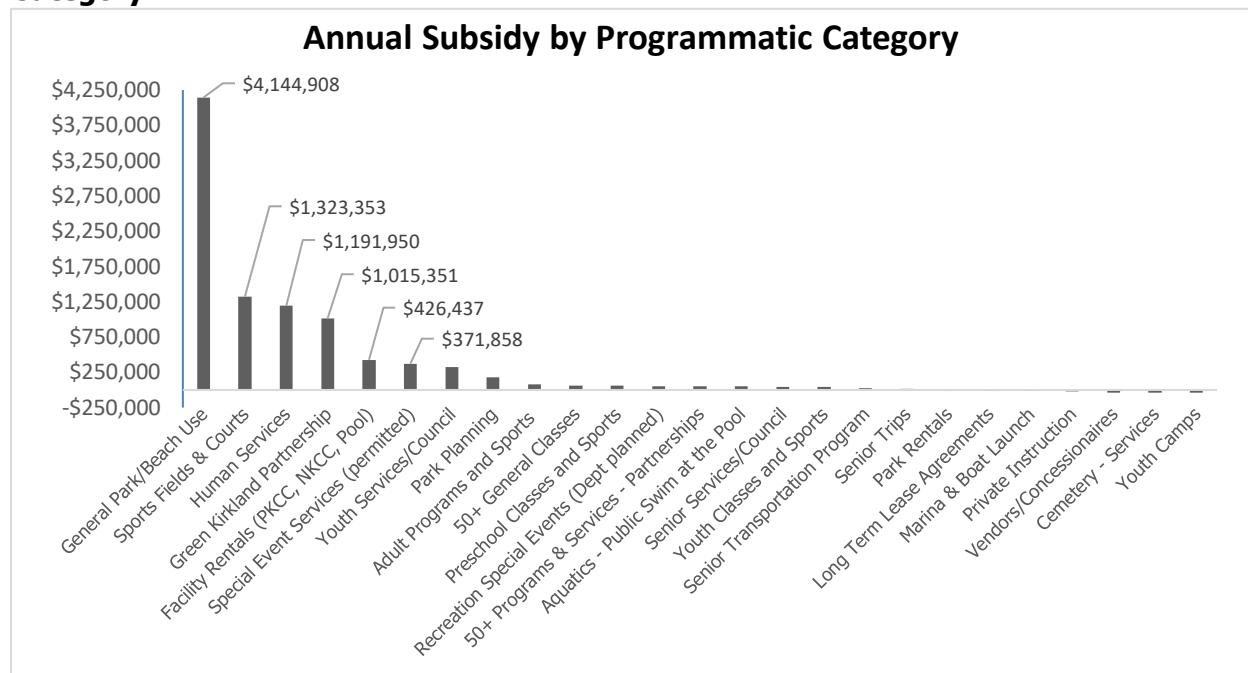


Table 2: Kirkland Youth Sports and Athletic Fields

Kirkland Youth Sports Programs	Organizations Utilizing Kirkland Athletic Fields
2729 youth served	6717 youth served
Subsidy received \$39,577	Subsidy received \$1,323,353
Cost recovery 61%	Cost recovery 5%
Tax dollar subsidy per participant \$14.50	Tax dollar subsidy per participant = \$197

BACKGROUND – ATHLETIC FIELD RENTALS

The Parks and Community Services Department (PCS) administers the City of Kirkland athletic fields as well as the Lake Washington School District (LWSD) fields for a total of 59 fields. Records indicate that the Park Board and City Council approved a formal Athletic Field Fee Policy in 1993, which is shown in **Addendum D**. This document outlines the City's policy to make fields available to the community on a hierarchical basis that gives scheduling and use preference in a specific order. The primary policy objective is to prioritize recreational use for Kirkland youth, followed by other programs for Kirkland residents. Additionally, PCS strives to maximize athletic field use overall while distributing use in an equitable manner.

As can be seen in the 1993 Athletic Field Use Policy, fees have routinely been charged for field use. The original fee structure was developed at a time when the City only administered a dozen athletic fields and served a handful of user groups. Since this initial policy was adopted, the City has expanded significantly in size and population through annexation, has taken on the administration of the Lake Washington School District fields, and has seen the growth of sports and user groups. The Athletic Use Fee Policy has been updated administratively several times since 1992, including adjusting fees. Rate restructuring and/or fee increases last occurred in 2016 when the hourly fee structure currently in place was implemented. This structure was developed following considerable community outreach and had a goal of being revenue neutral – not increasing costs to existing field users. This was accomplished by creating the Ballfield User Group (BUG) which discounted athletic field rental fees between 30-80% for select groups in exchange for volunteer services. This discount was intended to be a two-year program but has been extended through 2020.

At the October 16, 2018 [Study Session](#) staff presented fee benchmarking information to City Council. This presentation provided background and benchmarking data for recreation programs and services, including athletic fields. At the time, Kirkland athletic fields were priced 72% below market rates. For example, at the time of the Study Session, the price to rent a baseball field ranged from \$0 - \$5 per hour in Kirkland, while surrounding communities charged \$10 - \$25 per hour.

As noted earlier, the community engagement component of the 2018 Cost Recovery study resulted in a recommendation of 50% cost recovery for athletic fields. The actual cost recovery for athletic fields was only 5%. When the resource allocation model was adopted, Council chose to exclude athletic fields from the final model pending further review and analysis.

Council requested that staff return with the following information:

- Review of current practices and procedures
- Benchmarking information on the following topics
 - Local athletic field rental rates
 - Local Little League comparison
- Sports equity comparison of Kirkland athletic fields
- Provide a proposal to increase athletic field rental rates over a six-year implementation period
- Analyze estimated cost recovery based on current use

ATHLETIC FIELD RENTAL PRACTICES AND PRIORITY USE POLICY

The Kirkland Parks and Community Services Department allocates athletic field reservations through a bi-annual allocation process. Applications received outside of the allocation period are considered throughout the year on a first-come, first-served basis. The City of Kirkland [Athletic Field Use Policies](#) provide detailed information on rental rules, field information, the application and allocation process, and much more. Field use is prioritized based on several factors. Primarily, field space is allocated based on seasonal priorities (i.e. baseball/softball in the spring and summer, soccer and football in the fall) and the following tier level of applicant/use consideration:

- First Tier
 - City of Kirkland and Lake Washington School District programs and events
- Second Tier
 - Local* youth recreation leagues
 - Local* youth select leagues
 - Local* adult leagues
- Third Tier
 - Non-local youth recreation leagues
 - Non-local youth select leagues
 - Non-local adult leagues
- Fourth Tier
 - Independent local uses (i.e. neighborhood activities, company uses, social functions)
 - Independent non-local uses (i.e. neighborhood activities, company uses, social functions)

*Local is defined as a group comprised of 65% or greater from within the City limits of Kirkland for users requesting use of a City field, or within the boundaries of LWSD, for users requesting use of a District field.

During the field allocation process, applications are analyzed applying the various elements above. For example, Tier 1 requests are considered first. Tier 2 requests are then considered based on seasonal sport, age, skill level, safety priorities, and the size of the program. When necessary, competing requests are evaluated further for historic use of a field versus non-historic use.

For two requests received for the same location which are identical in priority, permitted use is granted by applying percentages based on the size of the program. For example, if two equal applicants sought use of the same field Monday through Friday and Applicant A has 40 participants and Applicant B has 60 participants, Applicant A would receive two days and Applicant B would receive three days. This process is applied field by field, request by request, for all fields during the allocation processes.

BENCHMARKING

Rental Rate Benchmarking

At the October 16, 2018 Study Session, staff presented fee benchmarking data for athletic fields. As stated previously, Kirkland rental rates are significantly lower than in surrounding cities. Below is an updated comparison of rental fees for comparable grass fields. All fees shown are for resident, youth, non-profit organizations. Excluding Kirkland rates, the current average market rate is \$20.25 per hour. Based on updated rental rates, Kirkland fees are now 75% below the average market rate. A full comparison of athletic fields can be found in **Addendum E**.

Table 3: Athletic Field Rental Fee Benchmarking - Comparable Grass Fields

City / Agency	2020 Hourly Rate Grass Field	Example Field
Kirkland	\$5.00	Everest Park
Redmond	\$25.00	Hartman Park Fields #1-4
Bellevue	\$18.00	Lakemont Park
Bothell	\$22.00	North Creek Field #3
King County	\$16.00	Big Finn Hill Fields #1-3
Average Market Rate	\$20.25	

Little League Benchmarking

As requested by Council, staff has identified and benchmarked various components of several local Little League organizations. Little League programs include youth tee ball, baseball, softball, and challenger programs. Local Little League programs operate under the parent organization Little League International (LLI) with leagues compartmentalized by region and district. Locally, Little Leagues are a part of District 8 and District 9. Staff researched multiple components of each of the eleven leagues listed below, with a complete comparison included in **Addendum F**.

District 9	District 8
Kirkland American	North Bothell
Kirkland National	North Lake (Bothell)
Redmond North	Northshore (Bothell)
Redmond West	Woodinville
Bellevue East	
Bellevue Thunderbird	
Bellevue West	

The structure of each Little League organization is defined as required by Little League International. Of the leagues researched, all are organized through an appointed volunteer Board and further supported through multiple volunteer positions including coaches, scorekeepers, field support, and umpires.

League reported participation numbers and registration fees vary widely between each organization. Registration fees range from as low as \$25 to as much as \$400 (with the average being \$111 - \$268), depending on the level of play. Most leagues serve a broad range of children with programs available for children ages 4 through 16 years of age. Of the 11 leagues researched, eight are confirmed to offer scholarships. Additionally, many leagues have a cap on registration costs per family. A summary of participant and registration fee data by league is shown in Table 4 below.

Table 4: 2019 Little League Benchmarking Data

League	Participants	Registration Fee
Bellevue East	550	\$129 to \$319
Bellevue Thunderbird	550	\$100 to \$325
Bellevue West	678	\$120 to \$265
Kirkland American	1030	\$150 to \$200
Kirkland National	600	\$75 to \$195
North Bothell	450	\$125 to \$400
North Lake	578	\$140 to \$285
Northshore	244	\$125 to \$275
Redmond North	399	\$100 to \$200
Redmond West	400 - 500	\$25 to \$245
Woodinville	550	\$135 to \$240

Additionally, staff requested financial information from Kirkland American Little League (KALL) and Kirkland National Little League (KNLL) to provide Council insight into their operations. Providing this information is not a requirement of any athletic field user group and was provided voluntarily by these organizations. The most recent data available from KALL was October 2017- September 2018. The same period was compared for KNLL. A summary is shown in Table 5 below, but the full data provided can be found in **Addendum G**.

Table 5: Kirkland Little League Financial Comparison Summary

Oct 2017 – Sept 2018	Kirkland American	Kirkland National
Total Income	\$167,575	\$130,726
Operating Expenses	\$160,541	\$131,679
Other Expenses	\$79	\$16,471
Net Income	\$6,955	(\$17,424)

Since the data provided is not an apples to apples comparison, it is difficult to make direct comparisons, but a few highlights have been identified. Both organizations receive approximately \$25,000 per year in donations. Additionally, both KALL and KNLL generate additional income through sponsorships (\$12,292 and \$20,700 respectively). It is important to note that KALL generates some of this sponsorship revenue by placing banners in Everest Park. KALL earns 79% more in registration fees than KNLL, but this is to be expected based on reported league size (KALL 72% larger than KNLL).

On the expense side, the largest expense for both organizations is uniforms. While KNLL has a dedicated line item for uniforms (\$33,057), KALL includes other equipment like balls in the same line as uniforms (\$59,211). The difference in expenses is comparable to the difference in league size. The next biggest expense is for field rentals. KNLL reported \$26,977 in field rental expenses. During this timeframe rental fees to the City of Kirkland were only \$3,433, meaning the remainder is paid to King County for use of Big Finn Hill Park. KALL does not have a line item identified for field rentals, but for comparison, in the same timeframe, they paid \$7,836 in rental fees to the City. KALL does maintain Taylor Fields at the Houghton Landfill site through an agreement with King County which costs a reported \$22,000 - \$29,000 annually depending on the weather.

SPORTS EQUITY

The Parks, Recreation and Open Space (PROS) Plan calls for specified levels of service for sports fields and recreation facilities.

Table 6: 2015 PROS Plan Page 132 Sports Field Service Levels

Field Type	Guideline	Current Inventory	Current Surplus / Need
Baseball	1 field/5,000 people	25	+8 (surplus)
Softball	1 field/10,000 people	10	+1 (surplus)
Soccer / Football / Lacrosse	1 field/7,500 people	9	-2 (need)

The Aspen Institute’s Sports & Society Program, supported by research from the University of Washington, produced the 2019 State of Play Seattle-King County. This is a compilation of youth sports data. This data showed the top 5 sports/physical activities in which King County’s youth participate.

Girls	Boys
Soccer	Soccer
Basketball	Basketball
Volleyball	Ultimate Frisbee
Dance	Flag Football
Swimming	Baseball/Track & Field*
	<i>*Tie</i>

This data would indicate that the Kirkland field and facility make-up is not keeping up with participation trends.

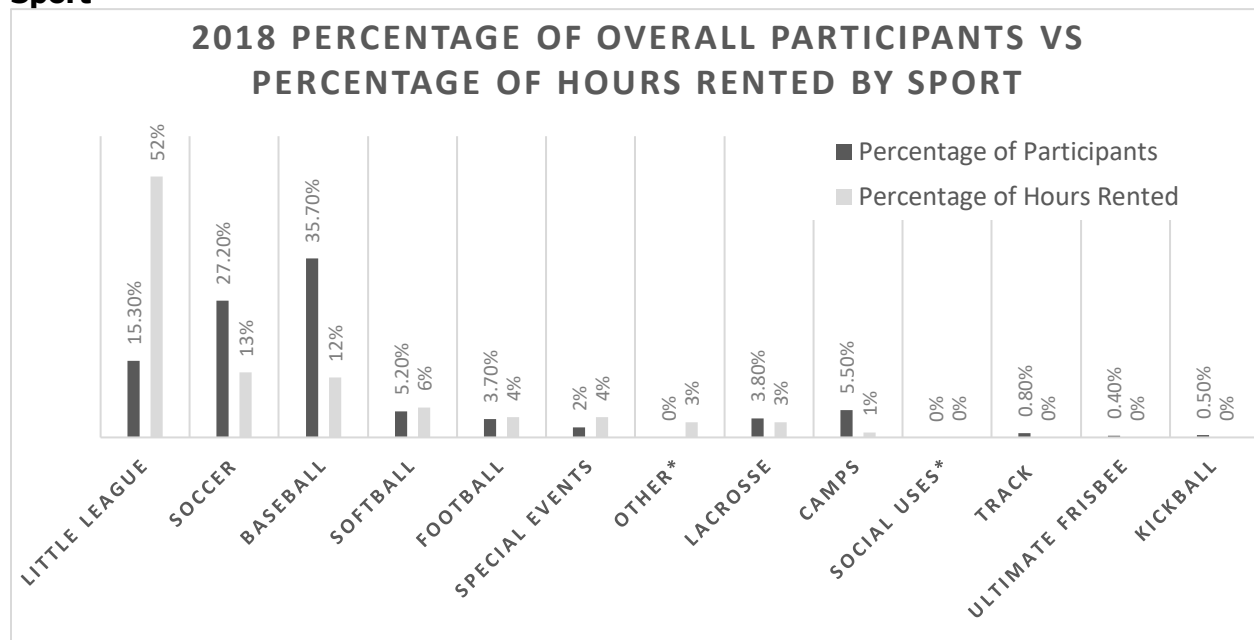
An additional equity issue involves current rental rates, the field allocation process, and field use policies. The current policy gives historic users priority over newer users. This creates a “haves” versus “have not” scenario, where those with access to fields maintain this access, while those without field space struggle to get the necessary space for their programs. This impacts new and emerging sports. Additionally, during the allocation process, sports organizations request the number of fields, dates, and hours needed for their individual programs. While many organizations are precise with their requests and fully utilize the time reserved, other

organizations over-request field space needed which results in field space going unused. Finally, current rental rates are so low for some users, there is no incentive to accurately request field space, or release unneeded fields in a timely manner, which ultimately limits available field space for other users.

Some data that illustrates the variance between sports interest, field makeup and field allocation is a comparison of the number of field hours used versus participants by sport. In an equitable system, the percentage of sports participants should be roughly equal to the percentage of hours of use per sport. This is the case, as seen below, for most sports with three exceptions.

1. Little League receives a disproportionately high number of field hours compared to their participation numbers.
2. Soccer receives a disproportionately low number of field hours compared to their participation numbers.
3. General baseball (non-Little League) receives a disproportionately low number of field hours compared to their participation numbers.

Chart 2: 2018 Percentage of Overall Participants vs Percentage of Hours Rented By Sport



In an attempt to increase the diversity of sports programs offered within Kirkland, staff developed the [Tier 2 Status Assistance Pilot Program](#) in 2019. This pilot program temporarily gives Tier 2 status during the field allocation process, to organizations providing new and emerging sports or activities who do not meet residency requirements. The goal of the program is to make new and emerging sports available to Kirkland residents, allowing these programs to increase the number of residents participating, thus earning Tier 2 status after two years. This program is still in its infancy and has not received applicants yet, though we have had some sports express interest in the program (e.g., rugby).

6-YEAR FEE PROPOSAL

The current rental structure is broken into three primary classifications; Premium Fields, Kirkland Maintained Fields, and Lake Washington School District Maintained Fields. Additionally, there are separate rates for Lakeview Elementary (synthetic turf) and Lake Washington High School fields (combination synthetic turf and grass; rental rate set by LWSD). The updated rate structure is essentially the same, with the Lee Johnson Field priced independently from other fields. The proposed rate structure maintains differential rental rates for non-profit vs for-profit organizations as well as resident vs non-resident organizations.

As discussed previously, rental rates are well below the market average. As such, increasing rental rates to be consistent with market rates is not something that can happen overnight without significantly impacting our current user groups. Staff have developed the following proposal to adjust rental rates to be consistent with the market rate over a six-year implementation period. Table 6 below shows the current rates and the proposed increases over the next six years. Additional information is provided following the table. A complete listing of rental rates can be found in **Addendum H**.

Table 7: Updated Rental Rates 2020-2025

Field Rate Type	2020 Rate	2021 Rate	2022 Rate	2023 Rate	2024 Rate	2025 Rate	2026 Rate
Premium Resident/Non-Profit	\$5	\$8.50	\$12	\$18	\$24	\$30	To Be Determined – Based on Market Rates
Premium Non-Resident/Non-Profit	\$6	\$10	\$15	\$22	\$26	\$32	
Premium Resident/For-Profit	\$15	\$20	\$25	\$30	\$36	\$42	
Premium Non-Resident/For-Profit	\$18	\$24	\$30	\$36	\$42	\$51	
Class 1 Resident/Non-Profit	\$5	\$7	\$10	\$15	\$20	\$25	
Class 1 Non-Resident/Non-Profit	\$6	\$8.50	\$12	\$18	\$24	\$30	
Class 1 Resident/For-Profit	\$15	\$17	\$21	\$25	\$30	\$36	
Class 1 Non-Resident/For-Profit	\$18	\$21	\$25	\$30	\$36	\$42	
Class 2 Resident/Non-Profit	\$2	\$4	\$7	\$12	\$17	\$22	
Class 2 Non-Resident/Non-Profit	\$2.50	\$6	\$10	\$15	\$21	\$27	
Class 2 Resident/For-Profit	\$7	\$14	\$18	\$22	\$27	\$33	
Class 2 Non-Resident/For-Profit	\$8.50	\$17	\$22	\$27	\$33	\$39	
Class 3 Resident/Non-Profit	\$0.00	\$3	\$6	\$9	\$12	\$15	
Class 3 Non-Resident/Non-Profit	\$1	\$4	\$7.50	\$10	\$14.50	\$18	
Class 3 Resident/For-Profit	\$1	\$13	\$16	\$19	\$22	\$25	
Class 3 Non-Resident/For-Profit	\$1.50	\$16	\$19	\$23	\$26.50	\$30	
Estimated Revenue:	\$78,852	\$119,877	\$173,403	\$252,498	\$332,477	\$413,199	
Estimated Cost Recovery:	5.3%	7.8%	11.0%	15.7%	20.1%	24.4%	

The primary goal of this proposal is to move athletic field rentals closer to the cost recovery target of $\geq 50\%$ as identified in the 2018 Cost Recovery Study. To determine a target fee six years from now, staff identified a comparable rate for each category based on market analysis and added a 2.5% inflationary increase over the implementation period. For example, if fields in Class 1 were to be priced in line with other comparable fields today, the rental rate would be

\$22/hour. Accounting for inflation, this fee is expected to be \$25/hour in 2025. Staff used the target rate and worked backward to increase the rates slowly over the implementation period.

The table above includes estimated revenue based on 2018 field usage. This does not include any add-on services (field prep, lighting) or BUG Discounts. The revenue estimate assumes that fields will be used for the same number of hours each year in order to demonstrate the overall impact to cost recovery. It is important to note that staff expect athletic field users will alter their field usage due to the increased rates, but there is no way to accurately project this change. The estimated cost recovery shown is based on the expenses identified in the 2018 Cost Recovery study, with the same 2.5% inflationary increase taken into consideration. The impact to cost recovery is only considering increased revenue, but additional impact could be seen through expense reduction strategies. Additional fee revenue would be allocated by the Council through the budget process to sustain and enhance Parks Department levels of service.

OUTREACH TO ATHLETIC FIELD USERS

Staff have worked to maintain a positive, customer-focused relationship with our athletic field users. Each year, following the playing season, a wrap-up meeting is held with all athletic field users. Staff consistently receive positive feedback about the level of care and attention provided by the City. In June 2019, staff initiated additional outreach efforts to engage with athletic field users and other sports organizations. Staff met with the group several times to provide updates and seek feedback on upcoming projects, discuss volunteer and collaborative opportunities, potential policy changes, and to invite groups to speak to Park Board.

Most recently, staff presented a draft of the updated rental rates to the group. Staff utilized the feedback received to clarify portions of the proposal, including explaining the different classifications of field types and providing examples of other fields used for comparison. Many users were concerned about the financial impact these changes would have on their organization and participants. It was acknowledged by users that many fields are reserved, but unused, due to the low cost. Following the meeting, staff received the following feedback supporting the updated rental rates from KB Fastpitch.

On the fees front. I think your presentation is right on point. I'm not sure how many of the other organizations have actually rented fields outside of Kirkland. But we regularly rent fields in Bothell - North Creek Fields (both dirt/grass and all turf) w/ lights. As well as NAF (North Athletic fields) which is all turf in Woodinville. And your new pricing structure will be right in line with their fees ...especially When comparing apples to apples of the type and quality of fields.

Other comments and suggestions include:

- Agreement that increasing rental fees will help open up field space
- Reiterated the need for multi-purpose fields for popular sports like soccer, disc golf, and lacrosse (including support for more synthetic turf fields)
- Provide a differential rate for all-volunteer non-profit organizations (no paid staff)

- Provide differential rates for recreation vs select programs
- Allow organizations to earn “improvement credits” by volunteering/funding improvements to parks that would offset their rental fees
- Reinvest in parks based on location of user/sport paying the rental fees (rental fees from football organizations will be used to improve parks used for football)

NEXT STEPS

Staff is seeking Council feedback on the placement of Athletic Field Rentals into the resource allocation model.

Policy Questions

1. Does Council wish to retain the original recommendation of placing athletic field rentals in Tier 3 ($\geq 50\%$ Cost Recovery)?
 - a. Staff recommendation for consideration: Place Athletic Field Rentals into Tier 3 of the resource allocation model as originally recommended. However, Council should include a stipulation that the rental fees remain consistent with market rates. This aligns with Section 1 – vii of the fiscal policy. This stipulation would take precedence if the market rate does not allow this programmatic category to achieve the cost recovery target of the tier. This method will retain the community's proposed recommendation of placing equal value on City-offered youth sports programs with community-offered youth sports programs, while still keeping overall rental fees lower than the cost allocation target.
2. Does Council support the 6-year fee increase implementation plan to move Kirkland's field rental rates to be consistent with market rate?

Additional staff recommendations for consideration

Increasing rental rates to market rates will generate revenue for sustained or enhanced service levels, have a positive impact on field use equity by releasing large blocks of unused field time and allow new sports organizations and sports activities to receive field time.

Two additional methods of addressing field use equity would be to revisit the field allocation process and the mix of sports fields offered by the City. These two items could be addressed through the upcoming Synthetic Turf Strategic Plan.

Addendum A – Programmatic Category Listing
Addendum B – GreenPlay Pyramid Methodology
Addendum C – Scholarship Policy
Addendum D – R-3786 APPROVING THE ATHLETIC FIELD USE POLICIES
Addendum E – Benchmarking Athletic Field Classifications
Addendum F – Little League Comparison
Addendum G – Little League Financial Reports
Addendum H – Draft Athletic Field Rental Rate Implementation Schedule

City of Kirkland Parks and Community Services Categories of Service and Definitions

Preschool Sports – group or individual sports programs and activities for preschool ages operated, taught, or managed by the City through staff or contract (pee wee soccer, pee wee basketball, pee wee t-ball, ice skating, etc.)

Youth Sports - group recreational and/or instructional sports programs and activities for youth operated, taught, or managed by the City through staff or contract (examples: youth hockey, tennis, basketball)

Adult Sports – group recreational and/or instructional sports programs and activities for adults operated, taught, or managed by the City through staff or contract (examples: softball, volleyball, beach volleyball league, tennis instruction, golf instruction, ice skating, etc.)

Preschool General Classes – group or individual special interest programs and activities for preschool ages operated, taught, or managed by the City through staff or contract (examples: move and grow, boogie woogie, cooking, art, language, indoor playground, drawing, piano, kids in motion, etc.)

Youth General Classes - group or individual special interest programs and activities for youth ages operated, taught, or managed by the City through staff or contract (examples: self-defense, cooking, guitar, dance, ballet, tap, art, language, etc.)

Youth Camps – recreational weekly camps, school break programs, and after school programs with a social and/or recreational focus which may include field trips (examples: after school, sports and fitness, cheerleading, skateboarding, sailing, paddleboard, ice skating, etc.)

Adult General Classes – group or individual special interest programs and activities for adults operated, taught, or managed by the City through staff or contract (examples: dance, arts and crafts, Ikebana, painting, guitar, computer workshops, self-defense, real estate, voice talent, etc.)

50+ General Classes – group or individual special interest programs and activities for 50+ operated, taught, or managed by the City through staff or contract (examples: arts, crafts, dance, ballet, yoga, welcome wagon, book club, etc.)

Adult Fitness – group fitness and/or instructional programs for adults operated, taught, or managed by the City through staff or contract (examples: Move It! program, yoga, stretch and tone, zumba, pilates, etc.)

Preschool Aquatics Programs and Classes – group aquatic programs and activities for preschool ages operated, taught, or managed by the City through staff or contract (examples: swim lessons)

Youth Aquatics Programs and Classes – group aquatic programs and activities for youth operated, taught, or managed by the City through staff or contract (examples: swim lessons, stroke lessons, lifeguard/CPR certs)

Adult Aquatics Programs and Classes – group aquatic programs and activities for adults operated, taught, or managed by the City through staff or contract (examples: swim lessons, aqua aerobics, lifeguard/CPR certs)

City of Kirkland Parks and Community Services Categories of Service and Definitions

Aquatics Swim Team – group recreational swim team for youth requiring a skills assessment, operated, taught, or managed by the City through staff (Kirkland Orca Swim Team)

Private Lessons - lessons arranged for one student of any age with a specific instructor and/or time (examples: swim, tennis, computers, etc.).

Facility Rentals – rental of Peter Kirk Community Center, North Kirkland Community Center, Heritage Hall, and Peter Kirk Pool for exclusive use of full or partial facility on a one-time basis by the general public or organization (examples: pool and room rentals, birthday parties, etc.)

Park Shelter Rentals – rentals for exclusive use of spaces and/or facilities on a one-time basis by the general public or organization (examples: picnic areas, shelters, pavilions)

Athletic Field Rentals – rental and scheduling for exclusive use of athletic fields (examples: Little League, Kirkland Baseball Club, Lake Washington Youth Soccer, company parties, etc.)

Long Term Lease Agreements – exclusive use of facility spaces for ongoing or multiple time-periods by a private individual, group, non-profit, or for-profit business (examples: rental houses, commercial pier)

Partnership Agreements – agreement with non-profit organization to provide community services for ongoing or multiple time-periods using City property (examples: Kirkland Teen Union Building/YMCA, Kirkland Performance Center, Youth Eastside Services, Tilth Alliance Farms & Gardens)

Parks/Beach Use – drop-in use of park amenities that is non-registered and non-instructed (examples: use of beach, use of trails, open lawns, landscaped areas, dog parks, playgrounds, etc.)

Marina Piers and Boat Launch Use – drop-in use of a marina piers and boat launch which is monitored by city staff (examples: touch and goes, general moorage, boat launch, etc.)

Aquatics Public Swim at the Pool - access to aquatic facility that is actively managed or attended by City staff (examples: open swim, lap swim)

50+ Partnerships Services - group or individual services and programs for 50+ operated, taught, or managed through contract or outside agencies (Evergreen health and wellness, nutrition, foot care, oral health care, Meals on Wheels, SHIBA, Chinese Services, Latino Services, legal services, financial services, etc.)

Senior Transportation Program – contracted transportation program for 50+ age group for services (examples: grocery shopping, daily van transportation)

Senior Trips – day and extended trips that provide opportunities for age 50+ participants to visit selected destinations (examples: out for lunch, whale watching, history museum, etc.)

Green Kirkland Partnership – management of opportunities for individuals or groups to donate their time and effort to a structured or scheduled experience to preserve, protect and restore Kirkland's forests and natural environment.

City of Kirkland Parks and Community Services Categories of Service and Definitions

Senior Services – volunteer community service program that acts in an advocacy role supported by City staff (senior council work program)

Human Services – grant program to the non-profit service providers to meet basic human needs, focusing on inclusivity, diversity, and social issues, managed by City staff (Human Services Commission)

Youth Services – community service and youth development programs and opportunities supported by the City (examples: Kirkland Teen Union Building, youth council activities, youth summit, etc.)

Recreational Special Events – targeted annual activities and events requiring registration that are typically offered on a one-time or limited basis (examples: Kids Tri)

Community Recreation Events – repetitive activities and events not requiring registration (examples: Friday market, spray park)

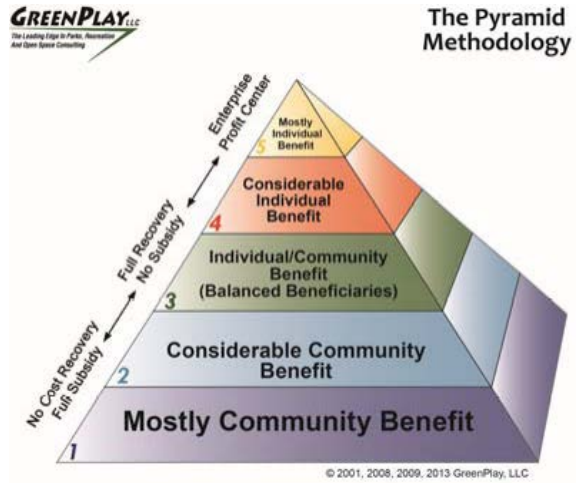
Special Events Services (permitted) – support for all permitted events planned and implemented by outside organizations, running through the City permit process and utilizing public space (examples: Summerfest, Shamrock Run, Oktoberfest, NAMI Walk, Concert Series, Uncorked, Turkey Trot, Little League World Series)

Vendors/Concessionaries – use of City property for sale of goods and services sold for individual use that are offered by for-profit businesses (examples: Paddleboard, sea kayak, food truck, concession stand, etc.)

THE PYRAMID METHODOLOGY: COST RECOVERY AND SUBSIDY ALLOCATION PHILOSOPHY

The creation of a cost recovery and subsidy allocation philosophy and policy is a key component to maintaining an agency’s financial control, equitably pricing offerings, and helping to identify core services including programs and facilities.

Critical to this philosophical undertaking is the support and buy-in of elected officials and advisory boards, staff, and ultimately, citizens. Whether or not significant changes are called for, the organization should be certain that it philosophically aligns with its constituents. The development of a financial resource allocation philosophy and policy is built upon a very logical foundation, based upon the theory that those who benefit from parks and recreation services ultimately pay for services.



The development of a financial resource allocation philosophy can be separated into the following steps:

Step 1 – Building on Your Organization’s Values, Vision, and Mission

The premise of this process is to align agency services with organizational values, vision, and mission. It is important that organizational values are reflected in the vision and mission. Oftentimes, mission statements are a starting point and further work needs to occur to create a more detailed common understanding of the interpretation of the mission and a vision for the future. This is accomplished by engaging staff and community members in a discussion about a variety of Filters.

Step 2 – Understanding the Pyramid Methodology, the Benefits Filter, and Secondary Filters

Filters are a series of continuums covering different ways of viewing service provision. **Filters** influence the final positioning of services as they relate to each other and are summarized below. The **Benefits Filter**, however; forms the **foundation** of the **Pyramid Model** and is used in this discussion to illustrate a cost recovery philosophy and policies for parks and recreation organizations.

Filter	Definition
Benefit	Who receives the benefit of the service? (Skill development, education, physical health, mental health, safety)
Access/Type of Service	Is the service available to everyone equally? Is participation or eligibility restricted by diversity factors (i.e., age, ability, skill, financial)?
Organizational Responsibility	Is it the organization’s responsibility or obligation to provide the service based upon mission, legal mandate, or other obligation or requirement?
Historical Expectations	What have we always done that we cannot change?
Anticipated Impacts	What is the anticipated impact of the service on existing resources? On other users? On the environment? What is the anticipated impact of not providing the service?
Social Value	What is the perceived social value of the service by constituents, city staff and leadership, and policy makers? Is it a communitybuilder?

THE BENEFITS FILTER

The principal foundation of the Pyramid is the **Benefits Filter**. Conceptually, the base level of the pyramid represents the mainstay of a public parks and recreation system. Services appropriate to higher levels of the pyramid should only be offered when the preceding levels below are comprehensive enough to provide a foundation for the next level. This foundation and upward progression is intended to represent public parks and recreation’s core mission, while also reflecting the growth and maturity of an organization as it enhances its service offerings.

It is often easier to integrate the values of the organization with its mission if they can be visualized. An ideal philosophical model for this purpose is the pyramid. In addition to a physical structure, *pyramid* is defined by Webster’s Dictionary as “an immaterial structure built on a broad supporting base and narrowing gradually to an apex.” Parks and recreation programs are built with a broad supporting base of core services, enhanced with more specialized services as resources allow. Envision a pyramid sectioned horizontally into five levels.

MOSTLY COMMUNITY Benefit

The foundational level of the Pyramid is the largest, and includes those services including programs and facilities which **MOSTLY** benefit the **COMMUNITY** as a whole. These services may increase property values, provide safety, address social needs, and enhance quality of life for residents. The community generally pays for these basic services via tax support. These services are generally offered to residents at a minimal charge or with no fee. A large percentage of the agency’s tax support would fund this level of the Pyramid.

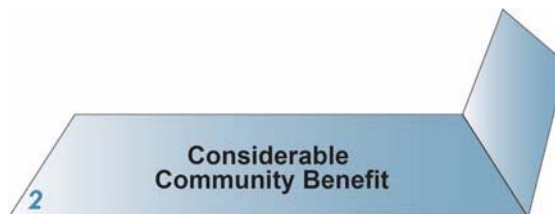


Examples of these services could include: the existence of the community parks and recreation system, the ability for youngsters to visit facilities on an informal basis, low-income or scholarship programs, park and facility planning and design, park maintenance, or others.

NOTE: All examples above are generic – individual agencies vary in their determination of which services belong in the foundation level of the Pyramid based upon agency values, vision, mission, demographics, goals, etc.

CONSIDERABLE COMMUNITY Benefit

The second and smaller level of the Pyramid represents services which promote individual physical and mental well-being, and may begin to provide skill development. They are generally traditionally expected services and/or beginner instructional levels. These services are typically assigned fees based upon a specified percentage of direct (and may also include indirect) costs. These costs are partially offset by both a tax subsidy to account for **CONSIDERABLE COMMUNITY** benefit and participant fees to account for the **Individual** benefit received from the service.



Examples of these services could include: the capacity for teens and adults to visit facilities on an informal basis, ranger led interpretive programs, beginning level instructional programs and classes, etc.

BALANCED INDIVIDUAL/COMMUNITY Benefit

The third and even smaller level of the Pyramid represents services that promote individual physical and mental well-being, and provide an intermediate level of skill development. This level provides balanced **INDIVIDUAL** and **COMMUNITY** benefit and should be priced accordingly. The individual fee is set to recover a higher percentage of cost than those services that fall within lower Pyramid levels.



Examples of these services could include: summer recreational day camp, summer sports leagues, year-round swim team, etc.

CONSIDERABLE INDIVIDUAL Benefit

The fourth and still smaller Pyramid level represents specialized services generally for specific groups, and those which may have a competitive focus. Services in this level may be priced to recover full cost, including all direct and indirect expenses.



Examples of these services could include: specialty classes, golf, and outdoor adventure programs.

MOSTLY INDIVIDUAL Benefit

At the top of the Pyramid, the fifth and smallest level represents services which have profit center potential, may be in an enterprise fund, may be in the same market space as the private sector, or may fall outside the core mission of the agency. In this level, services should be priced to recover full cost in addition to a designated profit percentage.



Examples of these activities could include: elite diving teams, golf lessons, food concessions, company picnic rentals, and other facility rentals such as for weddings or otherservices.

Step 3 – Developing the Organization’s Categories of Service

In order to avoid trying to determine cost recovery or subsidy allocation levels for each individual agency service including every program, facility, or property, it is advantageous to categorize agency services into like categories. This step also includes the development of category definitions that detail and define each category and service inventory “checks and balances” to ensure that all agency services belong within a developed category. *Examples of Categories of Service could include: Beginner Instructional Classes, Special Events, and Concessions/Vending.*

Step 4 – Sorting the Categories of Service onto the Pyramid

It is critical that this sorting step be done with staff, governing body, and citizen representatives involved. This is where ownership is created for the philosophy, while participants discover the current and possibly varied operating histories, cultures, and organizational values, vision, and mission. It is the time to develop consensus and get everyone on the same page – the page that is written together. Remember, this effort must reflect the community and must align with the thinking of policy makers.

Sample Policy Development Language:

XXX community brought together staff from across the department, agency leadership, and citizens to sort existing programs into each level of the Pyramid. The process was facilitated by an objective and impartial facilitator in order to hear all viewpoints. It generated discussion and debate as participants discovered what different people had to say about serving culturally and economically varied segments of the community, about historic versus active-use parks, about the importance of adult versus youth versus senior activities, and other philosophical and values-based discussions. This process gets at both the “what” and “why” with the intention of identifying common ground and consensus.

Step 5 – Defining Direct and Indirect Costs

The definition of direct and indirect costs can vary from agency to agency. What is important is that all costs associated with directly running a program or providing a service are identified and consistently applied across the system. Direct costs typically include all the specific, identifiable expenses (fixed and variable) associated with providing a service. These expenses would not exist without the service and may be variable costs. Defining direct costs, along with examples and relative formulas is necessary during this step.

Indirect costs typically encompass overhead (fixed and variable) including the administrative costs of the agency. These costs would exist without any specific service but may also be attributed to a specific agency operation (in which case they are direct expenses of that operation). If desired, all or a portion of indirect costs can be allocated, in which case they become a direct cost allocation.

Step 6 – Determining (or Confirming) Current Subsidy/Cost Recovery Levels

This step establishes the expectation that the agency will confirm or determine current cost recovery and subsidy allocation levels by service area based on the new or revised definition of direct and in-direct costs. This will include consideration of revenues sources and services costs or expenses. Typically, staff may not be cost accounting consistently, and these inconsistencies will become apparent. Results of this step will identify whether staff members know what it costs to provide services to the community, whether staff have the capacity or resources necessary to account for and track costs, whether accurate cost recovery levels can be identified, and whether cost centers or general ledger line items align with how the agency may want to track these costs in the future.

Step 7 – Establishing Cost Recovery/Subsidy Goals

Subsidy and cost recovery are complementary. If a program is subsidized at 75%, it has a 25% cost recovery, and vice-versa. It is more powerful to work through this exercise thinking about where the tax subsidy is used rather than what is the cost recovery. When it is complete, you can reverse thinking to articulate the cost recovery philosophy, as necessary.

The overall subsidy/cost recovery level is comprised of the average of everything in all of the levels together as a whole. This step identifies what the current subsidy level is for the programs sorted into each level. There may be quite a range within each level, and some programs could overlap with other levels of the pyramid. This will be rectified in the final steps.

This step must reflect your community and must align with the thinking of policy makers regarding the broad picture financial goals and objectives.

Examples

Categories in the bottom level of the Pyramid may be completely or mostly subsidized, with the agency having established limited cost recovery to convey the value of the experience to the user. An established 90-100% subsidy articulates the significant community benefit resulting from these categories.

The top level of the Pyramid may range from 0% subsidy to 50% excess revenues above all costs, or more. Or, the agency may not have any Categories of Service in the top level.

Step 8 – Understanding and Preparing for Influential Factors and Considerations

Inherent to sorting programs onto the Pyramid model using the Benefits and other filters is the realization that other factors come into play. This can result in decisions to place services in other levels than might first be thought. These factors also follow a continuum; however, do not necessarily follow the five levels like the Benefits Filter. In other words, a specific continuum may fall completely within the first two levels of the Pyramid. These factors can aid in determining core versus ancillary services. These factors represent a layering effect and should be used to make adjustments to an initial placement on the Pyramid.

THE COMMITMENT FACTOR: What is the intensity of the program; what is the commitment of the participant?



THE TRENDS FACTOR: Is the program or service tried and true, or is it a fad?



THE POLITICAL FILTER: What is out of our control?

This filter does not operate on a continuum, but is a reality, and will dictate from time to time where certain programs fit in the pyramid

THE MARKETING FACTOR: What is the effect of the program in attracting customers?



THE RELATIVE COST TO PROVIDE FACTOR: What is the cost per participant?



THE ECONOMIC CONDITIONS FACTOR: What are the financial realities of the community?



FINANCIAL GOALS FACTOR: Are we targeting a financial goal such as increasing sustainability, decreasing subsidy reliance?



Step 9 – Implementation

Across the country, ranges in overall cost recovery levels can vary from less than 10% to over 100%. The agency sets their goals based upon values, vision, mission, stakeholder input, funding, and/or other criteria. This process may have been completed to determine present cost recovery levels, or the agency may have needed to increase cost recovery levels in order to meet budget targets. Sometimes, simply implementing a policy to develop equity is enough without a concerted effort to increase revenues. Upon completion of steps 1-8, the agency is positioned to illustrate and articulate where it has been and where it is heading from a financial perspective.

Step 10 – Evaluation

The results of this process may be used to:

- Articulate and illustrate a comprehensive cost recovery and subsidy allocation philosophy
- Train staff at all levels as to why and how things are priced the way they are
- Shift subsidy to where is it most appropriately needed
- Benchmark future financial performance
- Enhance financial sustainability
- Recommend service reductions to meet budget subsidy targets, or show how revenues can be increased as an alternative
- Justifiably price new services

This Cost Recovery/Subsidy Allocation Philosophy: The Pyramid Methodology Outline is provided by:



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CITY OF KIRKLAND
PARKS & COMMUNITY SERVICES DEPARTMENT
 123 5th Avenue Kirkland, WA 98033 - (425) 587-3330

Scholarship Policy

It is part of the mission of the Parks and Community Services Department (PCS) to offer Kirkland residents of all ages and abilities the opportunity to participate in parks, recreation and community services programs. Income should not be a barrier to participation. The scholarship program is designed to provide individuals and families an opportunity to participate in programs that they may not be able to afford without assistance.

Eligibility

Scholarships are available to all residents of the City of Kirkland. Residents may apply for scholarships for themselves or any member(s) of their household of which they have guardianship and verification.

Scholarships are granted on a sliding scale that is based on family size and income. Scholarship eligibility levels are determined by Seattle-Bellevue, Washington HUD Metro [FMR Area Income Limit Summary](#). This data is updated annually; the most recent data is shown below.

2018 Seattle-Bellevue WA HUD Metro FMR Area

If Your Family Size is (number of persons)		1	2	3	4	5+
You are eligible for a 50% scholarship	If your Annual Income is	\$56,200 or less	\$64,200 or less	\$72,250 or less	\$80,250 or less	\$86,700 or less
You are eligible for a 75% scholarship	If your Annual Income is	\$37,450 or less	\$42,800 or less	\$48,150 or less	\$53,500 or less	\$57,800 or less
You are eligible for a 95% scholarship	If your Annual Income is	\$22,500 or less	\$25,700 or less	\$28,900 or less	\$32,100 or less	\$34,700 or less

Scholarship eligibility levels are determined by Seattle-Bellevue, WA HUD [Metro FMR Area Income Limit Summary](#)

Residents who wish to register for programs and services provided by Kirkland Parks and Community Services through the scholarship program must submit a scholarship application accompanied by the most recent 1040 Tax Form. Alternatively, an SSA-1099 may be provided if receiving Social Security. Anyone unable to provide this documentation should contact Department staff for an income verification form.

Policy Exemptions and Restrictions

This program does not apply to vendors and concessionaires operating in parks.

Kirkland Parks and Community Services utilizes the services of contracted instructors, employees and service agreements to provide the variety of programs and services offered. Due to the variable nature, available scholarships may be limited for certain programs and services.

Participation is limited to one use per each household member per quarter.

RESOLUTION R- 3786

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ATHLETIC FIELD USE POLICIES AS DEVELOPED BY THE KIRKLAND DEPARTMENT OF PARKS AND RECREATION.

Whereas, the City of Kirkland has a limited number of athletic fields available for public use and the demands made on those fields are high; and

Whereas, the City Council and the Department of Parks and Recreation wish to assure equitable distribution and maximum use of the facilities by the public; and

Whereas, the assessment of fees for the use of certain athletic field facilities is advisable to partially offset administrative and park operational expenses; and

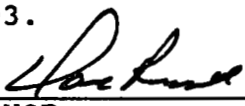
Whereas, pursuant to Kirkland Municipal Code Section 3.68.030 the Department of Parks and Recreation has developed Athletic Field Use Policies and such policies were approved by the Parks Board, now, therefore;

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

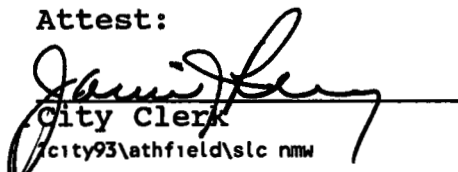
Section 1. The City Council hereby approves the Athletic Field Use Policies developed by the Department of Parks and Recreation, a copy of which is attached as Exhibit A to the original of this Resolution, and authorizes the adjustment of these policies pursuant to Kirkland Municipal Code Section 3.68.030 to meet the changing demands on the use of athletic field facilities.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 2nd day of February, 1993.

Signed in authentication thereof this 2nd day of February, 1993.



MAYOR

Attest:


City Clerk
c:\city93\athfield\slc nmw

ATHLETIC FIELD USE POLICIES

A Purpose

Manage City of Kirkland athletic fields in a manner to assure equitable distribution and maximum use of the facilities by the public.

This will be accomplished by means of the following

- 1 Outline available fields and dates of usage
- 2 Outline facility scheduling procedures
- 3 Define fees and charges for use of facilities
- 4 Define rules and regulations regarding use
- 5 Manage the limited number of City athletic fields in a fair and equitable manner

B Available Athletic Fields

The Kirkland Parks and Recreation Department is responsible for scheduling the following fields

Park Sports Fields

<u>Sports Field</u>	<u>Type of Use</u>	<u>League Requested Seasons*</u>	<u>Lights</u>
Peter Kirk	80' & 90'	March 1 - July 31	Yes
	65'	July 31 - Oct. 31	Yes
	Multi-use	Sept 1 - Nov 30	Yes
Crestwoods I	65'	March 1 - Sept. 30	No
Crestwoods II	65'	March 1 - Sept. 30	No
Crestwoods III	Multi-use	Open	No
Crestwoods IV	60'	March 1 - Aug 31	No
Everest A	60'	March 15 - Aug 20	No
Everest B	60'	March 15 - Aug 20	No
Everest C	60'	March 15 - Aug 20	No
Everest D	60'	March 15 - Aug 20	No

* Fields may be available on a limited basis after league season based upon maintenance resources and field conditions.

NEIGHBORHOOD PARKS

The following park facilities are available for scheduled usage on a practice-only basis by organized sports groups. They are intended for immediate neighborhood use and are available to informal groups on a drop-in basis.

Spinney Homestead - soccer and Little League
 Terrace - soccer and Little League
 Highlands - soccer and Little League
 Mark Twain - soccer and Little League

The City of Kirkland Parks and Recreation Department reserves the right to suspend field availability during periods of inclement weather, poor playing conditions, damage which would cause hazardous safety considerations, and opportunities for necessary field maintenance requirements

C Scheduling Procedures (leagues, tournaments, games, and practices)

No person shall be denied or subjected to discrimination in receipt of the benefit of any services or activities made possible by or resulting from this policy on the grounds of sex, race, color, creed, national origin, age except minimum age and retirement provisions, marital status, or the presence of any sensory, mental, or physical handicap

- 1 The City of Kirkland reserves the right to limit the amount of play permitted on sport field complexes
- 2 All organizations shall submit a copy of their formal league and practice schedules to the Maintenance Division at least three weeks prior to the program starting date
- 3 Scheduled league games shall have priority for use of the facility over practice. League play has priority over tournament games. Practice session locations will be rotated around the field playing surfaces in accordance with existing field conditions. Grounds maintenance staff will control use of the facility.
- 4 All requests for tournaments must be in writing and accompanied with a tentative tournament request form
- 5 There is to be no scheduled play at City of Kirkland sports complexes before 8:30 a.m. on Saturdays and 9:00 a.m. on Sundays.
- 6 There is to be no play after dusk on unlighted fields and 11:00 p.m. on lighted fields
- 7 Organizations should make any necessary changes, amendments, or alterations to their rules and regulations concerning games stopped during an inning due to time regulations
- 8 Use of peripheral items or equipment such as scoreboard controls or P.A. systems is permitted by special request only. All special requests must be made in advance. Use of operation of any peripherals can be conducted by authorized and trained personnel only.

- 9 Teams or organizations scheduling the athlete fields in season are required to give two business days notice when requesting for additional field usage.
- 10 All organizations and leagues shall secure and maintain, at no expense to the City of Kirkland, a comprehensive general liability policy issued by one or more companies authorized to do business in the State of Washington Under such insurance
 - a. The City of Kirkland shall be identified as an additional named insured;
 - b. Liability limits shall be \$1,000,000 combined single limit for personal injury and property damage,
 - c. The insurer shall be placed with an insurer having no less than a Best rating of A-VII, and
 - d. Permits will require insurance verification. The organization or league coordinator or president shall, before commencing season practices and/or games, file with the City of Kirkland certificate(s) of insurance showing insurance coverage in force prior to start of field use or activities
- 11 League coordinators, presidents, etc. are directly responsible for informing team coaches/representatives of City of Kirkland policies regarding field rentals and usage

The City of Kirkland will also reserve the right to limit the amount of scheduled and non-scheduled play on sportsfields during any given season to prevent excessive damage to turf. Wear factors include.

- 1 Size and number of users
- 2 Type of use
- 3 Frequency of use
- 4 Weather conditions
- 5 Type of sports equipment used

D Fees and Charges

Fees and charges will be assessed for use of Peter Kirk, Everest, and Crestwoods sports complexes to help partially offset administrative and park operational costs. Facility rental fees are outlined below. Activities requiring additional field preparation will be assessed a maintenance fee. Fees are subject to change based upon future sports equipment and maintenance needs.

Facility use fees include

	<u>Kirkland Area Youth (6-18)*</u>	<u>Kirkland Area Youth (13-18)</u>	<u>Kirkland Adult</u>	<u>Non-Kirkland Adult & Youth</u>	<u>LWSD</u>
Field prep/games	=	10 00	20 00	30.00	reciprocal agreement
Special activity	=	35 00	35.00	35 00	reciprocal agreement
Light fees/hr	=	10 00	10 00	15 00	reciprocal agreement

* Future fee under review for 6-18 year old Little League youth.

Teams or organizations with intention of charging an admission or accepting donations at the athletic field must receive authorization from the Department of Parks and Recreation ten days prior to the scheduled event. A charge of 10 percent of admission fee may be assessed from proceeds. Those spectators not wishing to make donations are to be admitted free.

E Rules and Regulations

- 1 *Teams may not use ballfields unless pre-scheduled.*
- 2 City ballfields will be available for use, weather permitting, beginning March 1
- 3 Fields for league games played at park fields will be maintained for league play
- 4 Fields for practice session *WILL NOT* be lined, but bases will be provided at park fields
- 5 ***ALCOHOLIC BEVERAGES ARE NOT ALLOWED AT CITY OF KIRKLAND SPORTS PARKS***
- 6 Confirmation of your field use will be mailed to you one week prior to league start date. Final payment for field use is due within 30 days of league completion. You will be informed on your statement of charges and when that payment is due.
- 7 The City of Kirkland encourages coach's training in all programs utilizing City facilities
- 8 Charges for playfield lights will be billed immediately following the last game of your season. Any final adjustment to your pre-paid field use fees will also be made at this time
- 9 *Forty-eight hours' notice* is required to add or cancel field usage. Field use fees, where applicable, will be forfeited if changes are made within 48 hours
- 10 *Field Closure Information* - During periods of inclement weather, field closures may result as determined by Kirkland Parks and Recreation Department personnel. Closures may also result from poor playing conditions or damages which will cause

hazardous safety consideration for the public and/or excessive repair work to bring the field back to a playable condition *It is the organization scheduler's responsibility to obtain field closure information* Call 828-1217 (Monday through Friday) for an up-to-date report on field closures Field closed signs will be displayed at park sites when fields are not playable

- 11 *Credits* - It is the organization's responsibility to contact the scheduler within two (2) working days after a field closure to confirm a credit or arrange for rescheduling Unconfirmed schedule changes will not be credited to your organization Field use fees will be forfeited.
- 12 In case of emergencies (such as no one present to turn lights on, sprinklers going, too many teams assigned to one field, etc) on weekends and after 5 p m during the week, contact the Kirkland Police Department at 828-1183, and they will contact the appropriate person in the Parks and Recreation Department.
- 13 The Kirkland Parks and Recreation Department reserves the right to increase ballfield usage fees when additional cost may be incurred by the Department.
- 14 Please respect our field maintenance personnel and get to know them
- 15 Teams playing the late game at Peter Kirk will take the field no later than 8 30 p m for baseball and 9 30 p m for softball unless arrangements are made otherwise
- 16 Ballfield lights at Peter Kirk Park will *not* remain on past 11 p m ***NO EXCEPTIONS! NO FIELD USE ACTIVITY WILL BE ALLOWED AFTER 11 P.M.***
- 17 Managers are required to carry their approved field usage request to the field for practices
- 18 Please observe all park rules. When driving through park parking lots, please be especially watchful for children
- 19 The City of Kirkland is not responsible for any personal property loss, damage to vehicles, etc. Be sure to park correctly, safely, and lock your car doors
- 20 Cars improperly parked will be towed!
- 21 Ball field requests associated with league, organized play, and community requests other than the primary use will be considered based upon field availability The City of Kirkland shall have the authority to deny specific requests based on maintenance resources and field conditions
- 22 For further assistance and field reservations, call the Kirkland Parks and Recreation Department, Maintenance Division, at 828-1217 All calls pertaining to scheduling should be made between 8 a m -^{*}6 p m , Monday through Friday

*This indicates a typographical error which should be corrected to read 5:00 p.m.

PETER KIRK**Primary Usage**

- 1 Hardball Leagues - 90' bases
- 2 Hardball Leagues - 80' bases
3. Hardball Tournaments - 80' and 90'

With the heavy use of Peter Kirk as a game and tournament facility practices on this site will be considered through written agreement with the City of Kirkland Maintenance Division only

Secondary Usage

- 1 Softball Tournaments - 65' bases
- 2 Soccer
- 3 Football

Scheduling

User groups, clubs, and organizations residing within the City of Kirkland boundaries with past historical use of the site may take precedence over other facility use requests. New uses will be dealt with on an individual basis. In accordance with established joint facility usage agreements with the Lake Washington School District, school programs may supersede other facility requests

User group priorities

- 1 Kirkland-based sports organizations/City-sponsored youth programs
- 2 Kirkland-based sports organizations/City-sponsored adult programs
- 3 Past field use of Kirkland-based sports organization (identified as primary use)
- 4 Independent resident sponsored programs (i.e., company, neighborhood activities, or picnics)
- 5 New Kirkland-based sports organization's needs
- 6 Independent non-resident sponsored programs

All facility maintenance shall be provided by City staff. Users shall not make any modifications to any facility without prior approval from the Parks and Recreation Department.

Specific Field Use Guidelines:

- 1 Please respect our field maintenance personnel.
- 2 Maintenance personnel will have final say on field playability and safety following inclement weather

- 3 Teams will not be allowed to warm up or take infield while maintenance crew personnel are prepping the infield
4. Leagues and Tournament Directors are responsible to insure individual teams clean up their respective dugouts and assure scorers' booth is kept clean.
- 5 Concession stand operators are responsible for cleanliness - 15' surrounding their stand Operators must dispose of packing materials, boxes, containers, etc., in an approved dumpster site
- 6 Lights will be turned off at 11 00 p m. *No exceptions*
- 7 Please do not use fencing or backstops for pickle or batting practice
- 8 If games are not on the schedule, field will not be prepped

Schedules for league and tournaments must be reviewed by Park staff prior to acceptance to assure time slots are allotted for maintenance requirements

EVEREST

Primary Usage

- 1 Little League Boys and Girls - 60' bases
- 2 Tournament Play/Youth
3. Community/Neighborhood

Facility is designed to accommodate Little League and youth play. With the heavy use of Everest as a game and tournament facility, practices on this site will be considered through written agreement with the City of Kirkland Maintenance Division only.

All facility maintenance shall be provided by City staff. Users shall not make any modifications to any facility without prior approval from the Parks and Recreation Department.

Scheduling

User groups, clubs, and organizations residing within the City of Kirkland boundaries with past historical use of the site may take precedence over other facility use requests. New uses will be dealt with on an individual basis.

User group priorities

- 1 Kirkland-based sports organizations/City-sponsored youth programs
- 2 Kirkland-based sports organizations/City-sponsored adult programs
- 3 Past field use of organization (identified as primary user)
- 4 Independent resident sponsored programs (i.e., company, neighborhood activities, or picnics)
- 5 New Kirkland-based sports organization's needs and interests
- 6 Independent non-resident sponsored programs

Specific Field Use Guidelines

- 1 Please respect our field maintenance personnel
2. Maintenance personnel will have final say on field playability and safety following inclement weather.
- 3 Teams will not be allowed to warm up or take infield while maintenance crew personnel are prepping infields
4. Leagues and Tournament Directors are responsible to insure individual teams clean up their respective dugouts and assure scorers' booths are kept clean.

5. Concession stand operators are responsible for cleanliness - 15' surrounding their stand
Operators must dispose of packing materials, boxes, containers, etc , in an approved
dumpster site
6. Please do not use fencing or backstops for pickle or batting practice
7. If games are not on the schedule, field will not be prepped

Schedules for league and tournaments must be reviewed by Park staff prior to acceptance to
assure time slots are allotted for maintenance requirements.

CRESTWOODS

Primary Usage

- Field #1 Softball, 65' bases, league/tournament
- Field #2 Softball, 65' bases, league/tournament
- Field #3 Soccer/Football
- Field #4 Little League, 60' bases, league/tournament

Secondary Usage

- Field #1 Soccer/Football practice
- Field #2 Soccer/Football practice

Scheduling

User groups, clubs, and organizations residing within the City of Kirkland boundaries with past historical use of the site may take precedence over other facility use requests. New uses will be dealt with on an individual basis. In accordance with established joint facility usage agreements with the Lake Washington School District, school programs may supersede other facility requests.

User group priorities

- 1 Kirkland-based sports organizations/City-sponsored adult programs
- 2 Kirkland-based sports organizations/City-sponsored youth programs
- 3 Past field use of organization (identified as primary user)
- 4 Independent resident sponsored programs (i.e., company, neighborhood activities, or picnics)
- 5 New Kirkland-based sports organization's needs and interests
- 6 Independent non-resident sponsored programs

All facility maintenance shall be provided by City staff. Users shall not make any modifications to any facility without prior approval from the Parks and Recreation Department.

Specific Field Use Guidelines:

- 1 Please respect our field maintenance personnel.
- 2 Maintenance personnel will have final say on field playability and safety following inclement weather.
- 3 Teams will not be allowed to warm up or take infield while maintenance crew personnel are prepping the infield.

- 4 League and Tournament Directors are responsible to assure individual teams clean up their respective dugouts.
- 5 No batting practice is allowed on outfield grass
- 6 Please do not use fencing or backstops for pickle or batting practice
- 7 If games are not on the schedule, fields will not be prepped
- 8 If games are rained out, practice is not allowed
- 9 During soccer/football practice please rotate drill areas to minimize turf wear and damage.

Schedules for league and tournaments must be reviewed by park staff prior to acceptance to assure time slots are allotted for maintenance requirements

Athletic Field Benchmarking by Field Classification

Premium Fields

City / Agency	2020 Rental Rate	Example Field
Kirkland	\$5.00	Lee Johnson Field
LWSD	\$50.00	Lake Washington High School (fee determined by the district)
Redmond	\$40.00	Grass Lawn 1, 2 (turf), Les Dow Field - HartmanPark (turf)
Bellevue	\$47.00	Bannerwood Sports Park (turf)
Bothell		n/a
King County	\$16.00	Marymoor 6, 7, 8
Average Rate	\$38.25	Excluding City of Kirkland rental rates

Class 1 Fields

City / Agency	2020 Rental Rate	Example Field
Kirkland	\$5.00	Everest Park, Crestwoods Park
Redmond	\$25.00	Hartman Park 1 - 4
Bellevue	\$18.00	Lakemont Park, Highlands 2
Bothell	\$22.00	North Creek #3
King County	\$16.00	Big Finn Hill Park Fields 1, 2 & 3
Average Rate	\$20.25	Excluding City of Kirkland rental rates

Class 2 Fields

City / Agency	2020 Rental Rate	Example Field
Kirkland	\$2.00	Juanita Beach Park, 132nd Square 1
Redmond		n/a
Bellevue	\$18.00	Ivanhoe Park, North Robinswood Baseball, Lake Hills Park, Lewis Creek
Bothell	\$19.00	Cedar Grove, Doug Allen Sports Fields, North Creek # 3
King County	\$16.00	Marymoor Soccer 7, 8, 9
Average Rate	\$17.67	Excluding City of Kirkland rental rates

Class 3 Fields

City / Agency	2020 Rental Rate	Example Field
Kirkland	\$0.00	AG Bell Elementary, Carl Sandburg Elementary
Redmond	TBD	Audubon, Ben Rush, Carla Barton - Fees yet to be determined, \$10 admin fee per contract
Bellevue		n/a
Bothell		n/a
King County		n/a
Average Rate	n/a	Excluding City of Kirkland rental rates

Little League	Kirkland American	Kirkland National	Redmond North	Redmond West	Bellevue East	Bellevue Thunderbird	Bellevue West	North Bothell	North Lake (Bothell)	Northshore (Bothell)	Woodinville
District Affiliation	District 9	District 9	District 9	District 9	District 9	District 9	District 9	District 8	District 8	District 8	District 8
Board of Directors	23 members	40 positions	11 positons; 12 extended positions	29 positions	23 positions	24 positions	26 positions	20 positions	26 positions	13 positions	21 positions
Volunteer Coaches	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Other Volunteers	Coaches, Assistant Coaches, Managers, Umpires (Pd and Volunteer), Scorekeeper, Safety	Umpires (paid and volunteer), Scorekeeper, safety, assistant coaches, parent volunteers	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Softball Program Fees	\$200	A-AA: \$155 Coast - Juniors: \$195	\$200	Age 5-6: \$0 Age 7-8: \$145 Age 8-16: \$195	Age 6-16: \$219 - \$319	\$220- \$325, excluding \$25 early registration discount	\$215 - \$265	Age 6-8: \$150 Age 8-9: \$175 Age 9-12: \$200 Age 13-14: \$225	Age 6-7: \$180 Age 7-8: \$185 Age 8-9: \$210 Age 9-14: \$255	Age 5-9: \$215 Age 10-12: \$255 Age 13-14: \$275	Age 6-7: \$155 Age 8-9: \$195 Age 10-12: \$215 Age 13-14: \$240
Baseball Program Fees	\$200	A-AA: \$155 AAA to Juniors: \$195	\$100 - \$200	Age 4-5: \$25 Age 6-8: \$145 Age 8-12: \$195 Age 13-16: \$245	Age 6-16: \$219 - \$319	\$220- \$325, excluding \$25 early registration discount	\$215 - \$265	Age 7-8: \$150 Age 8-10: \$175 Age 9-12: \$200 Age 13-14: \$400	Age 6-7: \$180 Age 7-8: \$190 Age 8-10: \$210 Age 9-12: \$255 Age 13-16: \$285	Age 5-9: \$215 Age 10-12: \$255 Age 13-14: \$275	Age 6-7: \$155 Age 8-9: \$195 Age 10-12: \$215 Age 13-14: \$240
T-Ball Program Fees	\$150	\$75	\$25	Age 4-5: \$25	Age 4-5: \$129	\$100	\$120	\$125	Age 4-6: \$150	\$125	\$135
Youth Served Annually as Reported by Leagues	1030	~ 600	399	~400-500	550	550	678	450	578	244 residents unknown if more	~550
Scholarships Availability	100% upon request. Dicks Sporting Goods Uniform/equipment assistance . Family discount offered - max \$325 per family.	Partial to Full - Upon request. Family discount - max \$390 per family	Yes - On-Line application	Yes - Upon Request to President	Yes, via application (through BSD Free/ Reduced Lunch Program eligibility)	Yes - Upon Request to President w/qualified need	Yes, via application (through Free/ Reduced Lunch Program eligibility)	Not listed/provided	Not listed/provided	Yes, sponsorship dollars assist with scholarships	Yes - Upon Request to President w/qualified need
Game Locations	Everest, Crestwoods, Juanita Beach, Taylor, Ben Franklin Elementary, Rose Hill Elementary, Hidden Valley	Big Finn Hill, Juanita Beach, 132nd, Finn Hill Middle School	Redmond Ridge Park, Hartman Park, Wilder Elementary, Evergreen Middle School, Dickinson Elemenary, Alcott Elementary, Rose Parks Elemengary, East Sammamish Park, Inglewood Middle School, Marymoor Park	Hartman Park, Marymoor Park, Redmond Ridge, Aldarra Farms	No Response Received	Sommerset Elementary, Eastgate Elementary, Newport Heights Elementary, Puesta del Sol Elementary, Lewis Clark Park, Eastgate Park, Robinswood Park, Tye Middle School, Newport Hills Park, Ringdall Middle School (a.k.a. Chinook Middle School)	No Response Received	North Creek High School, North Creek Sports Fields, Doug Allen Sports Fields, Rijo Athletics, Willis Tucker Park, Timbercrest Middle School, Cedar Grove Park, Moorlands Elementary, Canyon Park Middle School, East Ridge Elementary, Inglemoor High School, Bastyr University, Bothell High School, Tambark Creek Park, Northshore Athletic Fields, Woodinville Sports Fields	Forsgren, Brier Park, Bothell High School, Bear Creek Elementary, Cedar Grove Sports Fields, Doug Allen Sports Field, Inglemoor High School, North Creek Park, Northshore Athletic Fields, Woodinville Sports Fields, Tambark Creek Ballfields, Shelton View Elementary, Kenmore Elementary, Kenmore Middle School, Lockwood Elementary, Moorlands Park, Frank Love Elementary, Lee Johnson Field, Northshore Sports Complex, Rijo Athletics, Logan Park, North Creek High School, Big Finn Hill Park, Shorecrest High School, Arrowhead Elementary, Bastyr	Northshore Athletic Fields, North Creek, Doug Allen, Kokanee Elementary, Maywood Hills Elementary, Westhill Elementary, Woodin Elementary, Woodmoor Elementary, Woodinville Sports Fields, Cedar Grove, Big Finn Hill Park, Forsgren Park, Crystal Springs Elementary, Canyon Park Middle School, Northshore Middle School, Skyview Middle School, Inglemoor High School, Woodinville High School	School fields, county parks, and city parks - Nortshore Athletic Fields, Woodinville Sports Fields, North Creek Sports Fields

Little League	Kirkland American	Kirkland National	Redmond North	Redmond West	Bellevue East	Bellevue Thunderbird	Bellevue West	North Bothell	North Lake (Bothell)	Northshore (Bothell)	Woodinville
Practice Locations	All above plus Highlands, Terrace, other schools	JB, 132nd, FHMS, Other Schools	Redmond Ridge Park, Hartman Park, Wilder Elementary, Evergreen Middle School, Dickinson Elementary, Alcott Elementary, Rose Parks Elementary, East Sammamish Park, Inglewood Middle School, Marymoor Park	Rush Elementary, Chief Kanim Middle School, East Sammamish Park, Eastlake High School, Horace Mann Elementary, Inglewood Middle School, King County Park - Fall City, Redmond Elementary School, Redmond Middle School, Rockwell Elementary, Rose Hill Middle School					School fields		School fields
Other	Indoor training (\$8000 for 1 day per season. \$10/kid to participate)	None							Younger divisions play on lower quality fields; older divisions play on higher quality fields		
Field Rental Rates - Schools	\$0, \$2 (without BUG Discount of 70%), \$50 (LWHS) (BUG Discount not applicable)	\$0, \$2 (without BUG Discount of 30%)	Unknown	Free	\$47/ hour (Bannerwood)	\$47/ hour (Bannerwood)	\$47/ hour (Bannerwood)	Unknown	Unknown	Unknown	Unknown
Field Rental Rates - Parks	Kirkland: \$2/hr and \$5/hr, \$10/Game Prep, \$25/Tournament Game Fee (without BUG Discount of 70%); King County: \$16/hr	Kirkland: \$2/hr, \$10/Game Prep (without BUG Discount of 30%); King County: \$16/hr	\$12.50/hour for dirt/grass fields (discounted from \$25/hour), \$20/hour for turf fields (discounted from \$40/hour)	\$17.50/hour for dirt/grass fields (discounted from \$35/hour), \$25/hour for turf fields (discounted from \$50/hour). Per RLL: \$12/hr City Dirt, \$20/hr City Turf. \$10/hr lights. King County: \$16/hr	\$27/ hour (Hidden Valley #1), \$42/ hour (other full synthetic turf fields), \$47/ hour (Bannerwood), \$23/ hour (other fields with synthetic infield), \$18/ hour (non-synthetic turf), \$23/ hour (lights), no game prep fee	\$27/ hour (Hidden Valley #1), \$42/ hour (other full synthetic turf fields), \$47/ hour (Bannerwood), \$23/ hour (other fields with synthetic infield), \$18/ hour (non-synthetic turf), \$23/ hour (lights), no game prep fee	\$27/ hour (Hidden Valley #1), \$42/ hour (other full synthetic turf fields), \$47/ hour (Bannerwood), \$23/ hour (other fields with synthetic infield), \$18/ hour (non-synthetic turf), \$23/ hour (lights), no game prep fee	\$31/ hour (synthetic turf), \$22/ hour (grass), \$19/ hour (non-prepped grass), \$25/ hour (North Creek lights), \$200 (refundable damage deposit), \$250 (seasonal equipment storage)	\$31/ hour (synthetic turf), \$22/ hour (grass), \$19/ hour (non-prepped grass), \$25/ hour (North Creek lights), \$200 (refundable damage deposit), \$250 (seasonal equipment storage)	\$31/ hour (synthetic turf), \$22/ hour (grass), \$19/ hour (non-prepped grass), \$25/ hour (North Creek lights), \$200 (refundable damage deposit), \$250 (seasonal equipment storage)	\$40/ hour for Youth Residents of Woodinville, \$23 per hour Light Fees for each field used
Field Rental Rates - Private Fields	None	None	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
Field Rental Rates - Other	King County Houghton Landfill Fields Agreement: Equipment, Supplies & Labor: \$22k to \$29k/Season (weather causes variation)	King County: League Application Fee: \$500 / Tournament application fee \$500 / Cancellation Fee \$10/hr / Tournament Cancellation Fee \$15/hr / Portable Mound Fee \$195	Not provided	Not provided	Not provided	Not provided	Not provided	Not provided	Not provided	Not provided	Not provided
Annual Field Expenses	\$34,793 - \$41,793	\$30,862	Undisclosed	Undisclosed	Undisclosed	Undisclosed	Undisclosed	Undisclosed	\$58,000 (about \$10 to \$60 per hour)	Undisclosed	Undisclosed

Kirkland American Little League

PROFIT AND LOSS

October 2017 - September 2018

	TOTAL
Income	
Donations & Volunteers Corporate Matching	24,661.55
Interest Income	1.67
Other Income	2,032.96
Refunded Registrations Withdrawn Players	-2,286.77
Registration Income After Scholarships	130,873.72
Sponsorships For Website, Emails & Banners	12,291.75
Total Income	\$167,574.88
GROSS PROFIT	\$167,574.88
Expenses	
Advertising, Marketing and Banners	1,899.30
Baseball / Softball Equipment, Balls, Jerseys & Caps	59,211.45
Bank Charges & Fees	140.39
Fuel for Taylor Small Equipment & Tractor	779.07
Charter Fees - District 9 & Arbiter Umpire Software	5,860.13
Concession Expenses, Maintenance & Supplies	968.00
Contractors & Casual Labor at Taylor Fields	8,864.48
Field and Facility Repair & Maintenance	12,793.79
Field / Facility Supplies, Materials & LLI Insurance	17,621.67
Miscellaneous	1,500.00
Office Supplies & Registration / Scheduling Software	2,649.00
Other Business Expenses & Meetings	4,854.99
Reimbursable Expenses	5,972.61
Rent & Lease	-34.00
Repairs, Maintenance & Equipment Acquisition	14,080.29
Tournament Fees LLI	3,136.64
Training Fees Baseball & Softball Plus Coaches	3,858.82
Travel For Tournament Teams, Tolls & Parking	6,909.99
Umpire Miscellaneous	315.87
Utilities, First Aid Kits, Ice Packs, Fire Extinguishers	4,240.00
	4,918.69
Total Expenses	\$160,541.18
NET OPERATING INCOME	\$7,033.70
Other Expenses	
Reconciliation Discrepancies	79.17
Total Other Expenses	\$79.17
NET OTHER INCOME	\$ -79.17
NET INCOME	\$6,954.53

Kirkland National Little League
Profit and Loss
 October 2017 - September 2018

	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	2017-18 Actual	2017-18 Budget	Variance to Budget
Income															
4010 Spring Ball		15,870	10,723	24,009	13,369	5,430	1,570	175		190	3,125	285	74,746	71,675	3,071
4040 Clinics					932	1,384							2,316	1,378	938
4100 Donations	838	4,763	2,388		313	2,144	675	375	4,600	2,250	5,163	3,075	26,581	25,450	1,131
4200 Interest	26	26	31	1	1	1	1	2	1	1	2	1	96	150	-54
4300 Mariner Tix								4,067	462				4,529	4,588	-59
4310 Sponsorships				10,000	700	1,500		1,000		7,500			20,700	12,000	8,700
4400 Field Fee Refunds													0	0	0
4500 Fundraisers		44				830		885					1,759	2,800	-1,041
Total Income	\$ 863	\$ 20,702	\$ 13,141	\$ 34,011	\$ 15,315	\$ 11,290	\$ 2,246	\$ 6,504	\$ 5,063	\$ 9,941	\$ 8,289	\$ 3,361	\$ 130,726	\$ 118,041	\$ 12,685
Expenses															
5100 Bank Charge							208						208	1,000	792
5110 Credit Card Charges-Bonzi		1,807	692	841	719	1,287	941	137	6	28	7	121	6,586	4,200	-2,386
5300 Little League Fees		1,309	4,236			1,315			1,149				8,010	4,588	-3,422
5400 Equipment		265				17,758	89	367		407			18,886	13,000	-5,886
5410 Umpire Supplies			75			1,810		65				188	2,137	3,100	963
5420 Training						352	43						395	500	105
5430 Trophies-Pins-Patches												903	903	1,000	97
5440 Uniforms							19,545	3,612		6,759		3,141	33,057	28,430	-4,627
5450 Rental			385	2,541	3,148		307			1,680	4,235		12,295	9,800	-2,495
5460 Clinics				1,808		993	1,037						3,838	2,700	-1,138
5470 Background Checks	89												89	0	-89
5560 Scholarships				135									135	0	-135
5600 Field Fees		700		20,044		1,837		2,646			158	1,592	26,977	33,000	6,023
5700 Office Expenses	50	473		191	481		360			0			1,555	500	-1,055
5710 Printing							145						145	500	355
5720 Advertising			440										440	1,500	1,060
5730 Supplies & Materials						436		596		155		724	1,911	500	-1,411
5800 Tournaments								1,150		2,000	-1,000	6,178	8,328	3,000	-5,328
5900 Registration Refunds		175			405	340	285	35					1,240	1,100	-140
5980 Mariners Tickets								3,964	429				4,393	4,129	-264
5999 Misc. Expense								150					150	2,000	1,850
Total Expenses	\$ 139	\$ 4,730	\$ 5,828	\$ 25,559	\$ 4,752	\$ 26,128	\$ 22,960	\$ 12,722	\$ 1,585	\$ 11,028	\$ 3,400	\$ 12,847	\$ 131,679	\$ 114,547	\$ (17,132)
Net Income	\$ 724	\$ 15,972	\$ 7,313	\$ 8,452	\$ 10,563	\$ (14,838)	\$ (20,715)	\$ (6,219)	\$ 3,479	\$ (1,087)	\$ 4,889	\$ (9,485)	\$ (953)	\$ 3,494	
Income/Excluding Charitable Trust	\$ 724	\$ 15,972	\$ 7,313	\$ 8,452	\$ 10,563	\$ (14,838)	\$ (20,715)	\$ (6,219)	\$ 3,479	\$ (1,087)	\$ 4,889	\$ (9,485)	\$ (953)		
Charitable Trust Expense															
5401 Equipment- Anderson Trust			2,160	5,750									7,910		
5421 Training - Anderson Trust	8,561												8,561		
Other To Be added													0		
Total Spend Against Trust	8,561	0	2,160	5,750	0	0	0	0	0	0	0	0	16,471		
Total Net Income	\$ (7,837)	\$ 15,972	\$ 5,153	\$ 2,702	\$ 10,563	\$ (14,838)	\$ (20,715)	\$ (6,219)	\$ 3,479	\$ (1,087)	\$ 4,889	\$ (9,485)	\$ (17,424)		

Draft Athletic Field Rental Rate Implementation Schedule							
Year	2020	2021	2022	2023	2024	2025	2026
Grass & Dirt Fields							
Premium - Highest Quality field with concessions, spectator seating, lighting, restrooms.							
<i>Example: Lee Johnson Field; Comparable Fields: Bannerwood Sports Park, Bellevue. Grass Lawn 1 & 2, Redmond.</i>							
Resident / Non-Profit	\$5.00	\$8.50	\$12.00	\$18.00	\$24.00	\$30.00	TBD Based on Market
Non-Resident / Non-Profit	\$6.00	\$10.00	\$15.00	\$22.00	\$26.00	\$32.00	
Resident / Regular	\$15.00	\$20.00	\$25.00	\$30.00	\$36.00	\$42.00	TBD Based on Market
Non-Resident / Regular	\$18.00	\$24.00	\$30.00	\$36.00	\$42.00	\$51.00	
Class 1 Fields - (Premium) Multi-complex, scoreboards, dugouts, bleachers/stadium seating, parking, restrooms.							
<i>Examples: Everest Park, Crestwoods Park; Comparable fields: Hartman Park 1-4, Redmond. Big Finn Hill Park 1,2&3, King County.</i>							
Resident / Non-Profit	\$5.00	\$7.00	\$10.00	\$15.00	\$20.00	\$25.00	TBD Based on Market
Non-Resident / Non-Profit	\$6.00	\$8.50	\$12.00	\$18.00	\$24.00	\$30.00	
Resident / Regular	\$15.00	\$17.00	\$21.00	\$25.00	\$30.00	\$36.00	TBD Based on Market
Non-Resident / Regular	\$18.00	\$21.00	\$25.00	\$30.00	\$36.00	\$42.00	
Class 2 - (Kirkland Maintained) Grass fields, uncovered dugouts, limited parking, inconsistent fencing.							
<i>Examples: Juanita Beach, 132nd Sq. Field 1; Comparable Fields: Ivanhoe Park, Bellevue. Cedar Grove, North Creek 3, Bothell.</i>							
Resident / Non-Profit	\$2.00	\$4.00	\$7.00	\$12.00	\$17.00	\$22.00	TBD Based on Market
Non-Resident / Non-Profit	\$2.50	\$6.00	\$10.00	\$15.00	\$21.00	\$27.00	
Resident / Regular	\$7.00	\$14.00	\$18.00	\$22.00	\$27.00	\$33.00	TBD Based on Market
Non-Resident / Regular	\$8.50	\$17.00	\$22.00	\$27.00	\$33.00	\$39.00	
Class 3 - (LWSD Maintained) Non-regulation sizes, no restrooms, bumping potential, limited maintenance.							
<i>Examples: AG Bell, Carl Sandburg; Comparable Fields: Audubon, Ben Rush, Redmond. Ashwood Park, Bellevue</i>							
Resident / Non-Profit	\$0.00	\$3.00	\$6.00	\$9.00	\$12.00	\$15.00	TBD Based on Market
Non-Resident / Non-Profit	\$1.00	\$4.00	\$7.50	\$10.00	\$14.50	\$18.00	
Resident / Non-Profit	\$1.00	\$13.00	\$16.00	\$19.00	\$22.00	\$25.00	TBD Based on Market
Non-Resident / Non-Profit	\$1.50	\$16.00	\$19.00	\$23.00	\$26.50	\$30.00	
Other Facilities							
Lake Washington High School - Synthetic turf infield, grass outfield.							
<i>Example: Lake Washington High School Baseball & Softball Fields</i>							
LWHS Resident / Youth	\$50.00	Fee Set by District					
LWHS Non-Resident / Youth	\$60.00						
LWHS Resident / Adult	\$80.00	Fee Set by District					
LWHS Non-Resident / Adult	\$90.00						
Lakeview Elementary - Fully synthetic turf up to U12 softball, lacrosse, soccer.							
<i>Example: Lakeview Elementary</i>							
Resident / Non-Profit	\$25.00	\$30.00	\$34.00	\$37.50	\$41.00	\$45.00	TBD Based on Market
Non-Resident / Non-Profit	\$35.00	\$36.00	\$41.00	\$45.00	\$50.00	\$54.00	
Resident / Regular	\$35.00	\$36.00	\$41.00	\$45.00	\$50.00	\$54.00	TBD Based on Market
Non-Resident / Regular	\$50.00	\$51.00	\$52.50	\$54.00	\$60.00	\$65.00	
Additional Services							
Game Setup							
Resident	\$10.00	\$30.00	To Be Determined (assessed at cost)				
Non-Resident	\$25.00	\$36.00					
Tournament Game							
Resident	\$25.00	To Be Determined					
Non-Resident	\$30.00						
Lights							
Lights	\$20.00	To Be Determined					



CITY OF KIRKLAND
Planning and Building Department
123 5th Avenue, Kirkland, WA 98033
425.587.3600- www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Allison Zike, AICP, Senior Planner
Jeremy McMahan, Deputy Planning & Building Director
Adam Weinstein, Planning & Building Director

Date: March 5, 2020

Subject: NE 85th St Station Area Plan
File No. CAM20-00153

Staff Recommendation

Review project introduction and process overview memorandum (see Attachment 1) prepared by [Mithūn](#), the City's lead consultant for the project, and discuss key topics for continued preparation of the Opportunities and Challenges analysis. Topics for Council discussion are:

1. Key issues that should be explored through alternatives development for the station area planning;
2. The level of evaluating potential development or land transfer that should be conducted for the surplus land from the cloverleaf within the current WSDOT right-of-way; and,
3. Project approach to inclusion and equity, including the public outreach plan.

Background

With the 2019-2020 budget, City Council authorized \$450,000 for creation of a Station Area Plan (SAP) associated with the Sound Transit Bus Rapid Transit (BRT) station planned for the I-405/NE 85th St interchange. The funding was dedicated to hiring a multi-disciplinary design and planning team to help develop a SAP meeting the many goals for this City priority project.

A Request for Qualifications (RFQ) for the design work was issued in August of 2019. City staff conducted interviews with several highly qualified urban design firms in October of 2019. After a competitive selection process, the Seattle-based urban design firm, Mithūn, was selected to lead the project for the City. Mithūn's selection was based on the highly competent project management and subconsultant teams they bring to the project, their focus on urban design, the excellent work they have produced locally and internationally, the high regard of their previous clients, and their innovative process and project approach.

In addition to the budget for the project allocated by City Council, the Department of Commerce has awarded Kirkland \$150,000 through the [E2SHB 1923 Grant program](#).

These additional funds allowed the project scope to be expanded to include a Planned Action Ordinance Environmental Impact Statement (EIS) and Form-based Codes in the study area. The advantage of a Planned Action Ordinance is to streamline environmental review for future development projects in the Station Area. The creation of form-based codes for the Station Area will foster vibrant, mixed-use neighborhoods, help create effective transitions between high and low intensity land uses and establish standards for quality public spaces within the Station Area. The Department of Commerce grant will also help the community visualize – using graphics and other tools – how new development in the Station Area will look and feel.

Next Steps

City staff and the Mithun team will be attending several City Council meetings over the course of the project to discuss key decisions and receive direction. At this time, the next Council study session is tentatively scheduled for May 2020 to discuss final findings from the opportunities and constraints analysis and to present preliminary concepts developed in response to those findings.

Attachments:

1. Station Area Plan – Project Introduction and Process Overview Memorandum, prepared by Mithūn, dated March 6, 2020

cc: File Number CAM20-00153



Seattle
Pier 56, 1201 Alaskan Way #200
Seattle, WA 98101

San Francisco
660 Market Street #300
San Francisco, CA 94104

Los Angeles
Mithun | Hodgetts + Fung
5837 Adams Boulevard
Culver City, CA 90232

Memorandum

To:	Allison Zike, Senior Planner	Date:	March 11, 2020
From:	Becca Book, Mithun	Project #:	1930000
cc:		Project:	I-405 and NE 85 th ST BRT Station Area Planning
Re:	Station Area Plan - Project Introduction and Process Overview		

Recommendation

The attached documents and accompanying presentation provide updates on the Initial Opportunities and Challenges the team has analyzed for the Station Area Planning efforts. The team is looking for feedback on:

1. any key issues that should be explored through alternatives development for the station area planning,
2. the focus of the station area plan will not focus on the interchange itself, but on the city of Kirkland land and the surplus land from the cloverleaf within the current WSDOT Right of Way. The land within the WSDOT Right of Way will be considered separately, but the team is seeking confirmation from council that we should continue evaluating this area for potential development or transfer as part of this project,
3. and Project approach to inclusion and equity, including the public outreach plan.

Background

ST3 is bringing a once-in-a-generation transit investment to Kirkland with a new Bus Rapid Transit (BRT) station at 85th and I-405 by 2024. The BRT station, developed by Sound Transit, will connect Kirkland to the Link Light Rail at Bellevue and the Lynnwood Transit Center. To facilitate efficient bus service, WSDOT is developing an innovative triple-level interchange that will replace the existing clover leaf at I-405 and NE 85th St. The City of Kirkland's Station Area Plan (SAP) will consider changes to zoning and other policies and regulations to encourage transit-oriented development near the station and leverage this regional investment to create the most value and quality of life for Kirkland.

The Station Area Plan will help shape an equitable and sustainable Transit Oriented Community as part of the continued growth expected in Downtown Kirkland. The project will evaluate the feasibility of various types of development within ½ mile of the station and consider changes to zoning and other regulations. The team will study opportunities to maximize the public benefit from future development, including affordable housing, open space, desired employment and job types. Using the City's Vision and Goals and the 2035 Comprehensive Plan as a foundation, the SAP is an important opportunity to advance concepts in the Downtown Kirkland Urban Center proposal and to support citywide sustainability and housing goals.

In the initial phase of the project, the team has developed a public participation plan and begun outreach to key stakeholders. Currently, the team is developing an Opportunities and Challenges Report, including review of previous plans, studies and existing conditions information from the City and other agencies, to identify key questions to explore as SAP alternatives are developed. After the first phase is completed, the team will develop alternatives to explore a variety of development, mobility, transit integration and access, and other urban design opportunities for the station area. After evaluation, a preferred alternative will be identified and developed to form the basis for our SEIS Environmental Review. This preferred alternative will be articulated with a set of resources including a site plan, 3D massing, analysis of environmental

factors, and circulation networks, that describe the design intent of the plan and coordinate with the development review process. This will include a form-based code, which will illustrate and inform the physical form and urban design characteristics of the station area plan. These qualities will be essential to a successful Station Area Plan. This work will culminate in a Final Station Area Plan. (See *Schedule in Attachment 1*)

Guiding Principles and Project Approach

The following principles will guide all phases of the project, including outreach activities and technical activities such as the Opportunities & Challenges Report.

1. The Station Area Plan will look to existing plans for guidance and will work to realize the vision and goals established in the Comprehensive Plan process. The SAP will use a planning framework to support the Kirkland 2035 Comprehensive Plan Vision Statement of 'we are respectful, fair and inclusive'.
2. The Station Area Plan will consider changes in land use, urban design, transportation, infrastructure/utilities, economic development and sustainability changes within ½ mile of the I-405 / NE 85th St BRT. The final study area boundary will be established as part of the Initial Opportunities and Challenges Analysis Report. Considering the impacts on schools, school capacities, and/or integrating school facilities into redevelopment activities will be a primary focus of the plan.
3. Potential development or other changes within the WSDOT Interchange Right of Way will be explored as part of this project, with clear callouts for actions or alternatives that would require changes to the WSDOT ROW beyond what is included in the ST / WSDOT Project.
4. The proposed alternatives will be informed by the data driven analysis and public input shared with City Council and Staff in the Opportunities and Analysis Report, and then synthesized into 3 alternatives for the station area. Alternatives will be key tools for eliciting further feedback from the diverse population groups impacted by the station area plan in workshops and design charettes.
5. As part of this process, the team will coordinate with ongoing City equity efforts to provide opportunities for meaningful participation to all populations affected by the plan, and to incorporate the priorities of low-income populations, communities of color, and limited-English speaking residents.
6. Station Area alternatives will be tested against the project goals of creating a livable, workable, equitable, and sustainable Transit Oriented Community (TOC) in the City of Kirkland that supports high capacity transit investment at the new BRT station and throughout the region, along with additional technical analysis and evaluation
7. Reports, technical guidance in the form of zoning or other regulatory changes, design guidelines, and implementation strategies will be produced to aid City staff in the development review process and support ongoing planning efforts by the City and others. These resources will be highly graphic and authored in accessible language to help stakeholders understand the intent of the plan.

Opportunities & Challenges Analysis Progress

The first phase of work includes an Opportunities & Challenges Report. The purpose of this report is to build a shared understanding of the issues, opportunities, and challenges associated with a transit-oriented community in the study area. This report will focus primarily on a technical analysis, with insights gathered during the parallel engagement process incorporated as available. The final report is intended to be completed by the end of March, with a summary of preliminary findings as part of the March 17 presentation to City Council.

To date, this analysis has included a variety of activities:

- **Review of previous plans**, including 2015 Kirkland Comprehensive Plan, 2018 City of Kirkland General Sewer Plan, WSDOT 15% Design Documentation for the I-405/85th project, Washington Department of Fish and Wildlife Priority Habitats and Species Database, City of Kirkland Active Transportation Plan (update underway), 2015 Kirkland Transportation Master Plan, nearby Neighborhood Plans, Kirkland Zoning Code
- **Interviews** with stakeholders including City Council, City Staff, Neighborhood leaders, and stakeholders familiar with local real estate market dynamics (*See Attachment 2*)
- **Technical Analysis** of relevant datasets, including land use, development patterns, mobility networks, environmental conditions, demographics, and equity and health metrics

This Opportunities and Challenges Analysis will be structured to highlight key themes emerging across topic areas and formatted as a highly graphic report that focuses attention on key takeaways that can inform outreach and engagement, station area alternatives development, as well as coordination with other agencies active in the station area. As noted in the summary, the team is requesting feedback from Council on any key issues or questions that should be explored in alternatives development.

85th interchange TOD feasibility

The Station Area Plan led by the City is a distinct project from the BRT Station and Interchange projects led by ST and WSDOT; yet areas of overlap and coordination will be critical. As stated above, the intent for the SAP is to explore potential development or other changes within the WSDOT Right of Way, with clear callouts for actions or alternatives that would require additional changes to the WSDOT ROW beyond what is indicated in the ST/WSDOT project. As part of ongoing coordination with that project, the City submitted comments on the 15% drawings relevant to TOD opportunities. Key topics include preserving area for potential development sites within the former clover leaf, and relocating the stormwater detention facility.

Agency responses indicated that TOD feasibility study would likely need to occur through another process or timeline similar to the Kingsgate TOD. The team is seeking guidance from the Council as to how best to facilitate coordination between these two efforts and advance the potential of TOD. Exploring these opportunities further will be dependent on the City's willingness to engage the State on administrative and legislative changes necessary to facilitate development within the WSDOT ROW (highlighted in green in the below graphic).



Public Involvement and Outreach

The initial outreach conducted during the Opportunities and Challenges phase of the project aims to inform and educate participants about the BRT station and Station Area Plan and to collect information about existing conditions, station area opportunities, and challenges that can inform design alternatives. This will be accomplished by gathering input from stakeholders with the closest ties to the station area itself including the agencies responsible for the station and interchange, residents and businesses located nearest the station, and community members outside the Station Area with an interest or stake in City-wide development.

To support the Kirkland 2035 Comprehensive Plan Vision Statement of 'we are respectful, fair and inclusive' the team is using an established planning framework to guide the project approach: King County's EIR and supporting tools. The team is completing an Equity Impact Review using the guidelines developed by the King County Equity Team to identify, evaluate and communicate the potential impact – both positive and negative - that the SAP may have on equity. (See Attachment 3: Equity) As part of the Opportunities and Challenges Analysis phase, the team has identified groups that may be affected by the SAP, and the determinants of equity that will be used to monitor the projects progress towards achieving equity goals.

As the Alternatives Analysis process begins, a design charrette will provide an important avenue for "designing in public" with local stakeholders. Workshops, open houses, and other formats will be scheduled to review initial and refined alternatives and incorporate feedback into the project. These large-format events will allow the project team to learn about affected communities', employees', and/or stakeholders' priorities and concerns, and prioritize alternatives that will have a positive and equitable effects.

85th SAP – Equity Impact Review

As a regional and city-wide project, it is essential that the Station Area Plan (SAP) provide meaningful participation and opportunities - at local/neighborhood and city-wide geographies - to influence the decision-making of the project. Per the Kirkland 2035 Vision Statement, “Civic engagement, innovation and diversity are highly valued. We are respectful, fair, and inclusive.” In order to support an equitable project process and outcomes, the project team will strive to reach all communities affected by the project – those living and working there now, and in the future. The public outreach plan will include multiple opportunities, venues, and ways to participate throughout the planning process to reach stakeholders from all walks of life.

The team recommends aligning the project approach to equity with the Equity Impact Review (EIR)¹ and tools developed by King County to identify, evaluate, and communicate the potential impact - both positive and negative – of the Station Area Planning efforts. This process merges empirical data and community engagement findings to evaluate the impact of planning efforts on environmental justice, equitable access, and the stewardship of public investments that serve residents, visitors, commuters, businesses, and employees. In each of the five stages of the EIR process, summarized below, established King County equity tools will help promote equity within the three frameworks defined by the King County Equity Team in the EIR:

- **Distributional** — Fair and just distribution of benefits and burdens to all affected parties and communities across the community and organizational landscape.
- **Procedural** — Inclusive, open and fair access by all stakeholders to decision processes that impact community and operational outcomes. Process equity relies on all affected parties having access to and meaningful experience with civic and employee engagement, public participation, and jurisdictional listening.
- **Cross-generational**— Effects of current actions on the fair and just distribution of benefits and burdens to future generations of communities and employees. Examples include income and wealth, health outcomes, white privilege, resource depletion, climate change and pollution, real estate redlining practices, and species extinction².

Phase 1: Scope. Identify who will be affected.

- Throughout the public outreach process, the team will consider who is affected by our actions, and how to incorporate them into the decision-making process. Particular attention is given to how to provide meaningful opportunities for participation for the priorities of low-income populations, communities of color, and limited-English speaking residents.
- The team has identified the following preliminary list of affected parties to include in ongoing outreach:
 - Employees who work within the Study Area (½ mile from the station) for a variety of businesses and public institutions
 - Lake Washington High School students
 - Rose Hill Elementary School Students
 - Employees who work within 1 mile from the station for a variety of businesses and public institutions

¹ King County Executive. *Equity & Social Justice Tools and Resources*.

<https://www.kingcounty.gov/elected/executive/equity-social-justice/tools-resources.aspx>

² 2015 Equity Impact Review Process Overview. https://www.kingcounty.gov/-/media/elected/executive/equity-social-justice/2016/The_Equity_Impact_Review_checklist_Mar2016.ashx?la=en

- Transit users accessing the BRT to travel to points north and south
- Clients of Kirkland's new adult women and family shelter
- Residents within the Station Area
- Future Residents and Employees - Individuals seeking housing or employment within Kirkland
- Special efforts will be made to include vulnerable populations within the study area. These include: minority residents (20%), limited English speakers (5%), seniors (23%), youth, (19%), households experiencing poverty (6%), and renters (36%)
- Kirkland residents, employees, and employers who live and/or work outside of the Station Area but have a stake or interest in city-wide development decisions

Phase 2: Assess equity and community context.

- Workshops and Design Charrettes will be used as an opportunity to engage affected communities, employees, and/or stakeholders from diverse backgrounds and learn about their priorities and concerns. The Public Outreach and Participation Plan will be reviewed to assess whether alternate engagement methods, venues, etc are desired to reach affected populations (above)
- The team will assess the following Determinants of Equity and explore how they are impacted by various alternatives throughout the planning process. The team will use quantitative data to identify disparities potential equity related outcomes of the planning process. Below is a preliminary list of metrics, that will be developed for the report, and the proposed metric to quantify impacts in this area.
 - **Housing** – Average Housing and Transportation Costs as a Percentage of Income
 - **Early Childhood Development**- Median Child Care Cost as Percent of Annual Income by Race
 - **Education** - On-Time High School Graduation Rates; Student to Teacher Ratios.
 - **Job Training and Jobs** - Living Wage Gap; demographics of employees in the study area; travel times by race for employees in the study area
 - **Health and Human Services** – Obesity
 - **Food Systems** - Percent of Students with Free or Reduced Lunch
 - **Parks and Natural Resources** - Park Accessibility
 - **Healthy Built and Natural Environment** – Air Pollution; Noise levels
 - **Transportation** – Walk and Bike Score
 - **Community Economic Development** – % Rent versus Own
 - **Neighborhoods** – Residential Mobility
 - **Community and Public Safety** – Crime Rate
 - **Law and Justice** – Incarceration Rate

Phase 3: Analysis and decision process.

- As preliminary concepts and alternatives for the SAP are developed, the team will consider how variations in development, mobility, transit integration and access, and other urban design considerations will affect community and employee priorities and concerns. The City should explore how decision-making processes can provide more representation to affected communities.
- During Alternatives Analysis, the team will evaluate who will be disproportionately burdened or benefit in each alternative. Projecting and mapping equitable outcomes will help prioritize alternatives.

Phase 4: Implement. Are you staying connected with communities and employees?

- The team will develop materials and graphics to help the City of Kirkland communicate with communities, stakeholders and employees about the implementation and potential impacts of the SAP.
- The SAP will incorporate “pro-equity” opportunities when possible, for example selecting Minority/ Women-owned Business Enterprises for contracting and materials sourcing and opportunities for affected communities to actively participate in leadership and implementation.
- The SAP will create a measurement and evaluation system for the Station Area Plan in collaboration with affected communities and include a mechanism to identify unintended consequences.

Phase 5: Ongoing Learning. Listen, adjust, and co-learn with communities and employees.

- The Opportunities and Challenges Analysis Report will provide a baseline equity assessment, which will be used to develop the project approach to equity, including the public participation plan. These may be adjusted after the assessment is completed, or later in the project timeline.
- The City of Kirkland is encouraged to continue conversations with the community regarding the Station Area. Ongoing communication will allow the city to adjust planning efforts as the community's priorities and concerns shift.

Next Steps

- 3/31/2020: Initial Opportunities and Challenges Analysis Report Completed
- 3/2020-06/2020: Alternatives Developed
- 06/2020-11/2020: Alternatives Analyzed, Preferred Alternative Developed
- 6/2020 – 5/2021: Environmental review/ EIS Development
- 11/2020-2/2021: Form-based standards developed
- 7/2021: Final Station Area Plan

Presentation Outline

The following topics will be covered in our March 17 Presentation:

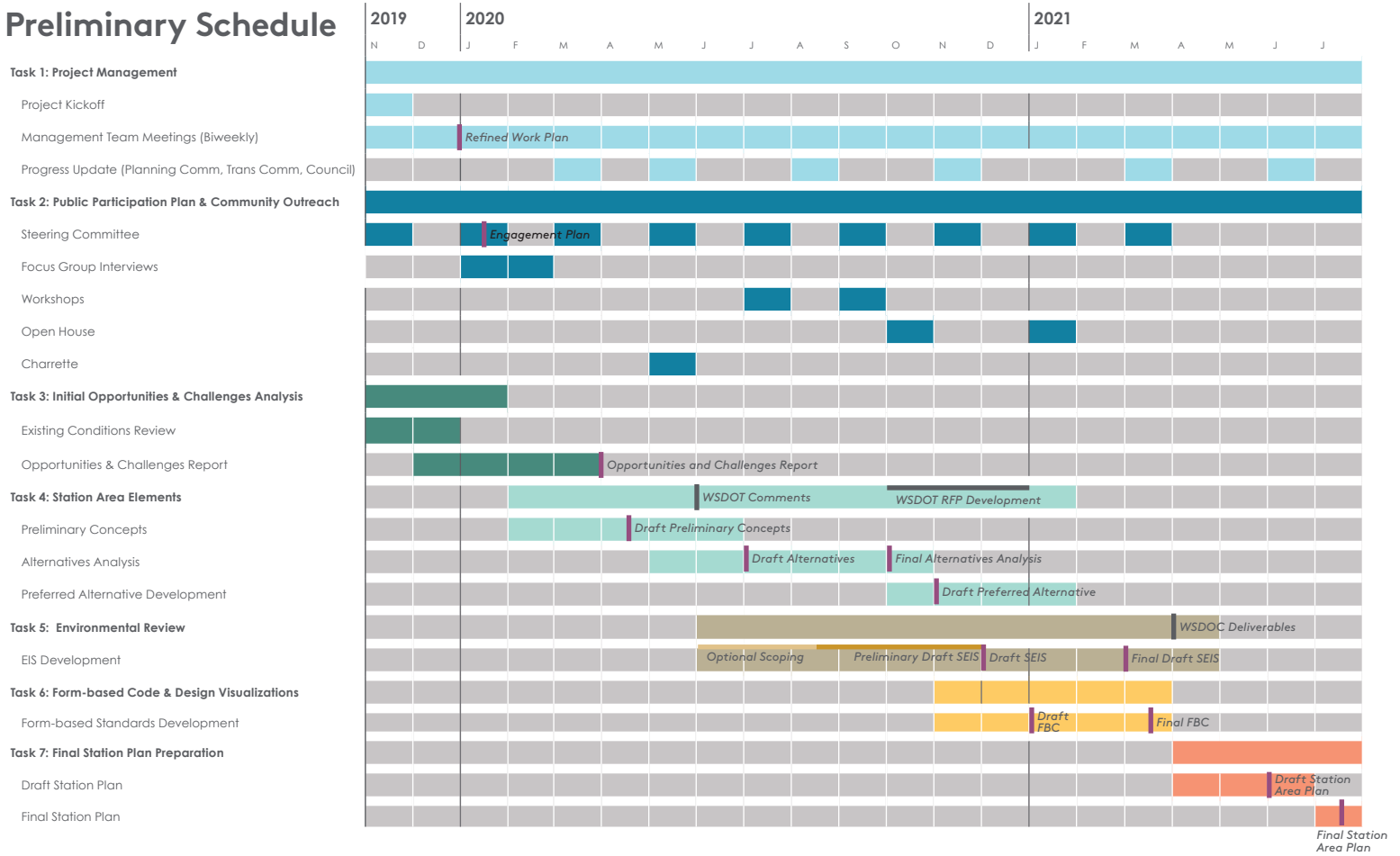
- Overview & Context
- TOD Precedents
- Equity Approach and Assessment
- Opportunities & Challenges
 - Development Near Transit
 - Connected Kirkland
 - Integrated Station

Attachments

Attachment 1: Schedule

Attachment 2: Opportunities & Challenges Phase Engagement

Preliminary Schedule



Opportunities & Challenges Phase Engagement

Kirkland NE 85th Station Area Plan

The purpose of the opportunities and challenges phase of the project is to inform and educate participants about the BRT station and station area plan and to collect information about existing conditions, station area opportunities, and challenges that can inform design alternatives. This will be accomplished by gathering input from stakeholders with the closest ties to the station area itself including the agencies responsible for the station and interchange, as well as residents and businesses located nearest the station. To begin to gather citywide perspectives in this exploratory phase, engagement with Kirkland’s appointed boards and commissions will help to better understand a broader context.

This document identifies which types of outreach and engagement methods the team will use to gather input for this phase of the project. It outlines who is responsible for developing materials and conducting engagements and the steps necessary to proceed. Project and phase goals for engagement are also listed, with an explanation of how the goals will be implemented.

Goals

Goal	Implementation
Communicate clearly about purpose and process so the community is well informed about the project.	<ul style="list-style-type: none"> ▪ Establish communication tools for the project starting with this phase, including a project website and one-page handout with project information. The consultant team will suggest content for the City to put on its website. They will also prepare a draft and final informational handout for City review. ▪ Consider the match between engagement personnel and stakeholder to ensure the easiest exchange of information.
Actively solicit information from businesses, residents, and property owners about their questions, priorities, and concerns.	<ul style="list-style-type: none"> ▪ This phase focuses on engagement with businesses and residents closest to the station to provide context for the development of concepts and alternatives in the next phase. ▪ Citywide context will be provided from discussions with boards and commissions. ▪ Regional context will be provided from the agencies working on station development.
Apply an equity lens to seek the perspectives of those who may be unlikely or unable to participate in the process.	<ul style="list-style-type: none"> ▪ A variety of engagement methods will be used to gather information and meet the needs of participants. ▪ Prior to the end of this phase, the project team will assess success in gathering input from a variety of community members and refocus efforts as needed.

Goal	Implementation
Focus engagement around issues that can be molded and influenced by public input.	<ul style="list-style-type: none"> Participants will receive information about the project with the purpose of distinguishing the City’s station area plan from Sound Transit’s station design effort. Engagement personnel will explain the scope of this project and the types of opportunities and concerns that the City is able to explore. When participants express opportunities and concerns outside the scope of this project, they will be noted and redirected. If applicable, some information may be forwarded to appropriate personnel outside this project.
Integrate plan development with environmental review to ensure a seamless experience for participants and multiple opportunities to comment.	<ul style="list-style-type: none"> Engagement during this phase will be the first opportunity to comment for businesses and residents close to the station area. Environmental review will not begin in this data gathering stage.
Ensure that those most affected by the plan are aware and engaged.	<ul style="list-style-type: none"> This phase focuses on engagement with businesses and residents closest to the station to provide context for the development of concepts and alternatives in the next phase.
Identify areas of opportunity and concern.	<ul style="list-style-type: none"> Engagement questions are designed to identify areas of opportunity or concern: <ul style="list-style-type: none"> Picture the area around the BRT station in 20 years: How has it changed to make the most of the state and regional investment in the station? Has it helped Kirkland achieve any community goals? What are the advantages of the BRT station at NE 85th Street for local residents, businesses, and property owners? What are the disadvantages of the BRT station at NE 85th Street for local residents, businesses, and property owners? Who else should we talk to? How do we best reach them?

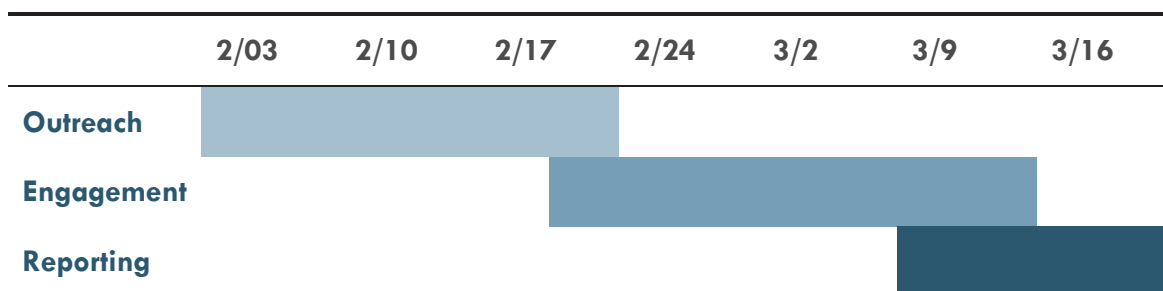
Outreach and Engagement

The following outreach and engagement is proposed for each of the stakeholder groups below.

Stakeholder	Outreach	Engagement	Notes
Neighborhood groups: North Rose Hill, South Rose Hill, Highlands, Everest, Moss Bay, Norkirk.	Reach out to neighborhood association chairs.	<ul style="list-style-type: none"> Neighborhood leaders meeting <i>Conducted February 19, 2020. See Key takeaways below.</i> 	Try to host a neighborhood meeting that draws the chairs from all six neighborhoods. If not possible, visit meetings for individual neighborhoods. Either approach would include City staff and members of the consulting team.
Business Community: businesses within half	Send a postcard.	<ul style="list-style-type: none"> Short online survey <i>ongoing</i> 	Send a postcard with contact information for an interview and links to an online survey on

Stakeholder	Outreach	Engagement	Notes
a mile of the station area.	Business canvas.	<ul style="list-style-type: none"> Business canvas. Phone interviews. 	<p>the project webpage. Based on results, consider a business canvas teaming a person from the consulting team with someone from the City.</p> <p>Consultant team will prepare a postcard for the City to send. Consultant team will prepare draft and final survey questions for City approval and host the survey. City staff will post the survey to the project webpage.</p>
Major property owners within a half-mile of the station area.	Calls and emails.	<ul style="list-style-type: none"> Phone interviews. 	Major property owners/businesses in the study area should be offered interviews. Consider the personnel match between interviewer and interviewee.
State and regional agencies.	Contact project lead for BRT station and design to ask for time on a meeting agenda.	<ul style="list-style-type: none"> Project meeting. 	This engagement will focus more on sharing information about the City's planning process, with some coordination of effort. Best led by City staff, possibly with consultant support.
Boards and Commissions.	Contact chairs and liaisons to secure time on a meeting agenda.	<ul style="list-style-type: none"> Board or Commission meeting. 	This is best led by City staff with some consultant support.

Next Steps





CITY OF KIRKLAND
City Manager's Office
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www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Kellie Stickney, Communications Program Manager
Amy Bolen, Executive Assistant

Date: Marcy 10, 2020

Subject: Prudential Spirit of Community Award Honoree Sanika Datar

RECOMMENDATION:

That the Mayor recognize Prudential Spirit of Community Award Washington State Honoree, Sanika Datar.

BACKGROUND DISCUSSION:

The **Prudential Spirit of Community Awards** program is the United States' largest youth individual recognition program based exclusively on volunteer community service (<https://spirit.prudential.com/>). This program selects 102 student Honorees, two for each state (one for Middle School level, and one for High school), to earn \$1,000 in scholarships, a silver medallion, and a trip to Washington D.C. in May where 10 National Honorees will be chosen. Sanika Datar from Environmental & Adventure School in Kirkland was recognized as the Honoree for Middle school level and will be representing Washington state during the Nationals event that will be held in Washington DC May 2-5.

Sanika was selected for her leadership in her school's Community Stewardship Projects, which provide students with opportunities for active involvement in both environmental and social stewardship. Sanika celebrated Earth Day 2019 by hosting an event in her backyard to educate her younger sister and other preschoolers in her Finn Hill neighborhood on things they can do to help care for our planet's natural environment, including a scavenger hunt in a nearby park to locate recyclable items and a hands-on opportunity to learn the proper way to recycle different types of items. Sanika not only embraced her own passion for environmental advocacy, good stewardship and volunteerism, but also taught and inspired others. Sanika's further volunteer efforts including planting trees and removing invasive species from local wooded areas, and she is also a member of the Kirkland Youth Council.

Sanika and her mother, Seema Datar, will attend the Council meeting on March 17 to receive this recognition.

A PROCLAMATION OF THE CITY OF KIRKLAND

Recognizing Prudential Spirit of Community Awards Program State Honoree Sanika Datar

WHEREAS, every year the Prudential Spirit of Community Awards program selects a total of 102 State Honorees, one middle school student and one high school student from each state, who are invited on an all-expenses paid trip to Washington D.C. in May for four days of events, tours, sightseeing and fanfare, with the opportunity to become one of the 10 State Honorees named America's top youth volunteers of the year; and

WHEREAS, Lake Washington School District 7th grade student and Finn Hill neighborhood resident Sanika Datar has been selected as the middle school level Prudential Spirit of Community Award program State Honoree for 2020, one of only two students in the State of Washington to earn this prestigious honor; and

WHEREAS, for the first time in the history of the Prudential Spirit of Community Awards program, both Washington State Honorees are Lake Washington School District students, including Sanika, who attends Environmental and Adventure School, and Sammamish resident Adithi Raghavan, who attends International Community School; and

WHEREAS, Sanika has participated in her school's Community Stewardship Projects, which provide students with opportunities for active involvement in both environmental and social stewardship; and

WHEREAS, Sanika's love for the outdoors is exemplified in her thoughtful desire to improve the environment through proactive measures and definitive actions; and

WHEREAS, Sanika celebrated Earth Day 2019 by hosting an event in her backyard to educate her younger sister and other preschoolers in her Finn Hill neighborhood on things they can do to help care for our planet's natural environment, including a scavenger hunt in a nearby park to locate recyclable items and a hands-on opportunity to learn the proper way to recycle different types of items; and

WHEREAS, through this extraordinary act, Sanika not only embraced her own passion for environmental advocacy, good stewardship and volunteerism, but sought to instill this passion in others through a deliberate effort to teach and inspire those around her; and

WHEREAS, Sanika's eagerness to have a positive impact has blossomed into further volunteer efforts including planting trees and removing invasive species from local wooded areas, and has fed her desire to secure a position on the Kirkland Youth Council, with the goal of continuing to have a lasting and positive impact on not only the environment, but the Kirkland community as a whole.

NOW, THEREFORE, I, Penny Sweet, Mayor of Kirkland, on behalf of the Kirkland City Council, do hereby commend 12-year-old Kirkland Resident Sanika Datar for her recognition as a 2020 Prudential Spirit of Community Awards program State Honoree and celebrate her accomplishments.

Signed this 17th day of March 2020

Penny Sweet, Mayor

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

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Joe Sanford, Fire Chief
Andreana Campbell, Management Analyst

Date: March 5, 2020

Subject: INITIAL RECOMMENDATION FROM THE COMMUNITY SAFETY ADVISORY GROUP REGARDING A POSSIBLE NOVEMBER 2020 FIRE AND EMERGENCY MEDICAL SERVICES BALLOT MEASURE.

RECOMMENDATION:

- Kirkland City Council receives an initial update since the conclusion of the Community Safety Advisory Group (ComSAG) meetings on February 26, 2020.
- Staff will present the full ComSAG recommendation in April.
- Staff is requesting feedback from the Council on the draft survey questions from EMC Research that will be sent to the Council separately.

BACKGROUND DISCUSSION:

Due to City Manager Office resources being redirected the City's response to COVID-19, staff is bringing only a summary of the ComSAG report to the March 17 Council meeting. However, given the magnitude of the potential investments staff felt it was important to get the most relevant information to the Council as quickly as possible. The full ComSAG report will be transmitted to the Council in April.

The ComSAG was established in September 2019 by [Resolution R-5386](#) and convened by the City Council to review and recommend capital and operating elements, as well as funding mechanisms for a potential November 2020 ballot measure for Fire and Emergency Medical Services.

The following recommendation to the Council was made after five months of meetings to educate group members and discuss what elements of this potential ballot measure the ComSAG believes are most important for the City. The ComSAG is recommending two measures be placed on the November 3, 2020 ballot for Fire and Emergency Medical Services:

- A permanent levy of \$0.124/\$1,000 to fund 24 new firefighter/EMTs.
- An excess levy (bond) of \$0.101/\$1,000 to pay for capital improvements to existing fire stations and the construction of a new station.

Together these measures would provide for a new Fire Station 27, station renovations and seismic retrofits for Fire Station 21 (Forbes Creek), Fire Station 22 (Houghton) and Fire Station 26 (N. Rose Hill), as well as improved response times, and firefighter/EMT health and safety improvements.

If the Council authorized both ballot measures as recommended, the total for both would be \$0.225 per \$1,000 of assessed valuation, and an estimated annual debt service of just over \$7,000,000.

COMMUNITY SURVEY:

At the March 3, 2020 Council meeting, Council approved a Fiscal Note for one-time funding up to \$35,000 from the Council Special Projects reserves to fund a community survey related to the recommendations made by the ComSAG. On March 6, 2020 staff met with EMC Research and collaborated on a draft survey. The draft survey questions were not completed in time to be included in the Council packet. Staff will forward the draft questions as a separate document prior to the Council meeting. Staff will be seeking Council review and comment on the survey questions. Once finalized, the survey will be completed as soon as possible so that the results will be available at the end of April or early May.

COMSAG CATEGORIES AND RECOMMENDATIONS

The ComSAG divided potential ballot measure elements into three categories. However, the ComSAG wished to emphasize to the Council that the ComSAG felt that all potential ballot measures elements introduced to them were important and had value to the community. The difficult decisions came down to choosing those investments that were most urgent while considering the cost to taxpayers and potential voter fatigue. Below are the definitions of the three ComSAG capital and operating categories that will be presented at the Council meeting.

- **Definitely Include:** Elements ComSAG recommends the City Council should include in the ballot measures.
- **For Council Consideration:** Elements ComSAG feels have a strong value and recommends the City Council review pros and cons and decide whether to include.
- **Not this Ballot Measure:** Elements ComSAG feels are not ready for this measure and/or could be funded outside of these ballot measures.

On the following page are three different charts. The blue chart (first chart) indicates elements the ComSAG placed in the "Definitely Include" category. The green chart (second chart) indicates elements the ComSAG placed into the "For Council Consideration" category. The orange chart (third chart) indicates elements the ComSAG placed into the "Not this Ballot Measure" category. In depth analysis on each element and its placement within a category will be presented in much more detail in the ComSAG report in April.

In each chart, capital elements are listed first, followed by operating elements, with overall totals at the bottom. Both charts have the cost per element (shown in 2026 dollars), the tax rate per \$1,000 of assessed valuation, and annual property tax impact to a median-valued home.

Below is the list of **capital and operating elements** in the **"Definitely Include"** category:

"Definitely Include" Capital Elements		Cost in 2026 \$	Annual Cost	Tax Rate /\$1,000AV	Annual Impact to Median-Valued Home*	
Juanita Station 27 design, build, and relocate east of I-405		\$23,340,000	\$1,285,079	\$0.04076	\$29.76	
Houghton Station 22 renovation and modernization		\$10,620,000	\$375,503	\$0.01855	\$13.54	
Forbes Creek Station 21 renovation and modernization		\$6,820,000	\$584,728	\$0.01191	\$8.70	
N. Rose Hill Station 26 renovation and modernization		\$9,410,000	\$518,106	\$0.01643	\$12.00	
Purchase of a 2 nd Ladder Truck		\$1,604,407	\$88,337	\$0.00280	\$2.05	
Design and build a Training Building at the new N. Juanita Station 24		\$6,222,853	\$342,625	\$0.01087	\$7.93	
Total Capital		\$58,017,260	\$3,194,378	\$0.10133	\$73.97	
"Definitely Include" Operating Elements		FTEs	Annual Cost	Annual Cost	Tax Rate /\$1,000AV	Annual Impact to Median-Valued Home
Dedicated Aid Car at Houghton Fire Station 22		10	\$1,626,102	\$1,626,102	\$0.05158	\$37.65
Cross staff new N. Juanita Station 24		5	\$813,051	\$813,051	\$0.02579	\$18.83
Additional Firefighter/EMT		5	\$813,051	\$813,051	\$0.02579	\$18.83
12 Hour EMS Transport		4	\$650,441	\$650,441	\$0.02063	\$15.06
Total Operating		24	\$3,902,645	\$3,902,645	\$0.12380	\$90.37
Total	Capital		\$58,017,260	\$3,194,378	\$0.10133	\$73.97
	Operating		\$3,902,645	\$3,902,645	\$0.12380	\$90.37
	Total			\$7,097,023	\$0.22513	\$164.34

*According to the King County Assessor's Office, the median home value in Kirkland in 2020 is \$730,000.

After the final ComSAG meeting on February 26, the City Manager convened an interdepartmental team consisting of staff from the City Manager’s Office, the Finance Department, the Fire Department, the Public Works’ Capital Improvement Plan team and the architectural firm in charge of renovating and constructing the City’s fire stations, TCA. This team met once in March and will continue to meet regularly to review sequencing of all capital construction, and financing associated with each project. As this team continues to refine each project, cost and tax rates for individual elements may change, and ultimately impact the total. Staff is also working alongside the City Attorney’s Office, Bond Counsel, and outside legal counsel to present draft ordinances to the Council before the second Council meeting in July. More detail and next steps are presented at the end of the memorandum.

The cost of the recommended capital elements in the “Definitely Include” category is just over \$58,000,000. Assuming an excess levy using a 30-year bond, the property tax rate would be \$0.101 per \$1,000 of assessed valuation. The annual estimated property tax increase for a home with a median assessed valuation of \$730,000 would be \$73.97. Annual debt service to be repaid by the levy would average \$3,194,378.

The cost of the recommended operating elements in the “Definitely Include” category would be \$3,902,645 annually. Assuming a permanent levy lid lift, the property tax rate would be \$0.124 per \$1,000 of assessed valuation. The annual estimated property tax increase for a home with a median assessed valuation of \$730,000 would be \$90.37.

The total impact of the “Definitely Include” category would be a property tax increase of \$0.225/\$1,000 of assessed valuation and an annual increase of \$164.34 in annual property taxes for the median home in Kirkland.

Below is the list of **capital and operating elements** in the “**For Council Consideration**” category:

“For Council Consideration” Capital Elements	Cost in 2026 \$	Annual Cost	Tax Rate /\$1,000AV	Annual Impact to Median-Valued Home
Training Props – Option B	\$7,786,076	\$428,694	\$0.01360	\$9.93
Converting Current Station 27 into a Logistics Center	\$753,000	\$41,459	\$0.00132	\$0.96
Total Capital	\$8,539,076	\$470,153	\$0.01492	\$10.89
“For Council Consideration” Operating Elements	Cost in 2026 \$	Annual Cost	Tax Rate /\$1,000AV	Annual Impact to Median-Valued Home
Hire an Additional Fire Inspector	\$173,596	\$173,596	\$0.00551	\$4.02
Hire an Additional Battalion Chief Aide	\$813,051	\$813,051	\$0.02579	\$18.83
Total Operating	\$986,647	\$986,647	\$0.03130	\$22.85

Total	Capital	\$8,539,076	\$470,153	\$0.01360	\$10.89
	Operating	\$986,647	\$986,647	\$0.03130	\$22.85
	Total		\$1,456,800	\$0.04490	\$33.74

The cost of the capital elements recommended "For Council Consideration" is \$8,539,076. Assuming an excess levy using a 30-year bond, the property tax rate would be an addition of \$0.014 per \$1,000 of assessed valuation on top of the proposed \$0.101 for capital in the "Definitely Include" category. The annual estimated property tax increase for a home with a median assessed valuation of \$730,000 would be \$10.89 in addition to the \$164.34 "Definitely Include" capital elements total. This would increase the annual debt service to an average of \$3,778,483, an increase of \$584,105 per year.

The cost of the operating elements recommended "For Council Consideration" would be an additional \$986,647 annually. Assuming a permanent levy lid lift, the property tax rate would be an addition of \$0.031 per \$1,000 of assessed valuation on top of the proposed \$0.124 for staffing in the "Definitely Include" category. The annual estimated property tax increase for a home with a median assessed valuation of \$730,000 would be \$22.85 in addition to the \$90.37 "Definitely Include" operating elements.

The total impact of the "For Council Consideration" category would be an addition of \$0.045 per \$1,000 of assessed valuation on top of the proposed \$0.225 for capital and operating costs in the "Definitely Include" category. The annual estimated property tax increase for a home with a median assessed valuation of \$730,000 would be \$33.74 in addition to the "Definitely Include" elements.

Below is the list of **operating elements** in the **"Not this Ballot Measure"** category:

"Not this Ballot Measure" Operating Elements		Cost in 2026 \$	Annual Cost	Tax Rate /\$1,000AV	Annual Impact to Median-Valued Home
Additional Training Officer		\$185,723	\$185,723	\$0.00589	\$4.30
Public Information Officer		\$125,419	\$125,419	\$0.00398	\$2.90
Total Operating		\$311,142	\$311,142	\$0.00987	\$7.20
Total	Capital	-	-	-	-
	Operating	\$311,142	\$311,142	\$0.00987	\$7.20
	Total	\$311,142	\$311,142	\$0.00987	\$7.20

The cost of the operating elements in the "Not this Ballot Measure" category would be an additional \$311,142 annually. Assuming a permanent levy lid lift, the property tax rate would be an addition of almost \$0.01 per \$1,000 of assessed valuation on top of the proposed \$0.124 for staffing in the "Definitely Include" category. The annual estimated property tax increase for a home with a median assessed valuation of \$730,000 would be \$7.20 in addition to the \$90.37 "Definitely Include" operating elements.

If Council recommends including all elements in every category the proposed measure would be \$0.116 for capital and \$0.165 for staffing, a total of \$0.28, a difference of \$0.056 per \$1,000 of assessed valuation. The annual estimated property tax increase for a home with a median assessed valuation of \$730,000 would be \$205.28, a difference of \$40.94 when comparing to the elements recommended in the "Definitely Include" category.

NEXT STEPS:

Council is scheduled to receive the ComSAG recommendation in April. EMC Research will conduct the community survey in April or May. After which, staff will bring survey feedback to Council at the end of May or early June, and final action to place these measures on the ballot will take place no later than the last meeting in July. A general timeline is outlined below:

Election Calendar	Accelerated Calendar	
April	April	Council to Hear Recommendations from ComSAG
April/May	April/May	Community Survey
July 7 or 21	June 2 or 16	Ballot Measure Public Hearing
July 7	June 6	Pro/Con Committee Appointments Authorized
July 21	June 16	Pro/Con Committee Appointments Confirmed
July 21	June 16	Last Council Meeting to Approve Ballot Measure Ordinance
August 4	August 4	Ballot Measure Resolution due to King County
August 7	August 7	Explanatory Statement Due
August 11	August 11	Pro/Con Statements Due
November 3	November 3	General Election



CITY OF KIRKLAND
Department of Public Works
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Kimberly Scrivner, Transportation Planner
Joel Pfundt, Transportation Manager
John Starbard, Deputy Director of Public Works
Julie Underwood, Interim Director of Public Works

Date: March 5, 2020

Subject: DOWNTOWN PARKING DISCUSSION

RECOMMENDATION:

At the March 17 meeting, staff will be discussing several issues regarding public parking in the downtown area. Staff recommends that the City Council:

1. Receive an update about improvements that are being made to the Peter Kirk Municipal Garage and review proposed hours, service, rules, and an amending ordinance concerning the garage;
2. Review preliminary information about broadening the City's downtown pay-for-parking program starting in 2021; and
3. Receive an update about the Downtown Employees Parking Program and discuss the possibility of charging a fee for the program in 2021, which now is free.

BACKGROUND DISCUSSION:

The City owns and manages three surface parking lots in the downtown area and owns and manages one structured parking garage. The surface lots are located at: the southeast corner of Lake Street and Central Way, the Lakeshore Plaza parking lot east of Marina Park, and the Wester lot south of City Hall used for the downtown employee parking program. The parking garage is located on the northeast corner of 3rd Street and Kirkland Avenue beneath the library (see Attachment A, "Map of City-owned Parking Facilities").

As was (and often still is) the pattern in the suburbs for about a century, Kirkland and private property owners have a history of providing convenient, free parking in the City's commercial areas. But in recent decades, Kirkland has made continuous and strategic decisions to urbanize, particularly in the downtown area. Through zoning, development standards, transit and multimodal decisions, and increased residential and employment densities, Kirkland is now an Eastside city its own right.

With that has come a more urban parking environment. New residential buildings have lower parking-to-unit ratios, parking in new commercial buildings most often is structured rather than on the surface, and new mixed-use developments—including ones that feature day-to-day conveniences such as a grocery store—charge or validate for parking.

Given these changes, and to facilitate a follow-up discussion from a similar topic at the Council's February 2020 retreat, staff is presenting information in this staff report about the City's own parking inventory, policies, regulations, and options.

1. Peter Kirk Municipal Parking Garage

The downtown library was built about 26 years ago on City-owned land that is part of the larger Peter Kirk Park. It was built as a partnership between the City and the King County Library System. The City continues to own the land and the City paid for the construction of, owns, and manages the undercover portions of the parking structure; and the Library System paid for the construction of, owns, and manages the library spaces and the open-air parking stalls on the upper deck of the parking structure, which are for library patrons only. The City-owned portion of the garage has 344 parking stalls (the middle and lower decks) and the library's upper deck has 63 stalls; there are 407 parking stalls total.

Since its construction, it appears the parking garage has been open to the public 24 hours per day, every day. Though there always have been doors and electric closers at the vehicle entrances, staff has been unable to identify anyone who remembers when the doors were ever closed. The rolling gates on the upper deck were made inoperable years ago when the bottom metal track upon which the gates used to roll was cut away by the City, and vehicles have run into the tracks for the coiling vehicle doors on 3rd Street making them inoperable.

Over the years, issues in the garage have emerged and increased. Some of the issues relate to the fact that the garage has aged and needs attention to some deferred maintenance. Other issues relate to the fact that the garage is always wide open and invites activities that are undesired, illegal, dangerous, or all three.

In the past three years, some needed improvements have been made to the garage:

- Installing energy-saving lighting;
- Repairing the cab and mechanics of the single elevator;
- Sealing leaky gaps around a glass block ceiling and in an electrical room;
- Unplugging a storm drain on the upper deck that caused pooling during rain events;
- Installing 18 securing cameras;
- Bringing a fiber optic line into the garage;
- Purchasing new help/panic buttons (soon to be installed); and
- Daily custodial cleaning of the elevator and weekly cleaning of the two stairways.

Since late 2018, the City has contracted with Diamond Parking Services to monitor the garage five times per day every day. At the City's option, the City's contract with Diamond provides for an increased level of service—on-site personnel for eight hours per day to augment walk-through monitoring at other times—once the garage can be closed and locked. Practically, though, until the garage can be closed and locked the ability to manage the garage as many would prefer has been difficult.

The City's Job Order Contractor, Forma, has been working since January to enable the garage to be closed and locked automatically at fixed hours of the day, and also so that it can be opened or closed remotely or on site if there were a weather or other circumstance that would warrant it. The work should be complete this April. Elements of the work include:

- Replacing most doors in the garage—new coiling doors on 3rd Street and a new coiling door leading the swimming pool, replacing most pedestrian doors;
- Repairing the rolling gates on the upper deck and installing a new track;
- Retaining a pedestrian door leading to the swimming pool;
- Wiring together all doors so that they can be operated by timer, remotely, as well as on-site;
- Replacing the fire-rated, glass enclosure at the bottom of the southeast stairway;
- Providing flashing warning lights when vehicular doors are opening and shutting and the beginning and end of the day or at other times; and
- Installing the same type of card readers and software the City uses for its other buildings (Genetec) so that emergency responders and select others can access the garage after hours when needed

Being able to close and lock the garage regularly is anticipated to greatly facilitate the management, safety, and cleanliness of the garage. It also raises practical questions about which staff seeks the Council's guidance and direction.

HOURS OF OPERATION

Since the garage will be able to be closed and locked, and since not doing so has led to issues, staff recommends establishing hours of operation for the garage. Staff recommends that the garage open at 5:00 a.m. and close at midnight seven days a week. This will allow a five hour window each day for interior cleaning and maintenance when such work is needed or scheduled.

Staff is aware that there may be some downtown employees who park in the garage past midnight. Those employees would still have the Wester lot, surrounding surface and private garage lots, or street parking as options.

INCREASED ON-SITE PRESENCE

Once the City closes and locks the garage on a daily basis, the City anticipates increasing the on-site management services to the second level provided in its contract with Diamond Parking Services so that there would be a staff person on-site every day between 4:00 p.m. and midnight for monitoring and customer service (e.g. providing directions to exits or key downtown locations). Between 5:00 a.m. and 4:00 p.m. there would continue to be walk-through monitoring several times per day.

ESTABLISHMENT AND POSTING OF RULES

While there are a few signs in the garage now that speak to rules, they are limited and tend to refer to code citations rather than use plain terms. Staff proposes that the Council establish the following rules and, if established, that they will be posted at several clearly visible locations in the garage:

- No Skating, Skateboarding, or Scooters
- No Loitering or Soliciting
- No Camping
- Vehicles that remain in the garage after closure can either: a) wait until the garage is reopened the following morning and are subject to the 4-hour parking limit; or b) pay a "after hours fee" to the company monitoring the garage)
- All City public nuisance laws, traffic laws, and parking regulations apply (KMC 11.24, KCM 12.12 and KMC 12.45)

Current rules in the garage that are proposed to be retained are:

- 4-hour public parking on the middle level
- The lower level will remain permit-only from 9:00 a.m. to 5:00 p.m., except for weekends and holidays

SIGNAGE

The current signage in the garage is dated and sometimes provides mixed messages. Staff proposes new signage in the garage, to include:

- Posting of rules, hours, and potentially fees, based upon Council direction;
- Converting some stalls that currently are designated for both 4-hour general public parking and simultaneously employee permit-only to be clearly either general public or permit-only. These stalls were made to be shared before Kirkland offered the Wester Lot for downtown employees;
- Converting signs to eliminate confusion that the permitted stalls are available to the public on evenings, weekends, and holidays; and
- Replacing a few old signs that are unreadable or damaged

The City has some local rules and laws in chapter 12.45 of the *Kirkland Municipal Code* that pertain to the Municipal Garage. In light of the changes being made at the garage and also unwanted behaviors and activities there, staff is proposing amendments to chapter 12.45 (see Attachment B, "An Ordinance...Related to Parking, Prohibited Conduct, Trespass Warnings, and the Peter Kirk Municipal Garage." The parenthetical references below refer to sections of the attached, proposed ordinance. In summary, the proposed ordinance:

- Provides a definition of "overnight camping" (12.45.010.6)
- Provides a definition of "dangerous" behavior (12.45.010.15)
- Provides a definition of "illegal" behavior (12.45.010.16)
- Provides a definition of behavior that is "unreasonably disruptive to other users" (12.45.010.17)
- Adds a new section concerning Municipal Garage Use—Civil Infractions—Overnight Parking Exception (12.45.400)

- As noted above in "Establishment and Posting of Rules," proposes that overnight parking itself is not cause for an infraction, but states that the owner either needs to wait until morning to retrieve the vehicle or pay an "after hours fee" to retrieve the car prior to opening.
- Adds a new section concerning Trespass Warnings (12.45.410)
 - Authorizes City police officers to issue trespass warning to persons exhibiting conduct that is "dangerous, illegal, or unreasonably disruptive" (12.45.410.1).
 - Provides for escalating durations for being excluded from the garage, from up to seven days, up to ninety days, or up to one year (12.45.410.4).
 - Provides an appeal process for challenging a trespass warning (12.45.410.6).
 - Provides for the conditions under which a person may be arrested for violation of a trespass warning (12.45.410.14).
 - Provides for the conditions when an individual who has received a trespass warning may re-enter the garage to exercise constitutionally-protected free speech rights (12.45.410.15).

Following the Council's review and discussion of the proposed ordinance, the ordinance would be brought forward at a subsequent meeting for adoption.

2. Discussion of Fees for Downtown Parking

At the Council's February financial retreat, staff introduced the idea of expanding options for paid parking downtown to help address the financial challenges from the loss of the annexation sales tax credit revenue. New parking fee revenues would be allocated as part of the Council's 2021-2022 budget process but would most likely be allocated to sustain transportation planning and traffic safety program staff that are currently funded with one-time funding sources set to expire at the end of 2020. A discussion of potential fee options and related issues follows.

Of the City's four off-street parking assets, the City offers two for free and charges for the other two. In the municipal garage, the general public can park up to four hours for free on the middle deck, and those registered in the downtown employees parking program can park on the lower deck of the garage for free. Similarly, the Wester lot offers free parking for registered downtown employees, and free public parking after 5:00 p.m. and on weekends. The City began charging for parking in the Lakeshore and Lake and Central city-owned lots in the early 2000's at the rate of \$1.00 per hour with a limit of 4-hours.

With Kirkland Urban now open adjacent to the Central Business district, the garage parking could be significantly impacted. The Kirkland Urban garage hosts approximately 700 stalls with the charge of \$5 for the first 0-3 hours. With the Municipal Garage and on-street parking being free and an estimated addition of over 2,000 new employees to Kirkland Urban as well visitors to all of the growing downtown businesses, free parking may need to be reassessed due to the risk of employees and customers parking at the City garage to save money. In addition, the garage has maintenance needs, both on-going and deferred, and the City is paying a third-party parking management company for services in the garage. Also, free parking is counter to one of Council's goals to reduce reliance on single occupancy vehicles.

Funds received from the 151 revenue-generating stalls in the two surface lots downtown is approximately \$350,000 per year, or roughly \$2,700 per stall per year.

If the Council desires to see more detailed revenue and expense data about downtown parking to further its analysis of the idea, staff recommends obtaining some consulting from a third party that has expertise in parking pricing and implementation options.

Staff is recommending a review as part of the 2021-2021 budget process. Any new parking fees would not be implemented until at least 2021. A preliminary projection of possible revenues and expenses is provided below, with the following assumptions:

- Both the Lake/Central and Maria Park lots are free on Sundays and holidays, and fees are charged only between 9:00 a.m. and 9:00 p.m. on weekdays and Saturday. Staff assumed the same for the additional stalls.
- The City would maintain the downtown employees parking program, meaning some stalls in the municipal garage and all stalls in the Wester lot would have limited availability to the general public for a fee.
- A fee would be charged for on-street parking between 9:00 a.m. and 9:00 p.m. Monday through Saturday; Sunday would be free.
- Staff assumed \$1.00 per hour, which is what the City charges now at two lots; this rate facilitates multiplication or division for discussing other price points.
- Projections were based upon a 50% utilization rate averaged by season and time of day; staff assumed a slight range for a drop in usage when pay-for-parking is introduced.
- Projections exclude ADA stalls, 30-minute stalls, and loading zones.
- Possible cost of pay stations may be approximately \$10,500 each depending on the menu of options available for the pay-stations. The quantity of stations assumed were:
 - Two pay stations on each of two decks in the garage
 - One pay station on each block face for on-street parking
 - One pay station at the Wester lot

Table 1: Possible Additional Annual Revenue and Expense—Downtown Parking

Location	# of Stalls	When?	Possible Annual Revenue	Possible Cost of Pay Stations
Garage— General Parking	155	Monday-Saturday 9:00 a.m. to 9:00 p.m.	\$196,000 to \$300,000	\$21,000
Garage— Employee Program	185	Weekday evenings and Saturdays only	\$85,000 to \$100,000	\$21,000
On-street	288	Monday -Saturday 9:00 a.m. to 9:00 p.m.	\$365,000 to \$470,000	\$157,500
Wester	79	Weekday evenings and Saturdays only	\$36,000 to \$47,000	\$10,500
Totals	707		\$36,000 to \$917,000	\$10,500 to \$210,000

The cost of operational expenses for the current parking program is about \$275,000 annually, on average. More investigation will be needed to evaluate the increase in on-going annual cost for a larger program. Operations to close the garage at night, provide monitoring services and an attendant after 4:00 p.m. as well as ongoing cleaning and maintenance services is estimated to cost an additional \$127,000 per year above what is being paid currently.

3. Downtown Employee Parking Program

In 2012, the City established its downtown employee parking program ("Program") to help ensure that downtown visitors and customers had the best parking options available to them rather than have them taken by downtown employees, and to encourage downtown employees to park in designated areas managed by the City. Participation in the Program currently is free but requires registration with the City. The designated parking areas are: 1) the lower level of the municipal garage, 2) the Wester lot (opened in 2017), and 3) in designated locations along Lake Avenue West. Today, there are 845 active employee permits registered.

In thinking conceptually about establishing a fee for the Program, staff thought about these four Program areas:

GOALS

Staff continues to see merit in encouraging employees to use alternative parking locations so that visitors and customers have the opportunity for more convenient parking when they come downtown. Since the City has parking facilities downtown, directing employee to them also continues to make sense.

ADMINISTRATION

To date, staff has used a rather basic method of administering the Program. Employees complete a registration form, City staff confirms employment within the boundaries of the Program (which excludes Kirkland Urban), and the participant receives a "window cling" to display on the participant's vehicle. New window clings in a different color are provided annually after the employee re-registers annually.

Staff is aware that some employees are seasonal or part-time, and it's likely that some employees leave their downtown Kirkland employment but don't report it and retain their window cling. There may be technology available that the City has not yet researched to administer the program differently so that issues like these are addressed.

ENFORCEMENT

Like administration of the Program, enforcement practices have been basic. Enforcement staff look for the window cling on cars parked in designated areas and either move on or issue citations accordingly. Using the current method, were the City to have different window clings for seasonal or part-time workers enforcement would become more difficult. Again, there may be technology in the parking industry that the City presently is unaware of that could make this easier.

FEES

The way the City administers the Program presently, as noted in the three paragraphs above, could influence the fee that might be established. An annual fee makes the most sense given the Program's current structure, though an annual fee treats year-round, part-time, and seasonal employees the same even if their benefit differs.

Further, while there are a variety of downtown jobs and employees, a meaningful percentage of those who use the Program are in the service industry. The fee should not be too high to be a burden on those who use the Program the most, yet not so low that it is a trivial amount that does not recognize the value of the City's parking resources and the service that is being provided. An additional consideration for this Program is that were the City to charge a market rate that could prove a disincentive, the goals of the Program may not be realized, and downtown employees may become more creative for parking options.

DIRECTION SOUGHT:

1. Does the Council support the proposed 5:00 a.m. to midnight hours of operation for the Peter Kirk Municipal Parking Garage, and does the Council also support increased on-site safety staffing, and revised rules and signage? A proposed ordinance is attached to amend the *Kirkland Municipal Code* to address parking regulations, prohibited conduct, trespass warnings, and the Peter Kirk Municipal Garage. Staff will return at a future meeting for action on the proposed ordinance if Council concurs with the ordinance.
2. Would the Council like to see more detailed revenue and cost information to further its evaluation of broadening the City's downtown pay-for-parking program at more City-owned locations downtown starting in 2021?
3. Is the Council interested in receiving more information about the idea of charging for the downtown employee parking program in 2021, including pricing options and ways to administer and enforce the program differently?






Attachment A: Map of City-owned Parking Facilities

Attachment B: Proposed Ordinance Related to Parking, Prohibited Conduct, Trespass, and the Peter Kirk Municipal Garage

Attachment A: Map of City-owned Parking Facilities



LEGEND

-  Central Business District
-  Pay-for-Parking lots
-  Employee Permit Parking Only
-  Mixed Free Parking and Employee Permit Only
-  Parks



ORDINANCE O-4718

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKING, PROHIBITED CONDUCT, TRESPASS WARNINGS AND THE PETER KIRK MUNICIPAL GARAGE.

1 WHEREAS, the Peter Kirk Municipal Garage ("Municipal
2 Garage" or "garage") is owned and operated by the City of
3 Kirkland ("City") and is located at the southwest corner of Peter
4 Kirk Park on the corner of Third Street and Kirkland Avenue in
5 downtown Kirkland; and
6

7 WHEREAS, the top, above-ground floor of the Municipal
8 Garage is used by the Kirkland Branch of the King County Library
9 System; the middle floor of the garage is available to downtown
10 shoppers, library employees and patrons, and park and pool users
11 with a four-hour parking limit; and the lower level is used by
12 permitted downtown employees until five p.m. Monday through
13 Friday and is available for public use with a five-hour parking limit
14 at all other times; and
15

16 WHEREAS, pursuant to an Interlocal Agreement ("ILA")
17 between the City and the King County Rural Library District dated
18 March 13, 1990, as amended, the City provides the Kirkland
19 Library with Municipal Garage parking spaces located on the
20 surface level and the ramp to the level below for the use of library
21 patrons and also parking on the lower parking levels for library
22 personnel and patrons in addition to the general public; and
23

24 WHEREAS, the City is responsible pursuant to such ILA to
25 enforce time restrictions governing the use of the garage in
26 accordance with a parking management program for the garage;
27 and
28

29 WHEREAS, the Municipal Garage is in "Zone B" of the public
30 works department's "Parking Guidelines for Downtown Kirkland";
31 and
32

33 WHEREAS, "Zone B" is intended to serve a balanced mix of
34 long-term and short-term parking needs with the upper level of
35 the Municipal Garage, which is intended to serve patron demand
36 for stays of less than four hours; and the lower level of the garage
37 is intended to serve library and downtown employee parking
38 during the main workday (i.e., five a.m. to five p.m.); and
39

40 WHEREAS, over time an increasing number of regulatory
41 concerns related to the public health, welfare and safety have
42 arisen at the Municipal Garage, including criminal acts such as
43 assault and vandalism; the unlawful use of drugs and alcohol;
44 overnight camping; loitering and other non-garage uses (e.g.
45 spray painting a car), the intimidation of public garage users, and
46 increased staff and maintenance costs associated with these
47 concerns; and

48 WHEREAS, it is essential for members of the public,
49 including downtown workers, library employees and patrons, to
50 feel safe in the garage environment; and

51
52 WHEREAS, it is necessary to adopt new regulations related
53 to the Municipal Garage in order to protect the public health,
54 safety and welfare pursuant to Article XI, Section 11 of the
55 Washington Constitution; and

56
57 WHEREAS, a purpose of this ordinance is to regulate hours
58 of use of the Municipal Garage and to provide for a legally sound
59 process for enabling the City to exclude from the garage those
60 individuals whose behavior is dangerous, unsafe, illegal, or
61 unreasonably disruptive to other users; and

62
63 WHEREAS, a further purpose of this ordinance to provide
64 for a specific method to generally allow for the issuance of
65 trespass warnings to such individuals, including placing limitations
66 on trespass warnings and providing procedures for such
67 individuals to promptly appeal the issuance of trespass warnings.

68
69 NOW, THEREFORE, the City Council of the City of Kirkland
70 do ordain as follows:

71
72 Section 1. Kirkland Municipal Code 12.45.010 is amended
73 to read as follows:

74
75 **12.45.010 Definitions.**

76
77 For the purpose of this chapter:

- 78
79 (1) "Central business district" means the combination of areas
80 which the city of Kirkland Zoning Code designates as CBD-1A,
81 CBD-1B, CBD-2, CBD-3 or CBD-8.
82 (2) "Central business district employee" means: (A) a person who
83 is engaged for wages, credit or other consideration, or as a
84 volunteer, for a business or nonprofit entity within the central
85 business district, including temporary workers, contractors,
86 and consultants; or (B) an employer of persons who work at
87 a location within the central business district; or (C) a
88 principal/owner of a business premises within the central
89 business district.
90 (3) "Employee-restricted parking areas" shall mean all parking
91 spaces within the Lake and Central parking lot or the Marina
92 Park parking lot that are not municipal permit parking spaces
93 and any stall not marked "permit parking" in the Peter Kirk
94 Municipal Garage parking garage located at the corner of
95 Kirkland Avenue and Third Street.
96 (4) "Municipal permit or garage parking" is parking or standing of
97 motor vehicles on property owned, leased or operated by the
98 city requiring the obtaining of permits, depositing of money
99 or use of a credit or other payment card, or compliance with

- 100 pavement designations for the privilege to park at that
101 location and is subject to restrictions as enacted by the city.
- 102 (5) "Operator" means every person who is in actual physical
103 control of a vehicle as herein defined, upon a public street or
104 highway of the city.
- 105 (6) "Overnight camping" means remaining in the garage at any
106 time during the hours from midnight to five a.m. the following
107 day, whether in a vehicle or otherwise.
- 108 (~~7~~6) "Overnight parking" means the parking of a vehicle in
109 one spot continuously for a period exceeding six hours at any time
110 during the hours from ~~ten p.m.~~ midnight of the day designated to
111 five a.m. of the following day.
- 112
- 113 (~~8~~7) "Parking payment device" means any device used to aid
114 in management and control of the parking of vehicles on city
115 streets or other rights-of-way, including pay stations.
- 116
- 117 (~~9~~8) "Parking pay station" means any electronic device
118 placed or erected adjacent to a parking space which, after deposit
119 of money or use of a credit or other payment card, dispenses a
120 proof of payment receipt to be displayed on the vehicle.
- 121
- 122 (10) "Peter Kirk Municipal Garage" means the municipal
123 garage owned by the city and located at the northeast corner of
124 Third Street and Kirkland Avenue.
- 125
- 126 (~~11~~9) "Performing their ~~his or her~~ duties" means being
127 present at a place of the person's employment anytime between
128 the hours of nine a.m. and nine p.m.
- 129
- 130 (~~12~~10) "Person" means every natural person, firm,
131 partnership, corporation, association or organization.
- 132
- 133 (~~13~~11) "Street" or "public street" includes all public ways,
134 streets, highways and off-street parking facilities owned or
135 maintained by the city.
- 136
- 137 (~~14~~12) "Vehicle" means every device capable of being
138 moved upon a public highway and in, upon, or by which any
139 person, or property, shall or may be transported or drawn upon
140 any public highway excepting devices moved by human power.
141 There is a prima facie presumption that the registered owner of a
142 violator vehicle was the person who parked such vehicle.
- 143
- 144 (15) Behavior that is "dangerous" is behavior that creates an
145 imminent and unreasonable risk of injury or harm to either
146 persons or property of another or the actor.
- 147
- 148 (16) Behavior that is "illegal" is behavior that is prohibited by
149 federal, state or city laws or regulations including, but not limited
150 to, any of the following types of behavior:
- 151

- 152 (a) Threatening another person by communicating either directly
- 153 or indirectly to another person the intent to cause bodily injury
- 154 in the future to the person threatened or to any other person;
- 155 or
- 156 (b) Selling or using alcohol, marijuana or drugs; or
- 157 (c) Threatening or harassing behavior (e.g., fighting or threatening
- 158 to fight, brandishing a weapon, stalking, verbally threatening to
- 159 harm others or their property); or
- 160 (d) Assault; or
- 161 (e) Sexual misconduct or harassment (e.g., indecent exposure,
- 162 offensive touching, sexual acts).

163 (17) Behavior that is "unreasonably disruptive to other users"

164 is behavior that is not constitutionally protected and that, in

165 consideration of the nature, scope, use and purpose of the parking

166 garage, unreasonably interferes with others' use and enjoyment

167 of such garage. Examples of behavior that may unreasonably

168 interfere with others' use and enjoyment of the garage include,

169 but are not limited to, any of the following:

- 171 (a) Use of unreasonably hostile or aggressive language or
- 172 gestures; or
- 173 (b) Unreasonably loud vocal expression or unreasonably
- 174 boisterous physical behavior; or
- 175 (c) Using electronic or other communication devices in a
- 176 manner that is unreasonably disruptive to others; or
- 177 (d) Unreasonably interfering with the free passage of staff or
- 178 patrons in or on the garage property; or
- 179 (e) Behavior that is unreasonably inconsistent with the normal
- 180 use for which the garage was designed and intended to be used
- 181 (e.g., overnight camping), provided, however, that individuals
- 182 experiencing homelessness will be directed to available shelter
- 183 beds or a different location within Kirkland where overnight
- 184 camping is allowed.

185

186 Section 2. Kirkland Municipal Code Section 12.45.020 is

187 amended to read as follows:

188

189 **12.45.020 Parking restrictions—Designation.**

190 The chief of police or delegate ~~or~~, the director of public works or

191 delegate, ~~or the traffic engineer~~ may from time to time designate

192 portions of streets of the city and property of the city as prohibited

193 parking areas, restricted parking zones, municipal permit or

194 garage parking, and/or parking payment device spaces. Such

195 designation shall be shown by signage or other appropriate

196 indicators. The same procedure may be followed in altering or

197 abandoning a designation relating to parking.

198

199 Section 3. A new Section 12.45.400 of the Kirkland

200 Municipal Code is added to read as follows:

201

202 **Part V. Peter Kirk Municipal Garage**

203 **12.45.400 Municipal garage use – Civil infractions.**

204 The Peter Kirk Municipal Garage is reserved for use as follows:

205 (1) The surface parking lot above the parking garage and
206 the ramp to the level below is reserved for use by library patrons
207 during the library's posted hours of operation Monday through
208 Sunday, excluding library holidays.

209
210 (2) Garage parking below the surface parking lot and the
211 ramp to the level below is reserved for members of the public,
212 including library patrons, Monday through Sunday, and between
213 the hours of five a.m. and midnight limited to four hours. Central
214 business district employees with valid city parking permits may
215 park on the lower level and the ramp to the lower level between
216 the hours of five a.m. and five p.m. Monday through Friday.
217 Permitted areas are available to the general public on weekends
218 and holidays. Parking shall be in designated areas.

219
220 (3) Garage parking at times not allowed by this section is
221 prohibited and constitutes a civil infraction in accordance with
222 KMC Section 12.45.030; provided, however, that overnight
223 parking shall not constitute a civil infraction. This penalty is in
224 addition to any other penalties imposed for the underlying
225 infraction.

226
227 Section 4. A new Section 12.45.410 of the Kirkland
228 Municipal Code is added to read as follows:

229
230 **12.45.410 Trespass warnings.**

231 Trespass warnings at the parking garage, including its surface lot.

232
233 (1) City police officers are authorized to issue a trespass
234 warning to any individual who the officer has probable cause to
235 believe has violated any city ordinance, state statute, or
236 government rule or regulation, relating to or prohibiting conduct
237 that is dangerous, illegal, or unreasonably disruptive to other
238 users of the parking garage, as defined in this chapter, while such
239 individual is on or within such garage.

240
241 (2) Trespass warnings may be delivered in person to the
242 individual or by first class mail to the individual at the individual's
243 last known address.

244
245 (3) The individual need not be charged, tried, or convicted of
246 any crime or infraction in order for the trespass warning to be
247 issued or be effective. The warning may be based upon
248 observation by a police officer or a city employee or may be based
249 upon a civilian report that would ordinarily be relied upon by police
250 officers in the determination of probable cause.

251
252 (4) If the individual:

253 (a) Has not been excluded from the parking garage by a
254 trespass warning issued within one year prior to the violation, then
255 the warning may exclude the individual from the garage for a
256 period not exceeding seven days from the date of the warning.

257 (b) Has been the subject of only one prior trespass warning
258 related to the garage issued within one year prior to the current

259 violation, then the warning may exclude the individual from the
260 garage for a period of not more than 90 days from the date of the
261 current warning.

262 (c) Has been the subject of two or more prior trespass
263 warnings related to the garage and issued within one year prior
264 to the current violation, then the warning may exclude the
265 individual from the garage for a period of not more than one year
266 from the date of the current warning.

267
268 (5) The parking garage trespass warning shall be in writing,
269 shall contain the date of issuance, shall describe the behavior that
270 is the basis for the trespass warning, shall specify the length and
271 place of exclusion, shall be signed by the issuing police officer,
272 and shall state the consequences for failure to comply. A trespass
273 warning hereunder shall not prohibit access to another city
274 property or place that is unrelated to the garage.

275
276 (6) For good cause, the city manager, or designee may
277 rescind, shorten or modify a trespass warning issued. A written
278 request for review of a trespass warning must be delivered to the
279 city clerk no later than two business days after it is issued.

280 (a) The city manager or designee will, within three business
281 days of receipt of a request for review of any parking garage
282 trespass warning that excludes the alleged individual for seven or
283 fewer days, review the decision;

284 (b) The city manager or designee will, within five business days
285 of receipt of a request for review of any trespass warning that
286 excludes the alleged individual for more than seven days, review
287 the decision;

288 (c) The city clerk will notify the alleged individual of the date,
289 time, and place or telephone number at which the review will be
290 conducted;

291 (d) The review decision shall be communicated no later than
292 two business days following the review;

293 (e) As a follow-up to verbal communication, specify how a
294 written decision will be served on the alleged individual; and

295 (f) At the end of every written decision, inform the alleged
296 individual that such individual has the right to seek judicial review
297 of the decision and that the timeframe for seeking judicial review
298 runs from the date of service of the written decision.

299
300 (7) For purposes of this section, "good cause" to rescind,
301 shorten or modify a parking garage trespass warning shall be
302 found where:

303 (a) The alleged individual demonstrates by a preponderance
304 of the evidence that such individual's conduct was intended to be
305 expressive conduct protected by the federal or state Constitutions;
306 or

307 (b) The individual would not have known and was not given
308 prior warning that the conduct in question was subject to a
309 trespass warning; or

310 (c) The trespass warning was based solely upon the statement
311 of a third party, was not observed personally by the issuing officer
312 or a city or other government employee, would not ordinarily be

313 | relied upon by police officers in the determination of probable
314 | cause, and the alleged individual claims that such individual did
315 | not commit the action for which such individual was warned; or

316 | (d) In the judgment of the city manager or designee, the
317 | circumstances warrant a modification or rescission of the trespass
318 | warning. The city manager or designee shall rescind the trespass
319 | warning if, considering all the circumstances, the city manager or
320 | designee finds that reasonable minds could differ on the question
321 | of whether the conduct in question was unreasonably disruptive
322 | to others at the garage at that time. The review by the city
323 | manager or designee shall constitute the only city review available
324 | for a trespass warning.

325 |
326 | (8) At the review hearing, the violation must be proved by a
327 | preponderance of the evidence in order to uphold the parking
328 | garage trespass warning. The city manager or designee shall
329 | consider a sworn report or declaration from the officer who issued
330 | the trespass warning or upon whose observation the trespass
331 | warning was based, without further evidentiary foundation, as
332 | prima facie evidence that the individual committed the violation
333 | as described. The city manager or designee may consider
334 | information that would not be admissible under the evidence rules
335 | in a court of law but that the city manager or designee considers
336 | relevant and trustworthy. If the warning was issued because of
337 | the alleged violation of any criminal law, the individual need not
338 | be charged, tried, or convicted for the warning to be upheld.

339 |
340 | (9) If the city manager or designee rescinds an exclusion, for
341 | good cause or because the violation was not proved, the exclusion
342 | shall not be considered a prior trespass warning for purposes of
343 | subsection (4) of this section.

344 |
345 | (10) The decision of the city manager or designee will be the
346 | city's final decision. An individual seeking judicial review of the
347 | city's final decision must file an application for a writ of review in
348 | King County superior court within 15 days of receipt of the city's
349 | final decision.

350 |
351 | (11) The trespass warning shall remain in effect during the
352 | pendency of any administrative or judicial proceeding.

353 |
354 | (12) No determination of facts made by the city manager or
355 | designee shall have any collateral estoppel effect on a subsequent
356 | criminal prosecution or civil proceeding and shall not preclude
357 | litigation of those same facts in a subsequent criminal prosecution
358 | or civil proceeding.

359 |
360 | (13) This section shall be enforced so as to emphasize
361 | voluntary compliance with laws and garage rules and so that
362 | inadvertent minor violations of this section can be corrected
363 | without resort to a trespass warning.

364 |
365 | (14) Any person who is found on the parking garage premises
366 | in violation of a trespass warning issued in accordance with this

367 chapter for a period longer than seven days and who accordingly
368 has had the right to a hearing regarding the trespass warning,
369 may be arrested for trespassing, except as otherwise provided in
370 subsection (15) of this section and provided, however, that
371 nothing herein contained shall prevent an individual from being
372 removed if necessary for overnight camping or attempting to
373 remain in the garage after hours as provided for herein.

374
375 (15) The chief of police or designee may upon request
376 authorize an individual who has received a trespass warning in
377 accordance with this chapter to enter the garage to exercise such
378 constitutionally protected free speech rights if there is no other
379 reasonable alternative location to exercise such rights. Such
380 authorization must be in writing and specify the duration of the
381 authorization and any conditions thereof. The chief of police or
382 designee shall issue a decision on a request for parking garage
383 entry by the recipient of a trespass warning during a period of
384 exclusion no later than 48 hours after receipt of the request.

385
386 (16) Any constitutionally protected action or speech is
387 excluded from the prohibited behavior listed in this section.

388
389 (17) Nothing in this section limits the ability of the city to
390 concurrently enforce any other city ordinance, state statute, or
391 government rule or regulation relating to or prohibiting conduct
392 that is dangerous, illegal, or unreasonably disruptive to other
393 users of the parking garage, and the trespass warnings process
394 set forth in this section does not apply in circumstances where an
395 individual has refused to leave the parking garage after hours,
396 except as specifically otherwise provided for herein.

397
398 Section 5. If any provision of this ordinance or its
399 application to any person or circumstance is held invalid, the
400 remainder of the ordinance or the application of the provision to
401 other persons or circumstances is not affected.

402
403 Section 6. This ordinance shall be in force and effect five
404 days from and after its passage by the Kirkland City Council and
405 publication pursuant to Kirkland Municipal Code 1.08.017 in the
406 summary form attached to the original of this ordinance and by
407 this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2020.

Signed in authentication thereof this _____ day of _____, 2020.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4718

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKING, PROHIBITED CONDUCT, TRESPASS WARNINGS AND THE PETER KIRK MUNICIPAL GARAGE.

SECTION 1. Amends Section 12.45.010 of the Kirkland Municipal Code related to parking definitions.

SECTION 2. Amends Section 12.45.020 related to parking restrictions and designations.

SECTION 3. Adds a new Section 12.45.400 related to use of the Peter Kirk Municipal Garage.

SECTION 4. Adds a new Section 12.45.410 related to trespass warnings in the Peter Kirk Municipal Garage.

SECTION 5. Provides a severability clause for the ordinance.

SECTION 6. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2020.

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

Kathi Anderson, City Clerk



KIRKLAND CITY COUNCIL MEETING MINUTES
March 3, 2020

1. CALL TO ORDER

Mayor Sweet called the study session to order at 5:30 p.m. and called the regular meeting to order at 7:30 p.m.

2. ROLL CALL

ROLL CALL:

Members Present: Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, Councilmember Amy Falcone, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Members Absent: None.

3. STUDY SESSION

a. Information Technology Stabilization Update

Joining the Council for the discussion were City Manager Kurt Triplett, Information Technology Chief Information Officer Smitha Krishnan, and Information Technology Deputy Director Xiaoning Jiang.

b. 2020 Intelligent Transportation Systems Update

Joining the Council for this discussion were City Manager Kurt Triplett, Public Works Transportation Planning Manager Joel Pfundt, and Smart City Traffic President Erin Ehlinger.

• MAYOR'S STATEMENT ON THE COVID-19 (CORONAVIRUS) OUTBREAK

a. Letter to First Responders

Motion to Authorize Mayor Sweet to sign a Letter of Gratitude to Kirkland's First Responders on behalf of the City Council.

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Toby Nixon
Vote: Motion carried 7-0

Yes: Mayor Penny Sweet, Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, Councilmember Amy Falcone, Councilmember Toby Nixon, and Councilmember Jon Pascal.

4. HONORS AND PROCLAMATIONS

a. Women's History Month Proclamation

Councilmembers Curtis and Falcone and Mayor Sweet jointly read the proclamation. They were joined by the women present at the council meeting for the reading of the proclamation, including members of the Kirkland Woman's Club, Deliverance Dockter-Bayly, Erin Finnegan, Hsbiba Sadat, and Angela Semerjants, former councilmembers and legislators, and City staff.

b. Safe Place Proclamation

Friends of Youth Chief Executive Officer Paul Lwali and Safe Place Liaison Bryan Thompson accepted the proclamation from Mayor Sweet and Councilmember Black.

5. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Bryan Loveless
Charlie Klinge
David Bowling
Barbara Loomis
Sally Otten
Jonathan Hever
Dana Nunnally
Karina O'Malley
Troy Thiel
Johanna Palmer
Dallas Evans
Kevin Hansen

c. Petitions

6. PUBLIC HEARINGS

None.

7. SPECIAL PRESENTATIONS

a. 132nd Square Park 30% Design Update

Parks and Community Services Park Planning and Development Manager Mary Gardocki, AHBL Director of Landscape Architecture Craig Skipton and Public Works Senior Capital Project Coordinator Brian Baker provided a presentation on the project and received Council feedback.

8. CONSENT CALENDAR

a. Approval of Minutes

(1) February 18, 2020

b. Audit of Accounts and Payment of Bills and Payroll

Payroll: \$4,106,826.75
Bills: \$4,578,874.52
CA21920 checks #711099 - 711230
LB221A wire #156
CA22120 check #711231
CA22620 checks #711232 - 711378 wire #157
SS228A wires #153, 158
PCard ACH

c. General Correspondence

d. Claims

(1) Claims for Damages

Claims received from Hitomi Akimoto, William Cronin, and Charlotte Svenson were acknowledged via approval of the consent calendar.

e. Award of Bids

(1) L.N Curtis – Firefighter Structural Turnout Gear

A contract for the purchase of structural turnout gear was awarded to L.N. Curtis of Walnut Creek, California, in the amount of \$170,331.60 via approval of the consent calendar.

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) Resignation of Park Board Member

Council acknowledged the resignation of Heather McKnight from the Park Board and authorized the draft response via approval of the consent calendar.

(2) Fire and Emergency Medical Services Community Survey Funding Request

Council authorized the one-time appropriation of up to \$35,000 from the Council Special Projects Reserves to fund a community survey related to the recommendations made by the Community Safety Advisory Group for a November 2020 Fire and Emergency Medical Services ballot measure.

(3) Procurement Report

The report was acknowledged via approval of the consent calendar.

Motion to Approve the consent calendar.

Moved by Councilmember Kelli Curtis, seconded by Councilmember Neal Black

Vote: Motion carried 7-0

Yes: Mayor Penny Sweet, Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, Councilmember Amy Falcone, Councilmember Toby Nixon, and Councilmember Jon Pascal.

9. BUSINESS

a. Emergency Proclamation

(1) Resolution R-5411, A Resolution of the City Council of the City of Kirkland Ratifying Proclamation of Emergency Related to the COVID-19 Virus

Motion to Approve Resolution R-5411, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RATIFYING PROCLAMATION OF EMERGENCY RELATED TO THE COVID-19 VIRUS.

Moved by Councilmember Kelli Curtis, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

Yes: Mayor Penny Sweet, Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, Councilmember Amy Falcone, Councilmember Toby Nixon, and Councilmember Jon Pascal.

b. 2020 State Legislative Update #4

City Manager's Office Intergovernmental Relations and Economic Development Manager Lorrie McKay provided an update on legislative activities to date related to the City's adopted 2020 legislative priorities.

c. Boards and Commissions Interview Selection Committee Recommendation

Motion to Approve the Interview Selection Committee Recommendation.

Moved by Councilmember Jon Pascal, seconded by Councilmember Kelli Curtis

Vote: Motion carried 7-0

Yes: Mayor Penny Sweet, Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, Councilmember Amy Falcone, Councilmember Toby Nixon, and Councilmember Jon Pascal.

Council recessed for a short break.

d. Missing Middle Housing Code Amendment Briefing

Planning and Building Department Senior Planner Dorian Collins and Planning and Building Department Planner Sean LeRoy provided a briefing on draft ordinances amending the Kirkland Zoning Code and Municipal Code related to cottage, carriage and two/three-unit homes and accessory dwelling units, responded to questions and received Council feedback. Also responding to Council questions were Planning Commission Chair Carter Bagg and Vice Chair John Tymczyszyn.

e. Shoreline Master Program

Planning and Building Department Deputy Planning Director Jeremy McMahan reviewed the three pending items: pier length, administrative approval options, and non-conforming overwater structures; and an overview of the ordinances before the City Council.

Motion to Approve the modified proposal for Item 1 - Single-Family Pier Length (Kirkland Zoning Code 83.270) as presented by staff.

Moved by Councilmember Toby Nixon, seconded by Councilmember Jon Pascal
Vote: Motion carried 7-0

Yes: Mayor Penny Sweet, Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, Councilmember Amy Falcone, Councilmember Toby Nixon, and Councilmember Jon Pascal.

Motion to Reject the Planning Commission/Houghton Community Council recommendations regarding Item 4 - Administrative Approval (KZC 83.270.4(b)) and to retain the existing regulations.

Moved by Councilmember Jon Pascal, seconded by Councilmember Toby Nixon
Vote: Motion carried 7-0

Yes: Mayor Penny Sweet, Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, Councilmember Amy Falcone, Councilmember Toby Nixon, and Councilmember Jon Pascal.

Motion to Direct staff to return with options to include in the planning work program a project to amend KZC 83.550.5 to not require removal of a "covered boat moorage structure" if the applicant is making an alteration to the primary structure, or constructing a new primary structure, given appropriate mitigation.

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Jon Pascal
Vote: Motion carried 5-2

Yes: Mayor Penny Sweet, Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Toby Nixon, and Councilmember Jon Pascal.

No: Councilmember Kelli Curtis, and Councilmember Amy Falcone.

- (1) Ordinance O-4700, Relating to Comprehensive Planning and Land Use and Amending the Comprehensive Plan Ordinance 3481, as Amended, to Update Chapter XVI Shoreline Area and Approving a Summary for Publication, File No. CAM19-00026.
- (2) Ordinance O-4701, Relating to Zoning, Planning, and Land Use and Amending the Kirkland Zoning Code (Ordinance 3719 as Amended) Including Chapters 5, 83, 90, 141, and 180, and Approving a Summary Ordinance for Publication, File No. CAM19-00026.

10. REPORTS

a. City Council Regional and Committee Reports

Councilmembers shared information regarding the upcoming Sound Cities Association Public Issues Committee meeting; a Welcoming Kirkland community learning series event; a King County Regional Law Safety and Justice Committee meeting; an Eastside Human Services Executive Board meeting; an upcoming tour of the Seattle-Tacoma International Airport; and a King County Regional Homelessness Authority meeting.

b. City Manager Reports

(1) Potential Transit Ballot Measure Update

City Manager Kurt Triplett requested and received direction from the City Council to draft a letter defining the City of Kirkland's interests and requests of the County regarding a transit measure.

(2) Calendar Update

City Manager Kurt Triplett expressed his thanks to the Council on behalf of the staff for their support during the response to the Coronavirus outbreak. The City Council also expressed their gratitude and support to all City staff for their continuing work on the Coronavirus response.

11. ITEMS FROM THE AUDIENCE

None.

12. EXECUTIVE SESSION

- a. To Discuss Potential Litigation

None.

13. ADJOURNMENT

The Kirkland City Council regular meeting of March 3, 2020 was adjourned at 11:22 p.m.

Kathi Anderson, City Clerk

Penny Sweet, Mayor

KIRKLAND CITY COUNCIL EMERGENCY MEETING

**Kirkland City Hall
Norkirk Room
123 Fifth Avenue
Kirkland, WA 98033**

**March 4, 2020
2:30 p.m.**

Minutes

1. CALL TO ORDER

The meeting was called to order by Mayor Sweet at 2:30 p.m.; the rest of the City Council attended via teleconference call due to the emergent circumstances.

2. ROLL CALL

Present: Mayor Penny Sweet, Deputy Mayor Jay Arnold and Councilmembers Neal Black, Kelli Curtis, Amy Falcone, Toby Nixon and Jon Pascal.

3. Status/Response to Coronavirus/COVID-19 Outbreak

City Manager Kurt Triplett provided the City Council with an update on the status of current events and planned actions in response to the public health emergency.

4. ADJOURNMENT

The March 4, 2020 Emergency Meeting of the Kirkland City Council was adjourned at 3:15 p.m.

Kathi Anderson, City Clerk

Penny Sweet, Mayor



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

MEMORANDUM

To: Kurt Triplett, City Manager
From: Kathi Anderson, City Clerk
Date: March 17, 2020
Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION

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

POLICY IMPLICATIONS

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

BACKGROUND DISCUSSION

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

- (1) Sun Gil Kim
20540 NE 23rd Ct
Sammamish, WA 98074

Amount: \$906.28

Nature of Claim: Claimant states damage to his personal vehicle's right rear tire resulted from striking a pothole while northbound on 120th Ave NE near Costco.

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



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Marius Eugenio Jr., P.E., Project Engineer
Kari Page, Senior Neighborhood Outreach Coordinator
Rod Steitzer, P.E., Capital Projects Manager
Julie Underwood, Public Works Director

Date: March 5, 2020

Subject: 2019 NEIGHBORHOOD SAFETY PROGRAM (NMC00620/21)—AWARD CONTRACT

RECOMMENDATION:

City Council to:

- Award a construction contract for the 2019 Neighborhood Safety Program (NSP) to Road Construction Northwest, Renton, Washington in the amount of \$375,128.60;
- Approve the transfer of \$123,157 from the School Safety Zone Camera Program to fund the rapid flashing beacon crosswalk improvement in Evergreen Hill/Kingsgate on NE 132nd Street at 129th Avenue NE; and
- Receive an NSP update, including the latest overview of the Funding Matrix for the Project.

By taking action, the City Council is authorizing the award of a construction contract for the 2019 NSP projects (19NSP01-07) and the use of the School Safety Zone Camera Program funds for one of the 2019 Neighborhood Safety Program Projects.

BACKGROUND DISCUSSION:

This item supports Council Goal: Neighborhoods – Achieve active neighborhood participation and a high degree of satisfaction with neighborhood character, services and infrastructure.

In support of the City Council's 2013-2014 Work Program, neighborhood leaders, the Kirkland Alliance of Neighborhoods, and staff embarked on a multitude of initiatives to re-energize Kirkland neighborhoods. The NSP is the cornerstone of those initiatives, which was established in 2014 with Capital Improvement Program funding of \$200,000 per year for six years (2015-2020) from the "Walkable Kirkland" funding source, plus an ongoing \$150,000 per year from

the Annual Streets Levy. After a successful pilot program in 2014, the City Council authorized the continuation of the NSP with the following program goals:

- Revitalize neighborhoods through partnerships on capital project implementation;
- Provide an incentive for neighborhood participation;
- Address safety needs;
- Foster neighborhood self-help and building a sense of community;
- Increase collaboration within and between neighborhoods, and with City government;
- Leverage funding with match contributions and/or other agency grants;
- Collaborate with businesses, schools, and other organizations including the Parent Teacher Student Associations (PTSA's), Cascade Bicycle Club, Feet First, and Kirkland Greenways; and,
- Create an equitable distribution of improvements throughout the City.

Funding

All current funding sources for the NSP include:

- Street Levy Pedestrian and Bicycle Safety (\$150,000/year).
- Walkable Kirkland Initiative (\$200,000/year) 2015 through 2020.
- Private Development Fees and Projects – when appropriate.
- Other City Programs – when appropriate.

The [Walkable Kirkland Initiative](#) (created in the 2015-2020 Capital Improvement Program) was funded from a retiring debt related to the downtown parking garage at the end of 2014. The funds were earmarked for one-time needs in both the NSP and Safe Walk Routes to School Program through 2020. In 2021, these one-time funds are scheduled to be used to offset the loss of the Annexation Sales Tax Credit and will no longer be available for the NSP. Below is an excerpt from the 2015-2016 Budget (page viii) describing the source of funds:

*Approximately \$.39 million per year resulting from retiring debt at the end of 2014 is included as a set-aside in the 2025-16 budget in anticipation of offsetting the loss of the Annexation Sales Tax Credit in 2021. These funds are available for one-time needs in 2015-2016 (a total of \$.78 million) and the City Manager is recommending to use them to establish a **Walkable Kirkland Initiative** that would continue through 2021. This additional investment, and the potential use of the set-aside funds until the Annexation Sales Tax Credit expiration, will supplement and accelerate the Street Levy Pedestrian Safety and Safe School Walk route investments and related projects identified in the Transportation Master Plan.*

During the study session on April 21, 2020, the City Council will have an opportunity to review potential funding options to replace the Walkable Kirkland Initiative beyond 2020.

Each year, approximately four projects (out of an average of 10 projects per year) exceed the \$50,000 NSP per-project limit. These projects are approved by the Neighborhood Safety Panel and the City Council because they are high priority projects addressing important safety concerns. In 2019, five of the nine projects exceed the project limit. The City Council will have an opportunity to discuss the per-project limit at its April 21, 2020 study session.

The 2019 NSP cycle began in the fall of 2018 with every neighborhood but three (Everest, Market, and Moss Bay) proposing projects. Everest expanded the scope of its 2017 project by adding a second radar speed sign on Kirkland Way in lieu of putting an application in for 2019

funding. Market and Moss Bay were undergoing leadership changes and chose not to apply for funding in 2019.

In April of 2019, staff provided the City Council with cost ranges for each project. Projects were divided into three priority levels with only the highest priority ones likely to be funded. Funding for the second priority was to be determined after the engineering/bid documents and more specific cost estimating were complete. The [City Council approved six projects](#) prioritized by NSP Panel Representatives and Public Works staff and directed staff to research additional funding to try to reduce costs so project number 10NSP07, the rapid flashing beacon on 108th Avenue NE at NE 46th Street, could be completed also.

The neighborhoods without a funded project have the choice of bringing the same project or a new one forward for the 2020 program. The traffic control on Slater Avenue N.E. at N.E. 119th Street is an example of a project submitted for funding in 2018 and again in 2019. The project was funded in 2019.

Table 1: Neighborhood Safety Program Project Recommendations

2019 Project Recommendations			General Cost Estimate	
Points	NSP #	Project Name	Low	High
Top Priorities				
135	19NSP01	Raised sidewalk on corner of NE 134th Street at 87th Ave NE	\$35,000	\$50,000
129	19NSP02	Rapid Flashing Beacon on NE 132nd Street at 129th PI NE		\$50,000+
124	19NSP03	Traffic median island on Slater Ave NE at NE 119th Street	\$15,000	\$34,000
123	19NSP04	Intersection improvement on NE 87th Street at 114th Ave NE	\$35,000	\$50,000
120	19NSP05	Walkway on NE 120th Street between 93rd PI NE and 96th Ave NE	\$35,000	\$50,000
117	19NSP06	Crosswalk on Lakeview Drive north of 64th Street	\$35,000	\$50,000
Total Cost Estimates (Top Priorities)			\$155,000	\$284,000+
Moderate Priorities				
103	19NSP07	Rapid Flashing Beacon on 108th Ave at NE 46th Street		\$50,000+
100	19NSP08	Crosswalk on 132nd Ave NE at NE 66th Street	\$35,000	\$50,000
Total Cost Estimates (Top and Moderate)			\$190,000	\$384,000+
Lower Priorities				
91	19NSP09	Walkway improvement on 5th Street between 10th and 13th Avenues	\$35,000	\$50,000
Grand Total Cost Estimates			\$225,000	\$434,000+

In January, 2020, the City Council received an [update](#) on the [School Safety Zone Camera Program](#). A complete analysis of both the expenditures and revenues collected through 2019 were compiled in the following chart. Staff is currently updating this information for the first quarter of 2020.

Table 2: School Safety Zone Camera Program

Item	Sept. 19	Oct. 19	Nov. 19	Dec. 19
Expenditures				
Construction	\$27,319			
ATS Contract		\$9,871	\$17,000	\$17,000
Utilities	\$140	\$140	\$140	\$140
Police Staffing		\$8,873	\$8,873	\$8,873
Court Staffing		\$11,706	\$11,706	\$11,706
Total Expenditures	\$27,459	\$30,590	\$37,719	\$37,719
Revenues				
Citations		\$10,816	\$171,032	\$219,036
Total Revenues		\$10,816	\$171,032	\$219,036
Program Balance	\$(27,459)	\$(47,233)	\$89,080	\$267,397

The revenue is currently covering the cost of the program. Between September and the end of the year, total revenues were \$400,884 and total expenditures were \$133,487, resulting in a 2019 positive balance of \$267,397.

Ordinance 0-4681 requires that all revenues above operational expenses be directed to street, pedestrian, bicycle and traffic improvement projects near schools that will increase safety for students of all ages and abilities traveling, walking and biking to school. The Safer Routes to School team and the City Manager's Office are developing a list of "early action" projects to bring to the Council for review and approval to invest the initial higher-than-projected revenues through the first quarter of 2020 at the April 21, 2020 City Council study session.

The following projects are potential candidates for the "early-action" list. The projects are listed in order of staff's recommended priority. The Rose Hill, Lake Washington High School and Citywide projects need additional scoping before final cost estimates are finalized. There also may be additional projects added to this list over the next month.

Table 3: School Safety Zone Camera Program Early Action Priorities

School	Description	Location	Linear Feet	Estimated Cost
Kamiakin/Muir	Rapid Flashing Beacon	NE 132nd/129th Avenue		\$123,157
Second Tier				Rough Estimates
Rose Hill	Sidewalk	126th Avenue NE (north of 73rd Street)	250	\$163,750
Lake Washington High School	Sidewalk	122nd Avenue NE (at 8200 Block)	250	\$163,750
Citywide	School zone signs 2-3 schools/year	Updating all (non electrified) school zone signage	2-3 schools	\$10-24,000

Staff is recommending funding the top priority, 19NSP02 Rapid Flashing Beacon on NE 132nd Street at 129th Avenue NE and holding off on the second tier until the City Council has the opportunity to review all of the Safer Routes to School Action Plan items at its April 21, 2020 study session. The rapid flashing beacon on NE 132nd Street at 129th Avenue NE meets the following criteria:

- A top priority for the Evergreen Hill Neighborhood Association,
- On a school walk route,
- The second 2019 NSP priority, and
- Recommended for the Safer Routes to School Action Plan in Evergreen Hill/Kingsgate.

2019 NSP AWARD

The 2019 NSP projects were advertised for contractor bids on February 5, 2020. On February 20, 2020, the one bid received was opened with bid amounts indicated for each of the seven projects. As shown in Attachment A, all seven projects can be funded, including 10NSP07, the rapid flashing beacon on 108th Avenue NE at NE 46th Street, if the City Council elects to fund one of the projects (19NSP02) with the School Safety Zone Camera Program funds. A map of the 2019 projects is provided as Attachment B.

Table 4: Bidder List

Contractor	Amount
NPM Construction Co	\$375,129
<i>Engineer's Estimate</i>	\$306,711

Staff reached out to previous NSP contractors and bidders to learn why they elected not to participate in the 2019 NSP program. They said they already have a heavy workload and are focused on larger projects.

With a contract award of \$375,128.60, a recommended 10% construction contingency, plus anticipated soft costs, the total estimated costs for the three 2019 Bid-Projects is \$551,439.

Table 5: Funding vs. Expenses

Anticipated Expenses	Funding Amount
Design/Inspection/ Staff/Permitting	\$ 138,798
Construction	\$ 375,129
Contingency	\$ 37,512
TOTAL	\$ 551,439
Funding	
Funding Matrix (Attachment A)	\$ 551,439
BALANCE	\$ 0

Were the City Council to award this contract, construction could start as soon as April 2020 with an anticipated completion by summer 2020. In advance of the work, staff will update the [Project information on the City's website](#), including a regularly updated construction timeline. Attachment C provides a comprehensive list of the status of 2014-2019 NSP projects.

April 21, 2020 Study Session

At City Council's April 21, 2020 Study Session, staff will update the City Council on two programs: Safer Routes to School and the Neighborhood Safety Program. As mentioned above, the City Council will have an opportunity to review and discuss the following:

- draft Safer Routes to School Action Plan items and a list of "early action" projects;
- potential funding options to replace the Walkable Kirkland Initiative used in the NSP beyond 2020;
- the \$50,000 NSP per-project limit; and
- proposed appropriation of revenue from the School Safety Zone Camera Program;

Staff looks forward to obtaining Council's direction on these two programs.

Attachment A: 2019 Funding Matrix

Attachment B: 2019 Vicinity Map

Attachment C: Status of 2014-2019 NSP Projects

Attachment D: Fiscal Note NSP - School Zone Cam Fund

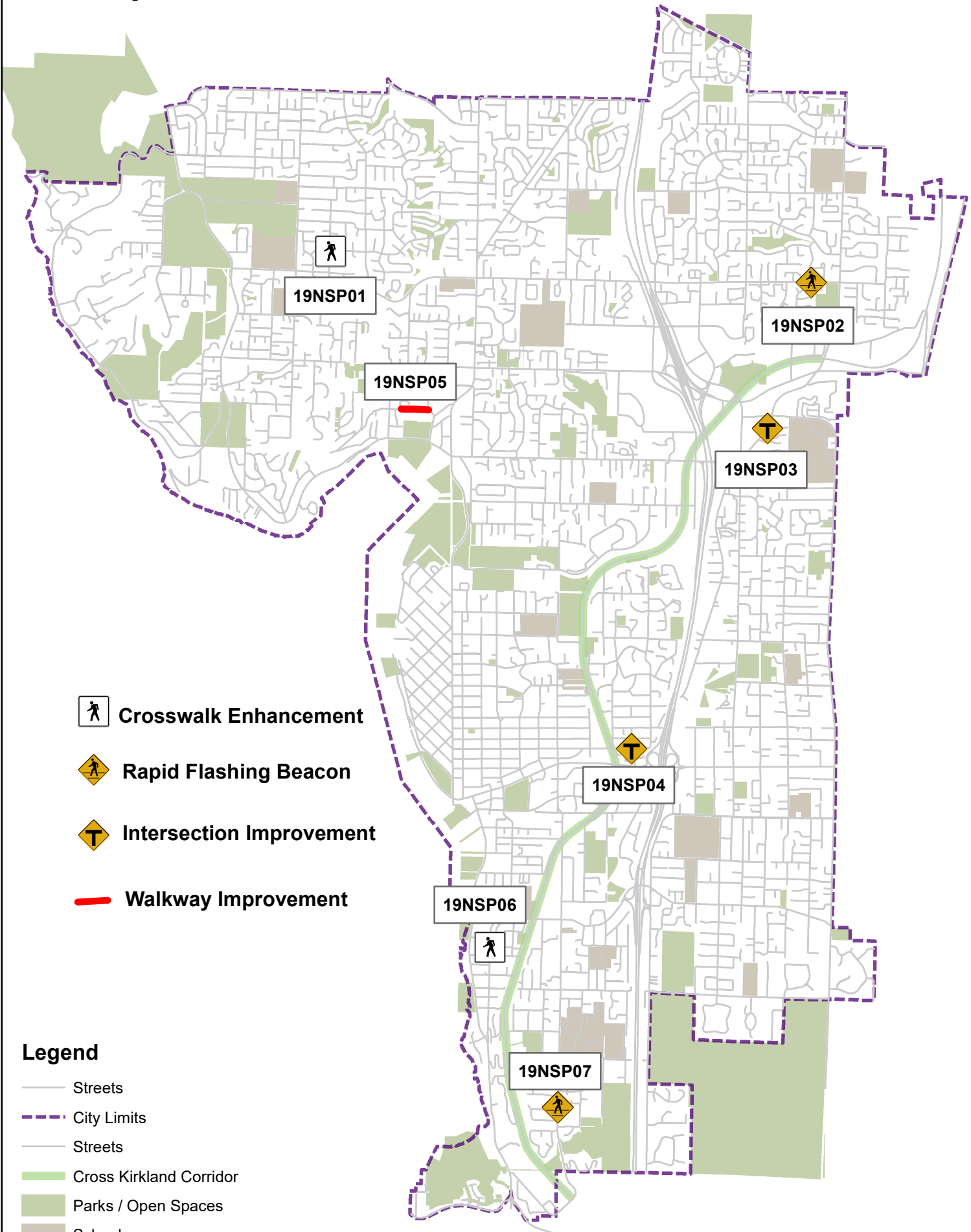
Funding Matrix: 2019 Neighborhood Safety Program Projects





Attachment A

2019 Bid-Projects		Estimates		Estimated by Funding Source (including soft costs)					
Bid Schedule NSP #	Priority Level	Description	Original Estimate	Current Estimate	Walkable Kirkland [NMC0062119]	Levy - Ped Safety [NMC0062019]	School Safety Camera [PDTSSZCAMS]	2018 NSP Carry Forward [NMC0062119]*	Total Project
19NSP01	1	Raised sidewalk on corner of N.E. 134th Street at 87th Avenue N.E.	\$35-50,000	\$ 91,402		\$ 11,402		\$ 80,000	\$ 91,402
19NSP02	1	Rapid Flashing Beacon on N.E. 132nd Street at 129th Place N.E.	\$50,000+	\$ 123,157			\$ 123,157		\$ 123,157
19NSP03	1	Traffic median island on Slater Avenue N.E. at N.E. 119th Street	\$15-34,000	\$ 38,426	\$ 24,245	\$ 14,181			\$ 38,426
19NSP04	1	Intersection improvement on N.E. 87th Street at 114th Avenue N.E.	\$35-50,000	\$ 62,781	\$ 62,781				\$ 62,781
19NSP05	1	Walkway on N.E. 120th Street between 93rd Place N.E. and 96th Avenue N.E.	\$35-50,000	\$ 43,826	\$ 43,826				\$ 43,826
19NSP06	1	Crosswalk on Lakeview Drive north of 64th Street	\$35-50,000	\$ 67,594	\$ 67,594				\$ 67,594
19NSP07	2	Rapid Flashing Beacon on 108th Avenue N.E. at N.E. 46th Street	\$50,000+	\$ 124,255		\$ 124,255			\$ 124,255
Bid-Project Estimate Subtotal			\$255-334,000	\$ 551,439	\$ 198,445	\$ 149,837	\$ 124,255	\$ 80,000	\$ 551,439







* Carried forward as per the July 25, 2019 NSP Council Memo

https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/080719/9f3_EstablishingLienPeriod.pdf



-  Crosswalk Enhancement
-  Rapid Flashing Beacon
-  Intersection Improvement
-  Walkway Improvement

Legend

-  Streets
-  City Limits
-  Streets
-  Cross Kirkland Corridor
-  Parks / Open Spaces
-  Schools

Proposed 2019 Neighborhood Safety Program Projects

Status of 2014-2019 NSP Projects										Attachment C
Project #	Project Description	JFK [NM 0073]	Walkable Kirkland [NM 6- 201]	Levy - Ped. [NM 6-200]	Crosswalk [NM 0012]	Private Dev./LWSD	Levy - School Rts [NM 6- 100]	Other City Programs	Total Project Costs/Estimate	Status
2014										
14NSP01	Rapid Flashing Beacon on NE 132nd Street at 121st Ave NE and turn lane (east to north bound)					\$ 120,867			\$ 120,867	Complete
14NSP02	Rapid Flashing Beacon on Juanita Drive at NE 137th Street connecting Big Finn Hill Park trails							\$ 60,630	\$ 60,630	Complete
14NSP03	Crosswalk and curb along 84th Ave NE from NE 139th Street to NE 141st Street	\$ 975							\$ 975	Complete
14NSP04	Rapid Flashing Beacon on NE 132nd Street at 105th Ave NE	\$ 61,174					\$ 3,003		\$ 64,177	Complete
14NSP05	Trail Connection at Forbes Creek Drive and the CKC - between 113th Court NE and 115th Court NE	\$ 11,006					\$ 1,794		\$ 12,800	Complete
14NSP06	Crosswalk markings along 90th Ave NE at NE 134th Street, NE 137th Street, and NE 139th Street	\$ 46,845					\$ 2,245		\$ 49,090	Complete
14NSP07	Crosswalk markings along NE 145th Street at 84th Ave NE, 88th Ave NE, and 92nd Ave NE	\$ 30,000							\$ 30,000	Complete
Grant	Rapid Flashing Beacon on Juanita Drive at 93rd Avenue NE							\$ 59,033	\$ 59,033	Complete
2015										
15NSP01	Stairs from NE 68 th Street to the CKC		\$ 66,970				\$ 9,989	\$ 17,500	\$ 94,459	Complete
15NSP02	Sidewalk on north side of Kirkland Avenue at 6 th Street South		\$ 78,947				\$ 3,708		\$ 82,655	Complete
15NSP03	Rapid Flashing Beacon on 84th Avenue NE at NE 138th Street crosswalk		\$ 37,273				\$ 1,507		\$ 38,780	Complete
15NSP04	Stairs and bridge connection from 116 th Avenue NE to the CKC		\$ 9,523						\$ 9,523	Complete
15NSP05	Improved connection from NE 60th Street to the CKC		\$ 5,320						\$ 5,320	Complete
15NSP06	Rapid Flashing Beacon at crosswalk on 132 nd Avenue NE at NE 97 th Street			\$ 8,000	\$ 57,029		\$ 3,252		\$ 68,281	Complete
15NSP07	Crosswalk improvements on 112th Avenue at NE 68th Street			\$ 9,016			\$ 331		\$ 9,347	Complete
15NSP08	Rapid Flashing Beacon at crosswalk on 132 nd Avenue NE at NE 93 rd Street			\$ 17,514	\$ 12,971		\$ 43,016		\$ 73,501	Complete
15NSP09	Rapid Flashing Beacon on NE 70 th Place at 130 th Avenue NE			\$ 44,350					\$ 44,350	Complete
15NSP10	Radar speed signs (2) on Juanita Drive (in the vicinity of Woodlands Park and west of Juanita Beach Park)		\$ 1,967	\$ 41,228			\$ 5,164		\$ 48,359	Complete
15NSP11	Crosswalk improvements on 7 th Avenue S. at 1 st Street, 4 th Street, and 5 th Street			\$ 29,892			\$ 2,767		\$ 32,659	Complete
Grant	Rapid Flashing Beacon on Market and 4th Street							\$ 67,900	\$ 67,900	Complete
2016										
16NSP01	Intersection study for Kirkland Way and Railroad Ave		\$ 7,500						\$ 7,500	Complete
16NSP02	Intersection study for 124th Ave NE and NE 80th Street		\$ 7,500						\$ 7,500	Complete
16NSP03	Stair connection near 2nd Ave at the CKC		\$ 19,515						\$ 19,515	Complete
16NSP04	Extruded curb along 87th Ave NE and 134th Street		\$ 68,264			\$ 10,000			\$ 78,264	Complete
16NSP05	Crosswalk island on 124th Ave NE at 142nd Place		\$ 11,290	\$ 12,637		\$ 26,000			\$ 49,927	Complete
16NSP06	New crosswalk with ramps on Kirkland Ave at Marina Park							\$ 6,600	\$ 6,600	Complete
16NSP07	Sight distance improvement at 15th Ave and 4th Street		\$ 19,640					\$ 25,000	\$ 44,640	Complete
16NSP08	Rapid Flashing Beacon on Market Street at 7th Ave W			\$ 53,071					\$ 53,071	Complete
16NSP09	Rapid Flashing Beacon on 108th Ave NE at 62nd Street			\$ 84,292					\$ 84,292	Complete
16NSP10	Trail lighting and gravel on walkway to NE 126th Street from NKCC		\$ 13,331			\$ 32,500			\$ 45,831	Complete
16NSP11	Gravel walkway along 8th Street South and Railroad Ave to the CKC		\$ 42,160						\$ 42,160	Complete
16NSP12	Asphalt walkway along 7th Ave between 6th & 8th Streets		\$ 10,800						\$ 10,800	Complete
16NSP13	Trail connection at the end of 111th Ave NE to the CKC							\$ 1,320	\$ 1,320	Complete
16NSP14	Intersection study at NE 132nd Street and 136th Ave NE							\$ 7,500	\$ 7,500	Complete
2017										
17NSP01	Radar Speed Signs on NE 143rd Street and 132nd and 128th Avenue NE		\$ 70,463						\$ 70,463	Complete
17NSP02	Rapid Flashing Beacon on NE 120th Place south of NE 122nd Street			\$ 124,938					\$ 124,938	Complete
17NSP03	Crosswalk Improvement at NE 138th Street and 84th Avenue NE							\$ 2,601	\$ 2,601	Complete
17NSP04	Rapid Flashing Beacon on 116th Avenue NE at 12500 block		\$ 71,138	\$ 25,062					\$ 96,200	Complete
17NSP05	Reflective Pavement Markers on NE 68th Street at 110th Avenue NE (criteria not met for radar speed signs)							\$ 713	\$ 713	Complete
17NSP06	Intersection Improvements on Kirkland Way and Railroad Avenue		\$ 54,625						\$ 54,625	Complete
17NSP07	Intersection Improvements on 124th Avenue NE and NE 80th Street		\$ 3,774					\$ 17,567	\$ 21,341	Complete
	Walkway Improvement on 7th Avenue at 5th Street							\$ 17,592	\$ 17,592	Complete

Project #	Project Description	JFK [NM 0073]	Walkable Kirkland [NM 6- 201]	Levy - Ped. [NM 6-200]	Crosswalk [NM 0012]	Private Dev./LWSD	Levy - School Rts [NM 6- 100]	Other City Programs	Total Project Costs/Estimate	Status
2018										
18NSP01	Bicycle Improvements 98th Ave and 100th Ave NE					\$ 34,379			\$ 34,379	Complete
18NSP02	Radar Speed Sign on 132nd Ave NE near NE 135th St		\$ 27,988					\$ 25,000	\$ 52,988	Complete
18NSP03	Radar Speed Signs on Kirkland Way at CKC		\$ 34,069	\$ 64,485					\$ 98,554	Complete
18NSP04	Trail Connection on the CKC at NE 53rd Street		\$ 4,989						\$ 4,989	Complete
18NSP05	Walkway Improvement on 7th Ave from 5th to 6th Streets		\$ 79,981						\$ 79,981	Complete
18NSP06	Stair Improvements for CKC connection along NE 100 Street at Cotton Hill Park		\$ 7,228						\$ 7,228	Complete
18NSP07	Rapid Flashing Beacon on NE 70th Street at 120th Ave			\$ 61,670					\$ 61,670	Complete
18NSP08	Crosswalk at Lakeshore Plaza at Marina Park		\$ 10,903						\$ 10,903	Complete
18NSP09	Radar Speed Sign on 131st Way east of 94th Ave NE		\$ 37,209						\$ 37,209	Complete
	ADA Ramp at Forbes Creek Park							\$ 8,518	\$ 8,518	Complete
2019										
19NSP01	Raised sidewalk on corner of NE 134th Street at 87th Ave NE		\$ 80,000	\$ 11,402					\$ 91,402	Anticipated Summer 2020
19NSP02	Rapid Flashing Beacon on NE 132nd Street at 129th Pl NE							\$ 123,157	\$ 123,157	Anticipated Summer 2020
19NSP03	Traffic median island on Slater Ave NE at NE 119th Street		\$ 24,245	\$ 14,181					\$ 38,426	Anticipated Summer 2020
19NSP04	Intersection improvement on NE 87th Street at 114th Ave NE		\$ 62,781						\$ 62,781	Anticipated Summer 2020
19NSP05	Walkway on NE 120th Street between 93rd Pl NE and 96th Ave NE		\$ 43,826						\$ 43,826	Anticipated Summer 2020
19NSP06	Crosswalk on Lakeview Drive north of 64th Street		\$ 67,594						\$ 67,594	Anticipated Summer 2020
19NSP07	Rapid Flashing Beacon on 108th Ave at NE 46th Street			\$ 124,255					\$ 124,255	Anticipated Summer 2020
		\$ 150,000	\$ 1,080,812	\$ 725,992	\$ 70,000	\$ 223,746	\$ 76,776	\$ 440,630	\$ 2,767,957	

FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Julie Underwood, Interim Public Works Director							
Description of Request							
One-time transfer of \$123,157 in new revenues from the School Safety Zone Camera Program from the general fund to the Transportation capital fund's Neighborhood Safety Program project (NMC0062100) for the design and construction of a Rapid Flashing Beacon crosswalk improvement at NE 132nd St & 129th Avenue NE. this project was identified as a high priority through the Neighborhood Safety Program.							
Legality/City Policy Basis							
School Safety Zone Camera Program revenues above operating costs have been directed by Council policy to be set aside for school zone safety improvement projects.							
Fiscal Impact							
Recognizing \$123,157 in new School Safety Zone Camera Program actual revenues in the general fund and a one-time transfer of \$123,157 from the general fund (010) to the Transportation Capital Fund (320) to the Neighborhood Safety Program project (NMC0062100).							
Recommended Funding Source(s)							
	Description	2020 Est End Balance	Prior Auth. 2019-20 Uses	Prior Auth. 2019-20 Additions	Amount This Request	Revised 2020 End Balance	2020 Target
Reserve							
Revenue/Exp Savings	Recognize new actual revenues of \$123,157 in School Safety Zone Camera Program above program operating costs.						
Other Source							
Other Information							
Prepared By	Kyle Butler, Financial Planning Supervisor				Date	March 6, 2020	



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Anneke Davis, P.E., Senior Project Engineer
Rod Steitzer, P.E., Capital Projects Manager
Julie Underwood, Interim Director of Public Works

Date: March 5, 2020

Subject: MOBILE FIRE TRAINING SIMULATOR—AWARD

RECOMMENDATION:

Staff recommends that the City Council award a procurement contract to Fire Training Structures, LLC, of Phoenix, Arizona, in the amount of \$249,895.07 for a mobile fire training simulator (Project).

By taking action on this item under the consent calendar, the City Council is authorizing an award of a procurement contract for the subject Project.

BACKGROUND DISCUSSION:

This Project addresses Council Goal: Public Safety – Provide for public safety through a community-based approach that focuses on prevention of problems and a timely response.

This Project is to procure, have delivered, and have set-up a mobile training simulator (“training prop”) for initial placement at Fire Station 26 (see Attachment A, “Vicinity Map”).

The training prop will allow Kirkland Fire personnel to train within City limits in several different areas of professional skill, including:

- Searching for victims
- Rescuing victims
- Interior fire attack simulation
- Exterior fire attack
- Technical rescue (e.g. rope, confined space)
- Standpipe operations
- Sprinkler system options
- Forcible entry
- Ventilation

In years past, the City had limited training facilities at its fire stations. As those stations were remodeled, the training elements were removed or diminished. In more recent years, Kirkland Fire has performed training exercises at the facilities owned by neighboring jurisdictions, such as the City of Bellevue or the Northshore Fire Department. But scheduling time at those

facilities can be problematic, and Kirkland has had the experience of not being able to schedule time at the Bellevue facility for a six-month block.

The kind of training prop staff is proposing to procure is built from re-purposed, one-trip shipping containers that are mounted on chassis for initial delivery (see Attachment B, "Image of Proposed Mobile Fire Training Simulator"). They will remain on chassis so that they can be moved in the future should the City decide to place them at a different station or site. The prop will have movable components that allow them to be configured into different room or space arrangements, including confined spaces, various access points, and a stairway to the prop's roof for two-story exercises.

Fire will not be used with the prop, but both manufactured smoke and water will be used with it.

When delivered, the props will be placed side-by-side with ground floor and roof connections in between. The City anticipates delivery this coming August.

With an engineer's estimate of \$250,000 for the procurement, delivery, and installation of the mobile training prop, two bids were received on February 14, 2020. Fire Training Structures, LLC was the lowest responsible bidder. The low bid is \$104.93 less than the engineer's estimate. The bid results are shown in Table 1, below.

Table 1: Bid Results

Contractor	Total
Fire Training Structures, LLC	\$249,895.07
<i>Engineers Estimate</i>	<i>\$250,000.00</i>
Kirila Fire Training Facilities, Inc.	\$275,004.48

Project funding and anticipated expenses are identified in the Project Budget Report (see Attachment C) and summarized in Table 2, below:

Table 2: Funding and Anticipated Expenses

Funding	
CIP Project PSC 08100	\$290,000
Total Funds	\$290,000
Anticipated Expenses	
Training Prop, including 10.1% sales tax	\$249,895
Wetland/stream delineation	\$4,333
Hydraulic and sewer modeling	\$2,455
In-house costs (*)	\$10,000
Contingency	\$23,317
Total Anticipated Expenses	\$290,000
Projected Balance	-0-

(*) In-house costs are associated with staff time for contract and project management

Based on the bids received and reference checks, staff recommends awarding the construction contract to Fire Training Structures, LLC.

Attachment A: Vicinity Map

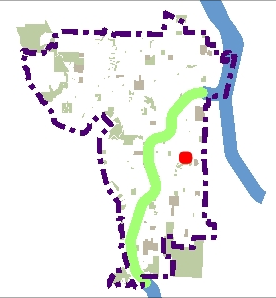
Attachment B: Image of Proposed Fire Training Simulator

Attachment C: Project Budget Report






Fire Station 26 Training Prop

Attachment A



Legend

-  Streets
-  Parcels
-  Location of Training Prop

1: 921



Vicinity Map

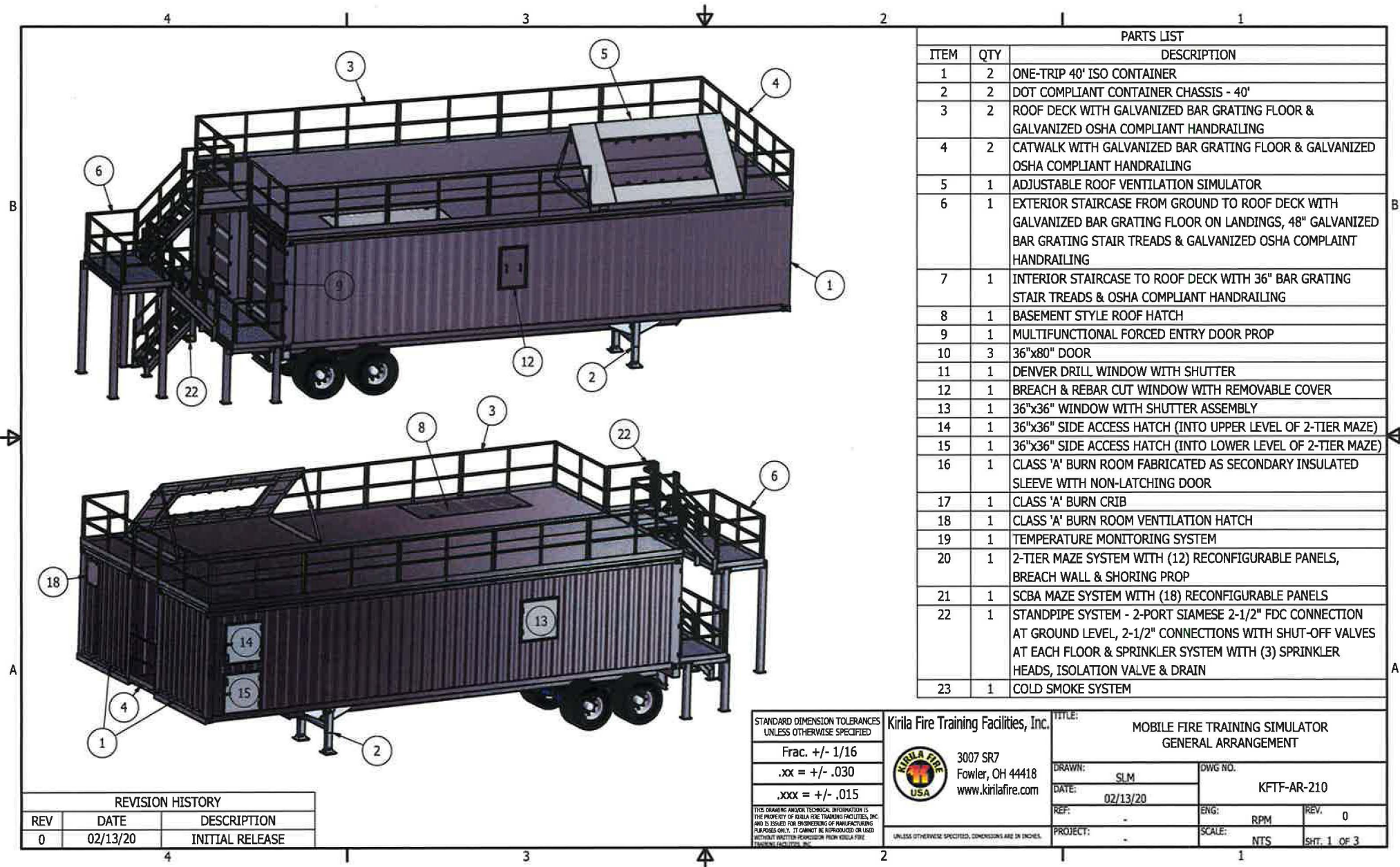
0.0 0 0.01 0.0 Miles



NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

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Image of Proposed Mobile Fire Training Simulator



PARTS LIST		
ITEM	QTY	DESCRIPTION
1	2	ONE-TRIP 40' ISO CONTAINER
2	2	DOT COMPLIANT CONTAINER CHASSIS - 40'
3	2	ROOF DECK WITH GALVANIZED BAR GRATING FLOOR & GALVANIZED OSHA COMPLIANT HANDRAILING
4	2	CATWALK WITH GALVANIZED BAR GRATING FLOOR & GALVANIZED OSHA COMPLIANT HANDRAILING
5	1	ADJUSTABLE ROOF VENTILATION SIMULATOR
6	1	EXTERIOR STAIRCASE FROM GROUND TO ROOF DECK WITH GALVANIZED BAR GRATING FLOOR ON LANDINGS, 48" GALVANIZED BAR GRATING STAIR TREADS & GALVANIZED OSHA COMPLIANT HANDRAILING
7	1	INTERIOR STAIRCASE TO ROOF DECK WITH 36" BAR GRATING STAIR TREADS & OSHA COMPLIANT HANDRAILING
8	1	BASEMENT STYLE ROOF HATCH
9	1	MULTIFUNCTIONAL FORCED ENTRY DOOR PROP
10	3	36"x80" DOOR
11	1	DENVER DRILL WINDOW WITH SHUTTER
12	1	BREACH & REBAR CUT WINDOW WITH REMOVABLE COVER
13	1	36"x36" WINDOW WITH SHUTTER ASSEMBLY
14	1	36"x36" SIDE ACCESS HATCH (INTO UPPER LEVEL OF 2-TIER MAZE)
15	1	36"x36" SIDE ACCESS HATCH (INTO LOWER LEVEL OF 2-TIER MAZE)
16	1	CLASS 'A' BURN ROOM FABRICATED AS SECONDARY INSULATED SLEEVE WITH NON-LATCHING DOOR
17	1	CLASS 'A' BURN CRIB
18	1	CLASS 'A' BURN ROOM VENTILATION HATCH
19	1	TEMPERATURE MONITORING SYSTEM
20	1	2-TIER MAZE SYSTEM WITH (12) RECONFIGURABLE PANELS, BREACH WALL & SHORING PROP
21	1	SCBA MAZE SYSTEM WITH (18) RECONFIGURABLE PANELS
22	1	STANDPIPE SYSTEM - 2-PORT SIAMESE 2-1/2" FDC CONNECTION AT GROUND LEVEL, 2-1/2" CONNECTIONS WITH SHUT-OFF VALVES AT EACH FLOOR & SPRINKLER SYSTEM WITH (3) SPRINKLER HEADS, ISOLATION VALVE & DRAIN
23	1	COLD SMOKE SYSTEM

REVISION HISTORY		
REV	DATE	DESCRIPTION
0	02/13/20	INITIAL RELEASE

STANDARD DIMENSION TOLERANCES UNLESS OTHERWISE SPECIFIED
 Frac. +/- 1/16
 .xx = +/- .030
 .xxx = +/- .015

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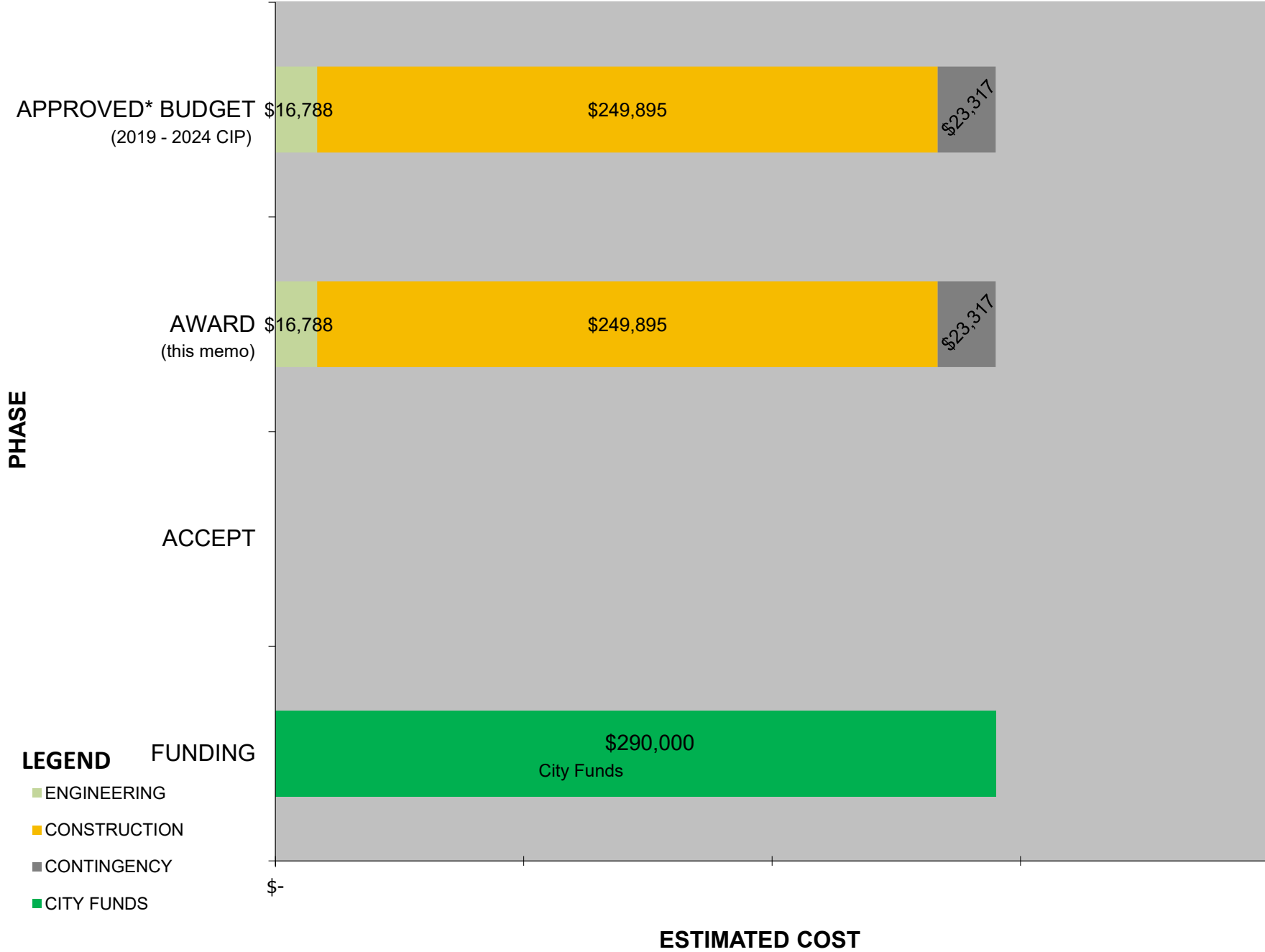
Kirila Fire Training Facilities, Inc.
 3007 SR7
 Fowler, OH 44418
 www.kirilafire.com



TITLE: MOBILE FIRE TRAINING SIMULATOR GENERAL ARRANGEMENT			
DRAWN: SLM	DWG NO. KFTF-AR-210		
DATE: 02/13/20	ENG: RPM	REV: 0	
REF: -	SCALE: NTS	SHT. 1 OF 3	
PROJECT: -			

**Mobile Fire Training Simulator
(PSC 08100)
PROJECT BUDGET REPORT**

Attachment C





CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Patrick Herbig, P.E., Project Engineer
Rod Steitzer, P.E., Capital Projects Manager
Julie Underwood, Interim Director of Public Works

Date: March 5, 2020

Subject: 3RD STREET WATERMAIN IMPROVEMENT—ACCEPT WORK

RECOMMENDATION:

Staff recommends that the City Council:

- Accept the work on the 3rd Street Watermain Improvement (Project) as constructed by Shoreline Construction of Woodinville, Washington, thereby establishing the statutory lien period; and
- Return excess funds of \$33,455.00 to the Water/Sewer Reserve.

By taking action on this item under the Consent Calendar, City Council is accepting the work on the Project and returning excess funds.

BACKGROUND DISCUSSION:

To increase water capacity and lower maintenance costs within the Norkirk Neighborhood, this Project called for the replacement of the domestic water main on 3rd Street between Central Way and 7th Avenue (see Attachment A, Vicinity Map). Specific improvements included the replacement of 850 lineal feet of asbestos concrete water main with ductile iron water main.

At its June 18, 2019, meeting, the City Council awarded the Project contract to Shoreline Construction (Shoreline) in the amount of \$855,118.07. Construction began on August 26, 2019 and reached substantial completion on November 11, 2019.

This Project addresses the Council Goal: Dependable Infrastructure – To maintain levels of service commensurate with growing community requirements at optimum life-cycle costs.

Funding and Expenses

Total project funds are \$1,203,300.00 and total expenses are \$1,169,845.00 resulting in a remaining balance of \$33,455.00 (see Attachment B, 3rd Street Water Replacement Project—Project Budget Report; and see Table 1, "Funding and Expense," below). The total amount paid to the contractor was \$870,315.00, or \$15,196.93 more than the contract award amount. Through the execution of the contract, two change orders were issued for a total amount of

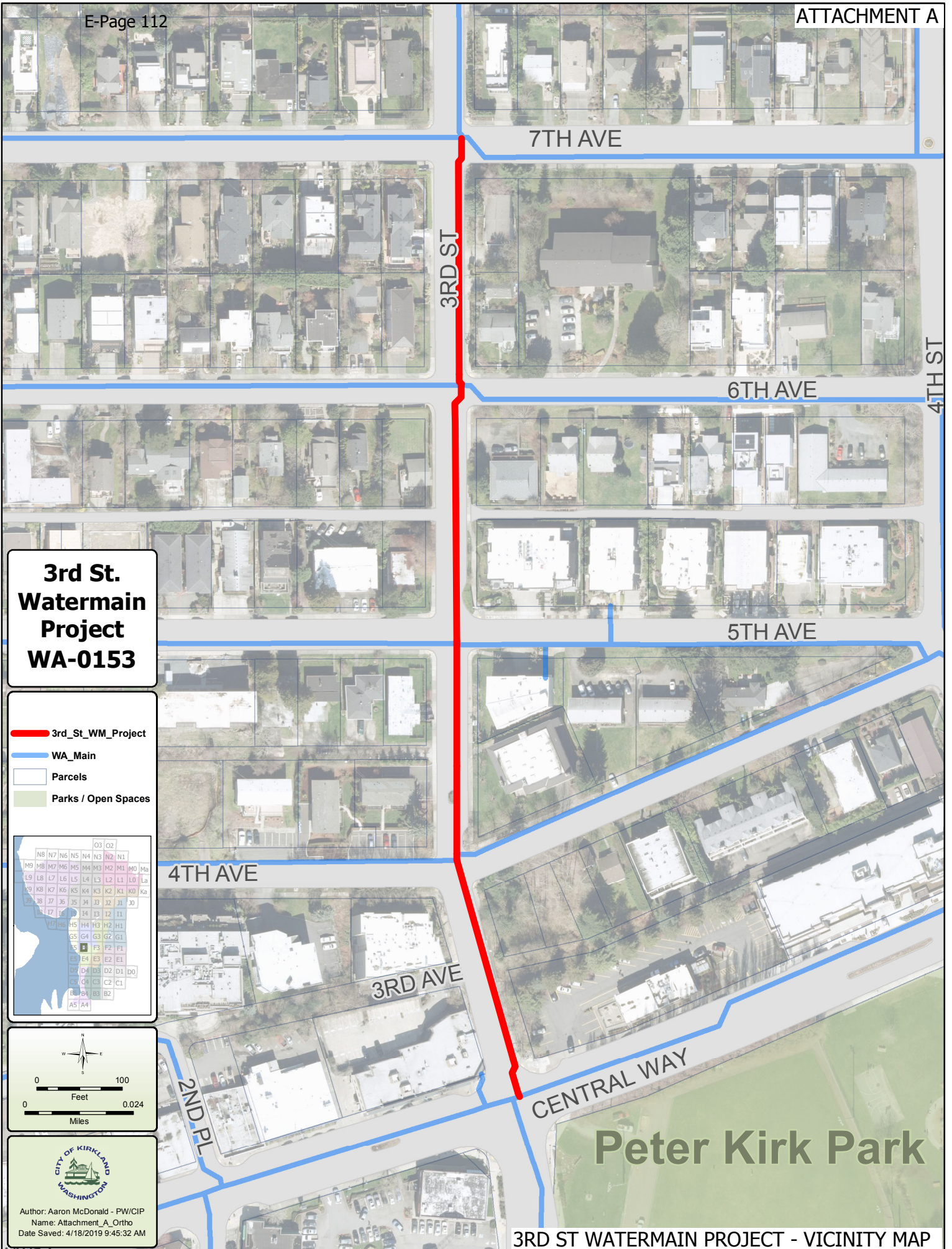
\$14,464.57. The change orders included: 1) the removal of a communications access structure and 2) the resolution of unanticipated site conditions. The Project also needed \$732.36 in additional quantities.

Table 1: Funding and Expense

Item	Budget	Actual
Funding	\$1,203,300.00	\$1,203,300.00
Design/Engineering/Management	(\$237,000.00)	(\$299,530.00)
Right-of-Way	-0-	-0-
Construction	(\$855,118.07)	(\$870,315.00)
Contingency	(\$87,882.00)	
Change Orders		(\$14,464.57)
Quantities		(\$732.36)
Project Total	(\$1,180,000.00)	(\$1,169,845.00)
Balance	\$23,300.00	\$33,455.00

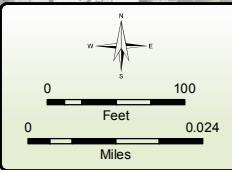
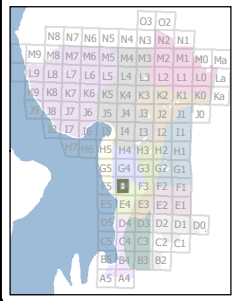

Staff recommends accepting the work by Shoreline on this Project and returning \$33,455.00 to the Water/Sewer Reserve.

Attachment A: Vicinity Map
Attachment B: Project Budget Report
Attachment C: Fiscal Note



3rd St. Watermain Project WA-0153

- 3rd_St_WM_Project
- WA_Main
- Parcels
- Parks / Open Spaces

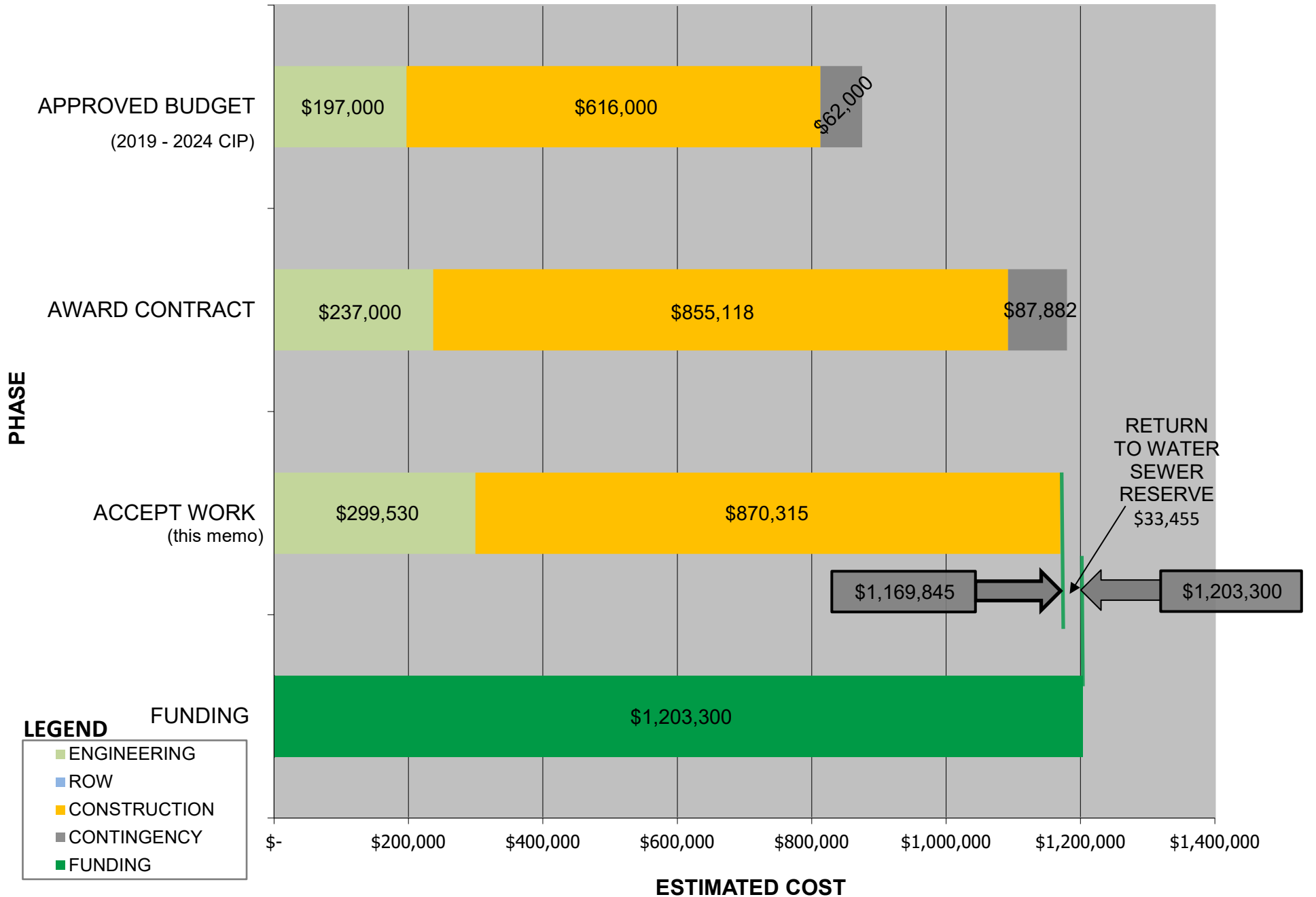



Author: Aaron McDonald - PW/CIP
 Name: Attachment_A_Ortho
 Date Saved: 4/18/2019 9:45:32 AM

3RD ST WATERMAIN PROJECT - VICINITY MAP

**3RD STREET WATER REPLACEMENT PROJECT
(WAC 15300)
PROJECT BUDGET REPORT**

Attachment B



FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Julie Underwood, Interim Public Works Director							
Description of Request							
One-time transfer of \$33,455 unspent resources from 3rd St Watermain Improvement project (WAC1530000) back to the the Water-Sewer Capital Construction Reserve.							
Legality/City Policy Basis							
Fiscal Impact							
One-time transfer of \$33,455 to the Water-Sewer Capital Construction Reserve.							
Recommended Funding Source(s)							
<i>Reserve</i>	Description	2020 Est End Balance	Prior Auth. 2019-20 Uses	Prior Auth. 2019-20 Additions	Amount This Request	Revised 2020 End Balance	2020 Target
	W/S Construction Reserve	11,100,663	(9,084,831)	4,726,068	33,455	6,775,355	n/a
	Prior Authorized Additions represent project close outs from work acceptance memos and return of funds since January 1st, 2019. Prior Authorized Uses include changes from the December 10th, 2019 CIP Update.						
<i>Revenue/Exp Savings</i>							
<i>Other Source</i>							
Other Information							

Prepared By	Kyle Butler, Financial Planning Supervisor	Date	March 5, 2020
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**CITY OF KIRKLAND**

Public Works Department

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Aaron McDonald, Senior Project Engineer
Rod Steitzer, Capital Projects Manager
Julie Underwood, Interim Director of Public Works

Date: March 5, 2020

Subject: GOAT HILL STORM DRAINAGE REPAIR—ACCEPT WORK

RECOMMENDATION:

It is recommended that City Council accept the work performed on the Goat Hill Storm Drainage Repair Project (Project) as constructed by Grade Inc. of Monroe Washington, thereby establishing the statutory lien period.

By acting on this item under the consent calendar, the City Council is accepting the work on the construction contract for the subject Project.

BACKGROUND DISCUSSION:

This Project addresses Council Goal: Dependable Infrastructure – To maintain levels of service commensurate with growing community requirements at optimum life-cycle costs.

Goat Hill storm drainage repair work consists of two separate projects. Both projects correct deficiencies, increase capacity, and reduce maintenance of the storm water infrastructure on Goat Hill. The Project that is the subject of this agenda item (SDC 0077) constructed a new storm water outfall from a ditch on Goat Hill to Juanita Creek. A second project (SDC 0090) is planned to begin in 2021 (see Attachment A, "Vicinity Map," and Attachment B, "Project Map").

The Council received an update about this Project on October 1, 2019. The underground conditions encountered by the contractor were more challenging than expected because there were:

- Unmarked and mis-marked non-City, third-party utilities;
- Unmarked, concrete-encased utilities;
- Unusually large concrete thrust-blocks used to stabilize pressurized utilities; and
- Large-diameter logs and wood waste used to construct the original roadway sub-grade.

Working with the contractor and the design firm, the construction team identified an alternative course of action that mitigated, to the extent possible, the unexpected conditions. With the Council-

approved Project budget increase of \$242,628.70 detailed in the October 1, 2019 [staff report](#), the team successfully completed construction within the revised budget. Construction was completed in November of 2019.

Project Funding and Expenses

The original construction contract amount was \$567,363. One change order was executed in the amount of \$242,629 to address the aforementioned underground conditions, and there were additional soft costs associated with addressing those conditions and other aspects of the Project. The Project required less of certain materials than estimated, however, which resulted in a saving of \$8,867.

The total amount paid to the contractor was \$801,124.63.

Table 1: Budget to Expenses

Budget		
	Permitting/Design/Inspection/In-house Costs*	\$592,405
	Construction contract at time of award	\$567,363
	Contingency	\$43,932
	Budget Increase on October 1, 2019	\$294,500
	Total Funds	\$1,498,200
Expenses		
	Permitting/Design/Inspection/In-house Costs	(\$592,405)
	Additional Soft Costs	(\$104,670)
	Original Contract Amount	(\$567,363)
	Contract Change Order	(\$242,629)
	Quantity Under-run	\$8,867
	Total Expenses	(\$1,498,200)
Remaining Funds		-0-

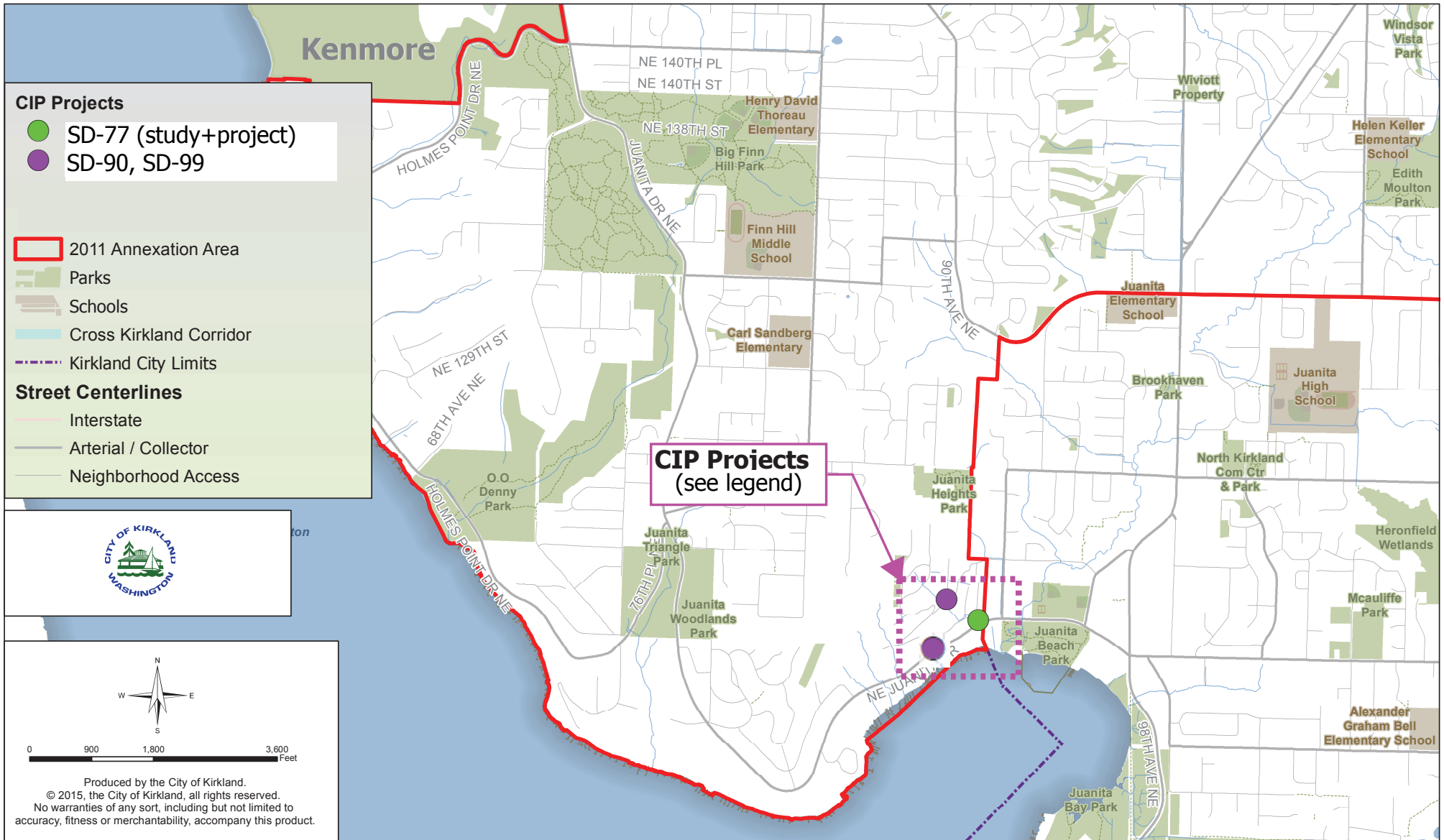
(*) This line item includes the costs of an area study of the surface water issues in this portion of Goat Hill, and preliminary design for both this Project and the project now labeled SDC 0090.

SUMMARY AND NEXT STEP:

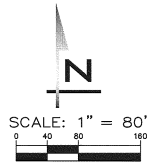
With completion of this first phase of the Goat Hill Storm Drainage Repair, storm flows have been re-routed to a more appropriate location, infrastructure size has been increased to reduce roadway flooding, critical stream habitat has been protected, and the groundwork has been completed to support future stormwater improvements to the Goat Hill drainage system.

The next project, SDC 0090, will begin in 2021. The timeline for that project will be better known once 2021 workload assignments are made and a project manager assigned.

Attachment A: Vicinity Map—Goat Hill Projects
Attachment B: Project Map—Goat Hill CIP Projects
Attachment C: Project Budget Report



**VICINITY MAP
GOAT HILL PROJECTS**



SDC0090

COMBINED INTO NEW
PROJECT - SDC-090000
(scheduled start 2021)

SDC0077
(this contract)

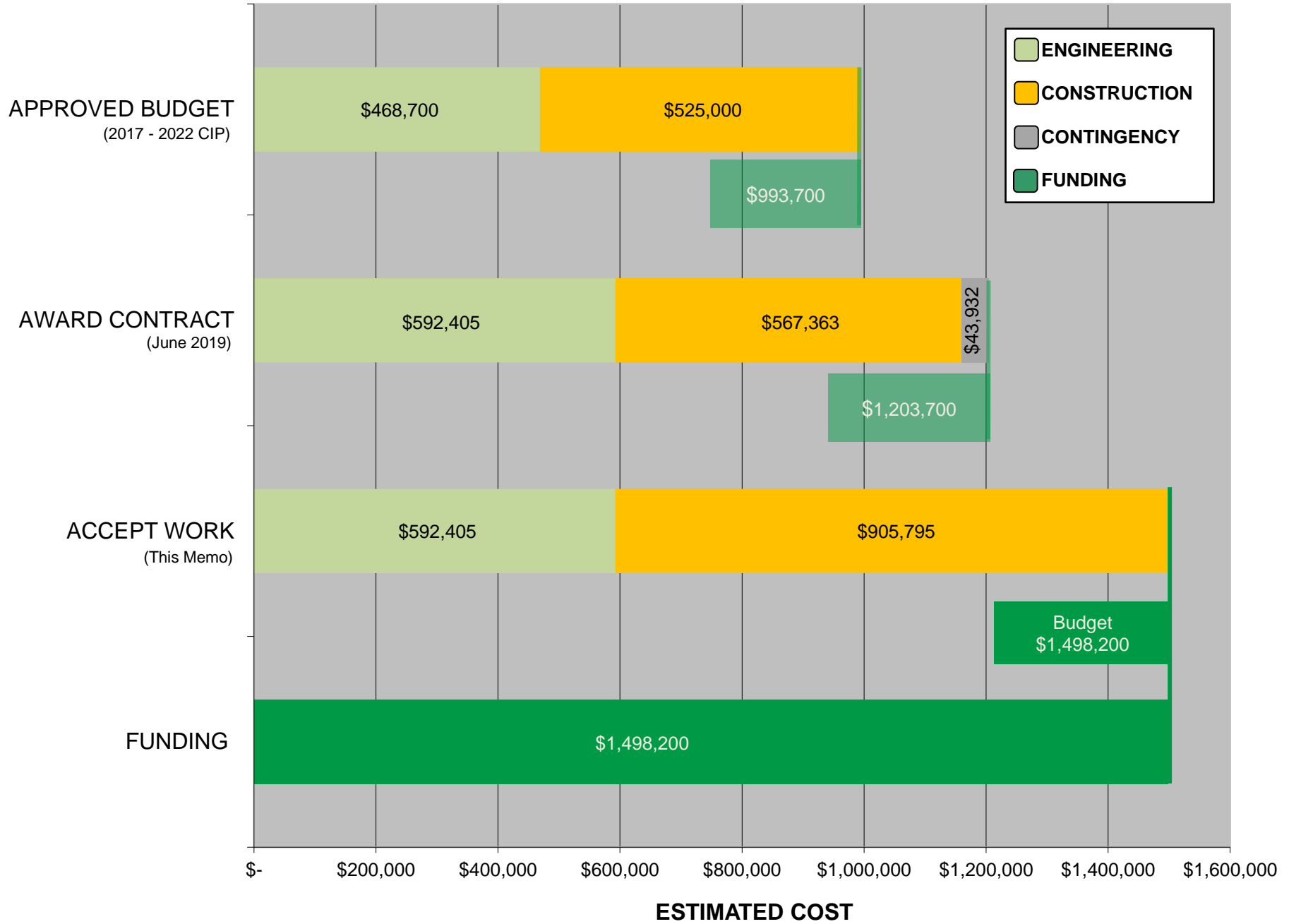
SDC0099

JUANITA BEACH PARK

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**Goat Hill Storm Drainage Repair
(SD 0077 000)
PROJECT BUDGET REPORT**

Attachment C





CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Anneke Davis, P.E., Senior Project Engineer
Rod Steitzer, P.E., Capital Projects Manager
Julie Underwood, Interim Director of Public Works

Date: March 5, 2020

Subject: KIRKLAND JUSTICE CENTER WATER INTRUSION REPAIRS (GGC 0131 400)—
ACCEPT WORK

RECOMMENDATION:

Staff recommends that the City Council accept the work by Leewens Corporation for water intrusion repairs at the Kirkland Justice Center.

By taking action, the City Council is accepting the construction contract work completed for the Kirkland Justice Center.

BACKGROUND DISCUSSION:

In mid-2018, the City entered into a Public Works contract for multi-trade work with Leewens Corporation for \$46,994.20 to address ongoing water intrusion problems at the Kirkland Justice Center (11750 NE 118th Street).

The repair work included repairing cracks and holes in the wall and then applying an elastomeric sealer to the north exterior wall of the building. While staff is not certain, the holes are presumed to have been a result of possible inappropriate techniques used during the construction of the Kirkland Justice Center.

Work performed under this contract also repaired drywall damage caused by the water intrusion.

The work was completed in 2018. However, the weather and temperature at the time the repair work was performed did not meet the manufacturer's recommendation. City staff discussed with the contractor the visible and tactile problems with the coating. The contractor agreed to re-do the work, at no cost to the City, and under appropriate weather conditions in summer, 2019. The contractor made the repairs and it appears to have been successful.

Project funding and expenses information is attached (see Attachment B, Project Budget Report) and summarized in Table 2, below:

Table 2: Funding and Actual Expenses

Funding (CIP)	\$65,000
Expenses	
Original Repairs (2018)	(\$46,994.20)
Re-do of Repairs	-0-
In-house Management Costs	(\$6,549.30)
Total Expenses	(\$53,543.30)
Remaining Funds	\$11,456.50

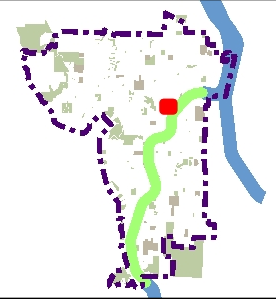
The remaining funds will be retained in the Public Safety Building project (GGC 0131 400).

Attachment A: Vicinity Map
Attachment B: Project Budget Report






KJC - Water Intrusion Repairs

Attachment A



Legend

-  Streets
-  Parcels
-  Water Intrusion Repairs

1: 1,841



Vicinity Map

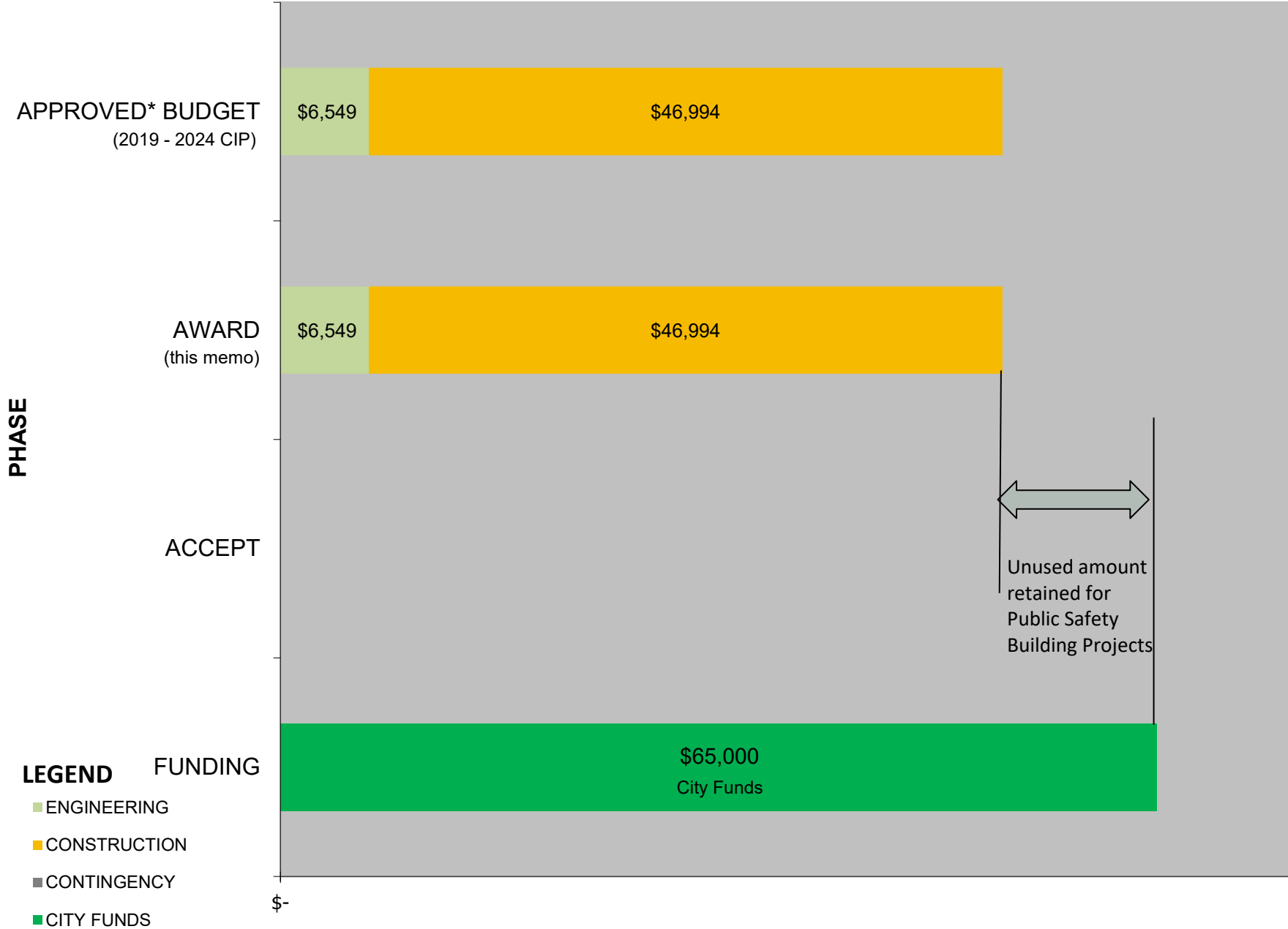
0.1 0 0.03 0.1 Miles

NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

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**Kirkland Justic Center - Water Intrusion Repairs
(GGC 0013 103)
PROJECT BUDGET REPORT**

Attachment B



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to



CITY OF KIRKLAND
Department of Finance & Administration
123 Fifth Ave, Kirkland, WA 98033 · 425.587.3100
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Michael Olson, Director of Finance and Administration
Kyle Butler, Financial Planning Supervisor

Date: March 5, 2020

Subject: Monthly Financial Dashboard Report

RECOMMENDATION:

It is recommended that the City Council receive the monthly Financial Dashboard Report.

BACKGROUND DISCUSSION

This report was previously provided to the Council Finance and Administration Committee and will now be presented to the City Council each month on the consent agenda.

The Financial Dashboard is a high-level summary of some of the City's key revenue and expenditure indicators. It provides a budget to actual comparison for year-to-date revenues and expenditures for the general fund, as well as some other key revenues and expenditures. The report also compares this year's actual revenue and expenditure performance to the prior year.

Attachment A – Dashboard Report

January 2020 Financial Dashboard

March 3, 2020

Revenues:

- Total General Fund revenues increased 19% over 2019. The major contributors are increased Business License and Development Fees. Tax revenues remain stable compared to January 2019.
- Overall Business revenues are up 145% from the prior year. Business Tax revenues more than doubled the January 2019 figure with deposits from the State of Washington Business Licensing System accounting for 70% of the total. Business License Fee revenues increased 38%.
- Development revenues increased 93% compared to January 2019. While the number of total permits issued remained the same (581) as the prior January, total fees collected increased. Major contributors are Building and Planning revenues which increased 174% and 300% respectively. Of the Building revenues, major increases occurred in Building and Plumbing permits. Of the Planning revenues the main contributor is Plumbing permits.
- Revenues from Sales and Gas tax increased a little over 5% from the prior year. Utility Tax revenues remained relatively the same compared to 2019.

Expenditures:

- Total General Fund expenditures are 7% lower than 2019 despite higher Contract Jail and Fuel costs in January.
- General Fund Salaries and Benefits remain stable compared to the same month last year while Fire Suppression costs decreased nearly 25%.
- Corrections costs increased 79% from the previous year. The January inmate count is stable compared to 2018 and 2019. The higher Corrections cost is mainly comprised of increased fees for inmates requiring additional medical and mental health care. Inmates requiring additional care cannot be housed at the South Correctional Entity and must be housed at the King County Jail as the county facility is equipped to handle this group. Additionally, there is an increase of inmates with Medication-Assisted Treatment (MAT) prescriptions which requires special certification to prescribe.
- Fuel costs increased 29% from the previous year. While the average price of fuel remained stable, consumption increased 30% over January 2019 usage. The additional fuel usage was due to increased activity in response to inclement weather. When compared to January 2018 fuel use, the variance between 2018 and 2020 consumption is less than 1%.

City of Kirkland Financial Dashboard
Annual Budget Status as of 1/31/2020

Percent of Year Complete: 8.33%

	2020 Budget	Year-to-Date Actual 2020	% Received/ % Expended	Year-to-Date Actual 2019	YTD Change: 19 to 20 \$	Status %	Current Month	Last Month
General Fund								
Total Revenues	104,533,502	8,075,419	7.7%	6,751,048	1,324,371	19.6%		
Total Expenditures	101,332,280	8,356,516	8.2%	9,004,973	(648,457)	-7.2%		

Key Indicators (All Funds)

Revenues								
Sales Tax	24,963,700	2,238,348	9.0%	2,103,119	135,229	6.4%		
Utility Taxes	14,211,368	1,226,025	8.6%	1,210,207	15,817	1.3%		
Business License Fees	3,662,591	545,935	14.9%	222,054	323,880	145.9%		
Development Fees	11,282,715	1,403,910	12.4%	726,050	677,860	93.4%		
Gas Tax	1,935,654	143,202	7.4%	135,636	7,566	5.6%		
Expenditures								
GF Salaries/Benefits	73,121,956	6,373,335	8.7%	6,237,406	135,929	2.2%		
Fire Suppression Overtime	861,545	93,949	10.9%	124,951	(31,002)	-24.8%		
Contract Jail Costs	539,630	76,198	14.1%	42,348	33,850	79.9%		
Fuel Costs	604,912	38,177	6.3%	29,545	8,632	29.2%		

Status Key

Revenues are higher than expected or expenditures are lower than expected
 Revenues or expenditures are within expected range
 WATCH - Revenues lower/expenditures higher than expected range



NOTES:

(1) Excludes Fire Suppression Overtime



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033
425.587.3800 www.kirklandwa.gov

To: Kurt Triplett, City Manager

From: Joel Pfundt, AICP CTP Transportation Manager
Julie Underwood, Interim Director of Public Works

Date: March 5, 2020

Subject: ADOPT 2020-2021 TRANSPORTATION COMMISSION WORK PLAN

RECOMMENDATION:

It is recommended the City Council approve the attached Resolution adopting the 2020-2021 Transportation Commission Work Plan (see Attachment A).

By acting on this item under the consent calendar, the City Council is adopting the 2020-2021 work plan for the Transportation Commission.

BACKGROUND DISCUSSION:

The City Council met with the Transportation Commission at a joint study session on January 21, 2020. At that meeting the Council and the Commission reviewed and discussed the proposed 2020-2021 Transportation Commission Work Plan that had been developed by the Commission.

After the joint study session, a summary of the comments and responses on the Work Plan were developed, as well as a revised Work Plan document. Both were presented to the Commission at its February 26, 2020 meeting. The Council Comment Summary was also updated to include Commission feedback on Council comments (see Attachment B). The Commission then recommended that the revised 2020-2021 Transportation Commission Work Plan be presented to the City Council for approval (see Exhibit A to Attachment A).

If the Council approves the Work Plan, the Commission will begin implementing it starting with its next regular meeting.

Attachment A: Proposed Resolution Pertaining to the Adoption of the 2020-2021
Transportation Commission Work Plan

Exhibit A to Attachment A: 2020-2021 Transportation Commission Work Plan

Attachment B: City Council Comment Summary and Review

RESOLUTION R-5412

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND PERTAINING TO THE ADOPTION OF THE 2020-2021 TRANSPORTATION COMMISSION WORK PLAN .

WHEREAS, the Kirkland City Council and the Kirkland Transportation Commission met at a joint meeting on January 21, 2020 to discuss a proposed 2020-2021 Transportation Commission Work Plan tasks and to set priorities; and

WHEREAS, the Kirkland Transportation Commission met on February 26, 2020 to revise the proposed 2020-2021 Transportation Work Plan tasks to reflect the City Council’s priorities;

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

Section 1. The adopted 2020-2021 Transportation Commission Work Plan shall be established as shown on Exhibit A to this resolution.

Section 2. The adopted Work Plan shall be used generally by City staff and the Transportation Commission to schedule work tasks and meeting calendars.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2020.

Signed in authentication thereof this ____ day of _____, 2020.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

2020-2028 TRANSPORTATION COMMISSION WORK PLAN

MARCH 4, 2020

* = Council Milestone
 = Commission Work Item
 = Ongoing Work Item

= Revisions based on January 21, 2020 City Council Study Session.

PRIORITY: 1 = High and 5 = Low

TASK	TOPIC	CURRENT PRIORITY	DESCRIPTION	ESTIMATED FTE BY TASK	2020				2021					
					1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.		
WE OWN THESE TOPICS:														
1	CIP PROCESS	2	Status report, and annual review and feedback on CIP.	0.1										
2	CIP PROJECTS	1	Review and provide comment on CIP related projects and studies to ensure consistency with TMP.	TBD										
3	TMP IMPLEMENTATION	2	Identify and recommend to Council measures for tracking TMP implementation, as well as on-going monitoring.	TBD										
4	TRANSPORTATION PLANNING FOR MAJOR DEVELOPMENT PROJECTS	1	Update Transportation Impact Analysis Guidelines to be consistent with TMP and codify in KMC.	0.3		*								
5	GREENWAYS	3	Review and provide input on project prioritization and implementation to ensure consistency with design guidelines and TMP.	0.1										
6	TRANSPORTATION CONCURRENCY	2	Review and provide input on annual status and implementation report in order to monitor program and identify potential improvements.	0.1										
7	CROSS KIRKLAND CORRIDOR (CKC) MASTER PLAN	3	Review and provide input on project prioritization and implementation to ensure consistent and continued progress on all aspects of the CKC Master Plan, emphasizing improvements in the Master Plan, progress toward all aspects of the Master Plan.	TBD										
9	ACTIVE TRANSPORTATION PLAN (SAFE AND ACTIVE TRANSPORTATION)	2	Review status and implementation of current plan. Assist with scope development and provide feedback to staff on study results.	0.25	*		*							
11	WORK PLAN	2	Develop biennial Work Plan and present to Council at annual meeting of the Council and Commission.	0.1	*				*					
12	FINN HILL STREET STANDARDS	3	Review street design standards and connections in Finn Hill Neighborhood.	0.1										
13	NE 128TH ST CORRIDOR STUDY	2	Review and guidance on results of multimodal access study, conceptual engineering and ADA issues.	0.25					*					
14	TRANSPORTATION MASTER PLAN UPDATE	1	Review status and implementation of current plan. Assist with scope development and provide feedback to staff on study results	0.25										
WE INFLUENCE THESE:														
15	REGIONAL AND STATEWIDE, COORDINATION AND ADVOCACY	1	Review and advise on regional and statewide transportation policy issues that impact Kirkland, currently including I-405 Master Plan Implementation, SR 520 Rest of the West, RapidRide K-Line, North Eastside Mobility Project, I-405/ NE 132nd St Interchange and Eastrail.	TBD										
16	SOUND TRANSIT IMPLEMENTATION	1	Review proposals related to ST3, I-405 Bus Rapid Transit and transit service integration.	0.5										
17	VISION ZERO/SAFETY (SAFE AND ACTIVE TRANSPORTATION)	1	Review and advise on development and implementation of Vision Zero program.	0.1	*		*							
18	TRANSPORTATION IMPACT FEES	4	Annual report on implementation and status.	0.1										
19	SAFER ROUTES TO SCHOOL (SAFE AND ACTIVE TRANSPORTATION)	2	Review and advise on development of safer routes to school plan to improve safety on streets near schools.	0.5	*		*							
20	NE 85TH ST I-405 BUS RAPID TRANSIT STATION AREA PLAN	1	In coordination with Planning Commission, review and advise on transportation related components of the station area plan.	0.25										*
21	SUSTAINABILITY MASTER PLAN	3	Review and advise on transportation related components of the Sustainability Master Plan.	0.1		*		*						
22	TRANSPORT DEMAND MANAGEMENT	5	Receive updates City's TDM program and our innovative regional partnerships.	TBD										

23	ROSS/EVERETT NEIGHBORHOOD PLAN UPDATE	3	Review and advise on transportation related portions of plan update.	0.1														
24	EVERGREEN HILL (KINGSGATE)/JUANITA NEIGHBORHOOD PLAN UPDATE	3	Review and advise on transportation related portions of plan update.	0.1														
HOUSEKEEPING:																		
25	CONDUCT ANNUAL ELECTION	NA		NA														
WE RESPOND AND ADVISE ON THESE:																		
26	CITY ORDINANCES, POLICIES & PLANS	2	Review as requested by staff or Council.	NA														
27	ONGOING MAINTENANCE	4	Review as requested by staff or Council.	NA														
28	ADA TRANSITION PLAN	5	Review as requested by staff or Council.	NA														
29	LINKAGES TO THE SR 520 TRAIL	3	Review as requested by staff or Council.	NA														
30	NEIGHBORHOOD PLANS & DEVELOPMENT	3	Review as requested by staff or Council.	NA														
31	NEIGHBORHOOD SAFETY PROGRAM	3	Review as requested by staff or Council.	NA														
FUTURE TOPICS:																		
32	GREENHOUSE GAS REDUCTION MONITORING	3	Track progress of Kirkland Transportation plans to reduce greenhouse gases.	NA														
33	AUTONOMOUS, CONNECTED, ELECTRIC AND SHARED VEHICLES (ACES)	3	Potential future work program item.	NA														

January 21, 2020 Council Study Session
Draft 2020-2021 Transportation Commission Work Plan
City Council Comment Summary and Review

March 4, 2020

Results below summarize the comments received from City Council at the January 21, 2020 City Council Study Session. The Transportation Commission and staff performed a review of the comments to determine how they are covered in the Draft 2018-2019 Work Plan, the current priority of the existing item, and then the type of item. Proposed changes responding to City Council comments were also made to the latest version of the 2020-2021 Work Plan.

			Review of Councilmember Comments			
#	Council Member	Councilmember Comment	Covered Under Existing Work Plan Item	Current Priority	Item Type*	Notes
1	Curtis	Link current Sustainability Master Plan work plan item and future Greenhouse Gas Reduction Monitoring work plan topics.	Yes, Sustainability Master Plan and Greenhouse Gas Reduction Monitoring	3 & 3	Policy	
2	Curtis	Is it time to update the Cross Kirkland Corridor (CKC) Master Plan?	Yes, CKC Master Plan	3	Policy	
3	Pascal	Start planning to address all ages and abilities gap between SR 520 Trail and CKC Trails.	Yes, Linkages to the SR 520 Trail, CKC Master Plan and Active Transportation Plan	3, 3 & 2	Policy	
4	Pascal	Support moving forward with Finn Hill Street Standards	Yes, Finn Hill Street Standards	3	Project	
5	Arnold	Continue to identify specific neighborhood plans in Work Plan.	Yes, Neighborhood Plans & Development	3	Policy	Added Moss Bay/Everest and Kingsgate/Juanita Neighborhood Plan Updates
6	Arnold	What is the purpose of the Transportation Master Plan Update?	Yes, Transportation Master Plan Update	1	Policy	
7	Arnold	Support for engagement in Sustainability Master Plan and future Greenhouse Gas Reduction Monitoring work plan topics.	Yes, Sustainability Master Plan and Greenhouse Gas Reduction Monitoring	3 & 3	Policy	
8	Nixon	Criteria for accepting private streets as public streets.	Yes, Ongoing Maintenance	4	Policy	

9	Falcone	Prioritization of snow and ice removal for pedestrian and bicyclists around schools and transit.	Yes, Ongoing Maintenance	4	Policy	
10	Black	Are protected intersections for bicyclists being considered as part of work plan?	Yes, Active Transportation Plan and CIP Projects	2 & 1	Policy & Project	
11	Black	Are bus transit pull outs being considered on north-south arterials as part of work plan?	Yes, TMP Implementation	1	Policy	Past Eval in Transit Implementation Plan & 6 th St Corridor Study
12	Black	Autonomous vehicles as a transportation solution for Kirkland is an important topic that should be monitored for future inclusion on work plan.	Yes, Autonomous, Connected, Electric and Shared Vehicles (ACES)	3	Project	

* Items divided into Policy and Project.

**CITY OF KIRKLAND****Department of Public Works****123 Fifth Avenue, Kirkland, WA 98033 425.587.3800****www.kirklandwa.gov**

MEMORANDUM

To: Kurt Triplett, City Manager

From: Archie Ferguson, Fleet Manager
Ray Steiger, P.E., Superintendent
Julie Underwood, Interim Public Works Director

Date: March 6, 2020

Subject: SURPLUS OF EQUIPMENT RENTAL VEHICLE/EQUIPMENT

RECOMMENDATION:

That City Council approve the surplus of the equipment rental vehicles/equipment identified in this memo and thus remove them from the City's Equipment Rental Replacement Schedule.

By taking action on this item under the consent calendar, the City Council is authorizing these vehicle surplus actions.

BACKGROUND DISCUSSION:

The surplus of vehicles and equipment which have been replaced with new vehicles or equipment, or which no longer meet the needs of the City, is consistent with the City's Equipment Rental Replacement Schedule Policy. Under this policy, if approved by City Council, vehicles or equipment are sold or disposed of in accordance with the Kirkland Municipal Code, Chapter 3.86, Sale and Disposal of Surplus Personal Property.

The criteria for replacement are reviewed annually for each vehicle by Fleet Management prior to making a recommendation. The replacement criteria considered are:

- wear and tear on the engine, drive train, and transmission;
- condition of the structural body and major component parts;
- the vehicle's frequency and nature of past repairs;
- changes in the vehicle's mission as identified by the Department which it serves;
- changes in technology;
- vehicle right-sizing;
- the impact of future alternative fuels usage; and
- specific vehicle replacement funding accrued.

The decision to replace a vehicle requires the consensus of the Fleet Management staff and the Department which it serves. Vehicles should be replaced close to the point to where major repairs and expenses occur in order to maximize their usefulness without sacrificing resale value with consideration given to the vehicle's established accounting life.

March 5, 2020

Page 2

The accounting life of a vehicle is the number of years of anticipated useful life to City operations. They are determined by historical averages and replacement cycles of actual City vehicles. The accounting life provides a timeline basis for the accrual of vehicle Replacement Reserve charges, and, at the end of which, there should be sufficient funds in the Replacement Reserve Fund to purchase a similar replacement vehicle. The accounting life is a guideline only, and the actual usage of vehicles typically vary from averages.

The City of Kirkland standard accounting life for a vehicle, which is also consistent with the industry standard, is eight years or 80,000 miles, whichever comes first. This life is also supported by FleetAnswers.com which published Municipal Vehicle Replacement Trends. Among cities, the average age of replacement for cars is 6.7 years, for class 1-5 trucks it is 7.7 years, and for police vehicles it is four years. The City's standard for Fire Engines/Pumpers and for Fire Ladder/Aerial apparatus is 18 years.

The following equipment is recommended for surplus with this memo:

<u>Fleet #</u>	<u>Year</u>	<u>Make & Model</u>	<u>License</u>	<u>Hours/ Miles</u>
BG-10	2011	John Deere Turf Gator	N/A	352hrs
TR-10	2003	John Deere Tractor 5420	N/A	2502hrs
T-04	2007	Ford E450 18 Passenger Bus	44150D	123,394

Unit BG-10 was assigned to the Parks Maintenance Division; the unit has exceeded the normal anticipated useful life by four years and needs cost prohibitive repairs.

Unit TR-10 was assigned to the Parks Maintenance Division; the unit has exceeded the normal anticipated useful life by six years and the service needs of the Division has changed.

Unit T-04 was assigned to the Parks Peter Kirk Community Center; the unit has exceeded the normal anticipated useful life by three years and 43,000 miles.



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Tracey Dunlap, Deputy City Manager
Kevin Raymond, City Attorney
Chris Dodd, Facilities Services Manager

Date: March 19, 2020

Subject: Settlement of Dental Office Relocation from Future Fire Station 27 Site

RECOMMENDATION:

Council authorizes the City Manager to enter into settlement agreements with the three dentist tenants at the property located at 13118 121st Way NE. These agreements settle relocation costs associated with the acquisition under threat of condemnation of this property for the future site of Fire Station 27. By approving the consent agenda, Council authorizes the City Manager to enter into the agreements and approves the attached fiscal notes.

BACKGROUND DISCUSSION:

The City of Kirkland ("City") purchased the property located at 13118 121st Way NE as the site for a new Fire Station 27 and potentially related public facilities. On April 16, 2019, the Council approved acquisition of this site under threat of condemnation and the purchase was completed on June 28, 2019. By acquiring the property under threat of condemnation, the City has the right to terminate the existing leases early, subject to paying relocation costs as defined in Chapter 8.26 RCW.

Construction of a relocated Fire Station 27 is dependent on a successful fire ballot measure, which is anticipated in November of 2020. Acquiring a site was a key first step in this process. Knowing the specific location of the station and potential related facilities enhances the City's ability to estimate facility costs and features. An interfund loan of \$5.56 million was used for this purchase, which needs to be repaid with interest to the utility fund of origin within three years.

If a ballot measure is successful in 2020, the loan can be repaid with the proceeds from the ballot measure. If the ballot measure is unsuccessful, the City's options would include selling the property or retaining the property in anticipation of a second measure in the future and continuing to lease the space, although City funds would be needed to repay the interfund loan as rents would not be sufficient. Under a successful bond measure later this year, design of the new Fire Station 27 would begin immediately, with demolition of the current building and construction of the station to begin after December 31, 2021.

There are six tenants on the site. Two of the leases (neither of which is at issue here) expire before the end of 2021 and, as a result, do not qualify for relocation costs reimbursements. Staff has been working with the three dentist tenants to arrive at a fair settlement of their estimated relocation costs and have reached agreements on fixed payments to provide certainty to all parties. One of the agreements is included as Attachment A. The terms of the final agreements will be substantially similar, but the dollar amounts vary. The table on the following page summarizes the proposed payment amounts.

Tenant	Sq. ft.	Settlement
Totem Lake Dentistry (Dr. Nash)	1,593	\$ 469,800
Dr. Etheridge	1,767	\$ 518,400
Kirkland Kids (Dr. Dkeidek)	2,148	\$ 631,800
Total - Dentists		\$ 1,620,000

Under the settlement agreements, the dentists agree to stay and pay rent through at least December 31, 2020 with the option to extend through 2021. The final (sixth) tenant, a chiropractic office, has been difficult to engage in the discussion, despite repeated contacts by staff and our attorneys. Staff continues to work to resolve relocation with this remaining tenant, although the costs are expected to be well below the dentist payments given the much simpler tenant improvements in that business.

The attached fiscal note (Attachment B) summarizes the funding sources for the proposed settlements:

Expected rents from dentist tenants through 12/31/2020:	\$160,000
Reserved Ground Emergency Medical Transport (GEMT) funds:	\$1,460,000

The GEMT funds have been set aside toward Fire capital needs and represent costs recouped from the State of Washington for past emergency medical transports. This use would leave a balance of \$1,190,013 of GEMT funds.

As a separate matter, the roof on the existing Fire Station 27 needs to be replaced this summer. Once a new Fire Station 27 is built, the City intends to keep this building, given its central location and the fueling station on the site. The estimated cost for replacing the roof is \$250,000 and the City has \$97,000 set aside to do roof work at Stations 27 and 22. The proposed ballot measure is expected to include extensive roof work at Station 22, so staff recommends using the balance toward the FS 27 roof and supplement the funding with another \$153,000 in the GEMT balance, leaving \$1,037,013 in reserve. A separate fiscal note is included for this use (Attachment C).

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT (this “Agreement”) is made effective as of March __, 2020 (the “Effective Date”), by and between the City of Kirkland, a municipal corporation (hereinafter “Kirkland” or “City”), and Allyson S. Dkeidek, DDS, PLLC, d/b/a Kirkland Kids Dentistry (“Dr. Dkeidek”). The City and Dr. Dkeidek are individually referred to as a “Party” and collectively, as the “Parties.”

RECITALS

A. On April 17, 2019, the City purchased the property described as Evergreen Place Medical Center, in the County of King, located at 13118 121st Way NE, Kirkland, Washington 98034 (the “Property”).

B. The City purchased the Property under threat of condemnation for the public purpose of constructing a fire station (“Fire Station Project”). The City does intend to build said fire station once funding is secured and anticipates construction will not begin before December 31, 2021.

C. Dr. Dkeidek has been a tenant in Suite 103 on the Property (the “Premises”) since entering into a lease agreement with the City’s predecessor in ownership on January 27, 2015, attached hereto as Exhibit A (the “Lease”). Dr. Dkeidek leases approximately 2,148 square feet and operates her dental practice, Kirkland Kids Density, therein.

D. Dr. Dkeidek will be displaced by the Fire Station Project. Because the City has not yet determined when construction would begin, the City and Dr. Dkeidek have agreed on the amount of relocation benefits the City will pay Dr. Dkeidek pursuant to RCW 8.26, avoid litigation, and provide both parties with certainty moving forward.

NOW, THEREFORE, in consideration for the mutual promises set out below and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, the Parties agree as follows:

AGREEMENT

1. Recitals Incorporated. The Recitals set forth above are incorporated by reference and made a part of this Settlement Agreement.

2. Settlement Amount and Relocation Payment. Within thirty (30) days of the Effective Date, the City shall pay to Dr. Dkeidek, via wire transfer, ACH, or other immediately available funds, the sum of \$631,800.00 (the “Relocation Amount”), which constitutes full and final payment to Dr. Dkeidek. The payment of the Relocation Amount is not considered income within the meaning of RCW 8.26.115.

3. Possession and Rent. Except as explicitly stated in this Agreement, the Lease will continue to govern the relationship between the Parties, including, without limitation, monthly rent payments.

- a. Term. The term of the Lease is amended to end on December 31, 2021. Dr. Dkeidek must cease operations and vacate the Premises on or before 11:59 pm on December 31, 2021.
- b. Early Termination Permitted. Any time after December 30, 2020, upon not less than sixty days' (60) prior written notice to the City, Dr. Dkeidek may terminate the Lease without penalty or any other liability. To avoid any doubt and by way of example, Dr. Dkeidek may give notice on October 31, 2020 that she intends to terminate the Lease effective December 31, 2020. Under this example, the parties shall comply with all lease terms through December 31, 2020 and shall be relieved of all of their obligations under the Lease as of 12:01 AM on January 1, 2021.
- c. Failure to Finance Fire Station Project. If the City fails to acquire financing for the Fire Station Project, the City may, at its option, offer limited Lease extensions to Dr. Dkeidek. Dr. Dkeidek would be under no obligation to extend the Lease, but may, if offered, do so. Rent would be re-established at the current market rate.
- d. Trade Fixtures, Personal Property and Tenant Improvements.
 - i. If the City's anticipated Fall 2020 bond measure to finance the Fire Station Project (the "Bond Measure") passes, Dr. Dkeidek shall have the right, but not the obligation, to remove any and all trade fixtures, personal property, and other improvements Dr. Dkeidek made, or caused to be made, to the Premises, including, without limitation, all dental, laboratory, x-ray and workstation cabinets and equipment located in, on or about the Premises.
 - ii. If the Bond Measure fails to pass, Dr. Dkeidek shall have the right but not the obligation to remove any and all trade fixtures and personal property on the Premises, including, without limitation, all dental, laboratory, x-ray and other equipment, work station cabinets located in on or about the Premises. In the course of removing trade fixtures and personal property after the Bond Measure fails to pass, Dr. Dkeidek will take reasonable care not to damage the Premises any more than is necessary to remove such fixtures and personal property and not to jeopardize the structural integrity of the Premises. Dr. Dkeidek will not be responsible for repairing or filling voids in any non-structural flooring, walls or ceiling areas that are damaged as a result of, or exist after, her reasonable efforts to remove trade fixtures and personal property.

- e. Tax Liability. Dr. Dkeidek shall bear sole and exclusive responsibility for all income tax liabilities and penalties, if any, which any taxing authority, federal or state, may ultimately determine to be owed by it for Relocation Payments made to Dr. Dkeidek pursuant to this Agreement. Dr. Dkeidek has not relied upon any representations concerning income tax liability for the payments made pursuant to this Agreement.

4. Release of All Claims. Each Party, on behalf of itself and its successors and assigns, releases any further or remaining claims, actions, or causes of action against the other Party and its employees, agents, officers, contractors, and assigns, that in any manner arise from or relate to the Lease, acquisition of the Property, and payment of relocation benefits under RCW 8.26, and the City's right to pursue and construct the Fire Station Project.

5. No Admissions. This Agreement does not constitute an admission of liability by the Parties. This paragraph does not preclude or otherwise impact the City's obligation to comply with the Public Records Act, nor does it preclude either party from seeking to enforce the terms of this Agreement. In any dispute resolution proceeding between the Parties in connection with this Agreement, the substantially prevailing party will be entitled to recover its reasonable attorneys' fees and costs from the other party.

6. Successors and Assigns. Neither Party may assign its rights under the Lease or this Agreement without written consent of the other Party, which shall not be unreasonably withheld, conditioned, or delayed. This Settlement Agreement, together with all exhibits now or hereafter made a part, shall be binding on the parties and their respective heirs, executors, administrators, successors, and assigns.

7. Entire Agreement. This Settlement Agreement represents the complete agreement between the Parties with respect to the subject matter hereof. Any prior written or oral representations or agreements to the contrary are of no effect.

8. Execution. This Settlement Agreement may be executed in counterparts, both of which together shall constitute one and the same Settlement Agreement. An electronic copy of an original signature will be deemed to have the same force and effect as an original signature.

9. Governing Law. This Settlement Agreement shall be governed by and construed in accordance with the laws of the State of Washington. Venue for any action arising out of this Settlement Agreement shall be in King County Superior Court.

10. Authority. The persons executing this Settlement Agreement on behalf of the respective Parties hereby represent and warrant that they are authorized to enter into this Settlement Agreement on the terms and conditions herein stated. Dr. Dkeidek affirms there are no subleases encumbering the Premises.

11. City Permitting and Regulatory Authority. Except as otherwise provided herein, nothing in this Settlement Agreement shall be deemed to be either a waiver of the City’s permitting or regulatory authority or an approval of any specific project or development, nor deemed to be a predetermination of compliance with applicable codes and regulations. Nothing in this Settlement Agreement otherwise limits or affects the City’s police power authority to amend or adopt ordinances and regulations that may be applicable to the Property. Notwithstanding the foregoing, to the extent the City now or hereafter has a right to claim sovereign immunity for itself or any of its assets, the City hereby waives any such immunity to the fullest extent permitted by the laws of any applicable jurisdiction. This waiver includes, without limitation, immunity from any of the following, commenced pursuant to the terms of this Agreement and/or the Lease: (i) any arbitration proceeding, (ii) any judicial, administrative or other proceedings to aid such arbitration, and (iii) any effort to confirm, enforce, or execute any decision, award, judgement, service of process, execution or attachment that results from an any arbitration or any judicial or administrative proceedings.

12. Knowing and Voluntary Execution. The Parties hereto enter into this Agreement knowingly, willingly, voluntarily, freely, and without any coercion. The Parties have been advised to consult with an attorney concerning this Agreement and have had adequate opportunity to seek the advice of legal counsel in connection with this Agreement.

CITY OF KIRKLAND

By _____ Date: _____
 Tracey Dunlap,
 Deputy City Manager

ALLYSON S. DKEIDEK, DDS, PLLC
 D/B/A KIRKLAND KIDS DENTISTRY

By _____ Date: _____
 Its: _____

FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Tracey Dunlap, Deputy City Manager							
Description of Request							
Authorize a one-time transfer of \$1,620,000 to fund a settlement agreement with the dentist tenants at 13118 121st Way NE. The request will be funded with \$160,000 from a portion of the 2020 monthly rents from the property and the remaining \$1,460,000 will be funded with reserved Ground Emergency Medical Transport funds (GEMT) revenues. Additionally, a GEMT revenue for FY2018 of \$908,788 was receipted on November 27th, 2019 and this fiscal note recognizes that receipt as a new General fund revenue and addition to the GEMT reserved funds here. The overall net request of GEMT reserved revenues is \$551,212.							
Legality/City Policy Basis							
GEMT revenues are provided through the State of Washington's Health Care Authority and are supplemental payments to cover the funding gap between our Fire Departments' actual costs per GEMT transport and the allowable amount received from Washington Apple Health (Medicaid) and any other form of reimbursement. Kirkland has been reserving these revenues for Fire Station related expenses.							
Fiscal Impact							
Will utilize \$1,460,000 in previously reserved GEMT revenues (\$1,741,225 of which were recognized in the 12/10/2019 Budget Adjustments) from the general fund. This fiscal note recognizes the 11/27/2019 receipt of \$908,788 in GEMT revenues for FY2018 resulting in a net use of \$551,212. Finally, the fiscal note also recognizes projected 2020 rental revenues of \$160,000 from the tenants of the property at 13118 121st Way NE.							
Recommended Funding Source(s)							
	Description	2020 Est End Balance	Prior Auth. 2019-20 Uses	Prior Auth. 2019-20 Additions	Amount This Request	Revised 2020 End Balance	2020 Target
Reserve	GEMT Reserved Revenues	1,741,225	0	0	(551,212)	1,190,013	N/A
	The Fiscal note requests a use of \$1,460,000 in reserved GEMT funds and also recognizes \$908,788 in new GEMT revenues from November 27th, 2019. This results in a net use of GEMT funds of \$551,212.						
Revenue/Exp Savings	Recognize new facility rental revenues of \$160,000 dentist tenants of 13118 121st Way NE through 12/31/2020. Recognize \$908,788 in FY2018 GEMT revenues receipted on 11/27/2019						
Other Source							
Other Information							
Rental revenue account code: 527*362601 / GEMT Revenue Code: 010*332934 - NOTE: A second fiscal note is attached with this same memo and also requests a use of GEMT funds. That fiscal note will calculate reserved amounts based on the reserve info above.							

Prepared By	Kyle Butler, Financial Planning Supervisor	Date	March 6, 2020
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FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Tracey Dunlap, Deputy City Manager							
Description of Request							
Authorize a one-time transfer of \$153,000 to fund roof replacement costs for the existing Fire Station 27. The request will be funded with \$153,000 from reserved Ground Emergency Medical Transport funds (GEMT) revenues.							
Legality/City Policy Basis							
GEMT revenues are provided through the State of Washington's Health Care Authority and are supplemental payments to cover the funding gap between our Fire Departments' actual costs per GEMT transport and the allowable amount received from Washington Apple Health (Medicaid) and any other form of reimbursement. Kirkland has been reserving these revenues for Fire Station related expenses.							
Fiscal Impact							
One-time transfer of \$153,000 from the General Fund's reserved GEMT revenues to the General Capital fund for the Facilities Roofing, Gutter, Siding and Deck Replacements project (GFC1100000). The reserved balance is currently \$1,190,013 and will be \$1,037,013 after this fiscal note.							
Recommended Funding Source(s)							
	Description	2020 Est End Balance	Prior Auth. 2019-20 Uses	Prior Auth. 2019-20 Additions	Amount This Request	Revised 2020 End Balance	2020 Target
	<i>Reserve</i>	GEMT Reserved Revenues	1,741,225	(1,460,000)	908,788	(153,000)	1,037,013
<i>Revenue/Exp Savings</i>							
<i>Other Source</i>							
Other Information							
NOTE: this fiscal note calculates the reserved balance for GEMT in series with Attachment A of the same memorandum. This is an interfund transfer from the General Fund (010) to the General Capital Projects fund (310).							

Prepared By	Kyle Butler, Financial Planning Supervisor	Date	March 6, 2020
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**CITY OF KIRKLAND****City Manager's Office**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Lorrie McKay, Intergovernmental Relations & Economic Development Manager

Date: March 9, 2020

Subject: 2020 STATE LEGISLATIVE PRIORITIES UPDATE #5

RECOMMENDATION:

It is recommended that the City Council receive its fifth update on the City's 2020 State Legislative Priorities (Attachment A).

BACKGROUND DISCUSSION:

At the writing of this memo, the 60-day legislative session is in its final week.

SESSION CUTOFF CALENDAR:

- ✓ March 6 was the last day to pass bills out of the opposite house (5 PM) (except initiatives and alternatives to initiatives, budgets and matters necessary to implement the budget, differences between the houses and other matters).
- ✓ March 12 is the last day of session.

MARCH 9 STATUS UPDATE – CITY'S 2020 LEGISLATIVE PRIORITIES

The City Council's Legislative Workgroup consists of Mayor Sweet, Deputy Mayor Arnold and Councilmember Curtis. The Workgroup is staffed by the City Manager, the Intergovernmental Relations & Economic Development Manager and Management Analyst Andreana Campbell, along with participation from Waypoint Consulting Group, the City's contracted lobbyist. Deputy Mayor Arnold is the Chair the Workgroup, which meets weekly to track the status of the City's priorities and it provides support and oversight of strategies for achieving the priorities.

- **Exempting homeless shelters from utility connection charges**
 - ✓ [SSB 6414](#), Prime sponsor in the Senate is Senator Derek Stanford (D) LD 1
 - ✓ [SHB 2629](#), Prime sponsor in the House is Representative Amy Walen (D) LD 48

While SHB 2629 was passed by the House and was referred to and heard in Senate Ways & Means, the bill was not moved out of committee and it is dead.

It's senate companion bill, SB 6414 died in the Senate Rules Committee.

○ **Extending the date of a qualifying local tax for an affordable housing levy to November 30, 2021**

- ✓ [HB 2797](#), Prime sponsor in the House is Representative June Robinson (D) LD 38
 - ✓ [SB 6631](#), Prime sponsor in the Senate is Senator Rebecca Saldaña (D) LD 37
- This priority is a proposal to amend HB 1406, which was passed in the 2019 session.

EHB 2797 was heard in Senate Housing Stability and Affordability Committee on February 26. The bill was referred to Way & Means where it was heard on March 2. On March 9, Ways & Means took executive action on the bill, amending it to prevent the use of bonds to pay for operations and maintenance costs or rental assistance and clarifying that a county may impose a local sales tax of 0.0073% if cities don't go. The bill was then passed to Rules.

SB 6631 died in Ways & Means.

○ **Adding Accessory Dwelling Units as improvements to Single Family Dwellings that qualify for a three-year property tax exemption**

- ✓ [SB 6231](#), Prime sponsor in the Senate is Senator Patty Kuderer (D) LD 48
- ✓ [HB 2630](#), Prime sponsor in the House is Representative Amy Walen (D) LD 48

Senate bill 6231 was heard in Ways & Means on February 20 and passed to Rules for second reading on March 2. HB 2630 was referred to Rules 2 Review.

○ **Authorizing limited commission officers to review automated traffic safety camera citations**

- ✓ [HB 2735](#), Prime sponsor in the House is Representative Larry Springer (D) LD 45
- There will be no senate companion bill for this priority.

HB 2735 died in committee with the February 7 cutoff for policy bills to be heard in their house of origin.

○ **Support capital and transportation budget funding for prioritized local infrastructure projects**

As shown in the table below, in the 45th District, the Senate proposed \$200,000 for Trail lighting for the CKC south of NE 124th St. and under I-405 through the Department of Commerce, while the House proposed \$400,000 through the Recreation and Conservation Office. In the 48th District, the Senate proposed \$120,000 for a School and Transit Connector Sidewalk project through the Department of Commerce.

Proposed Supplemental Budget	City Priority Program/Project	Funding Level
House Capital PSHB 2324	<ul style="list-style-type: none"> • Trail Lighting - Cross Kirkland Corridor <i>(on page 76... Sec. 3049 ... line 1)</i> For the Recreation and Conservation Office 	\$400,000
Senate Capital SB 6248	<ul style="list-style-type: none"> • Trail Lighting - Cross Kirkland Corridor <i>(on page 33... NEW SECTION 1008... line 18)</i> Department of Commerce 	\$200,000
	<ul style="list-style-type: none"> • School and Transit Connector Sidewalk <i>(on page 33... NEW SECTION 1008... line 35)</i> Department of Commerce 	\$120,000

At the writing of this memo, the legislature was just turning its attention to the budget for the final days of the 2020 session.

- **Formalize procedures to maximize development potential of lands adjacent to the I-405 & NE 85th Street Interchange**
 - ✓ [HB 2343](#), Prime sponsor in the House is Representative Joe Fitzgibbon (D) LD 34
 - ✓ [SB 6334](#), Prime sponsor in the Senate is Senator Solomon (D) LD

SHB 2343 was heard in the Senate Housing Stability and Affordability Committee on February 24, where the committee to action on February 28 and passed it to Rules for second reading. The bill was placed on second reading on March 2 and then amended and passed by the full senate on March 3, with a vote of 36 yeas, 11 nays, 0 absent and 2 excused. The bill was then sent back to the House for concurrence, where on March 7, it was passed with 92 yeas, 5 nays, 0 absent and 1 excused. SHB 2343 was signed by the Speaker and is headed to the Governor's desk.

Attachments: Attachment A – Status update on the City's 2020 State Legislative Priorities

2020 Legislative Priority	Bill #	Prime Sponsor	Status
<p>New local funding and policy tools to address homelessness and create more affordable housing, such as:</p> <ul style="list-style-type: none"> Exempting homeless shelters from utility connection charges Extending the date of a qualifying local tax for an affordable housing levy to November 30, 2021 Adding Accessory Dwelling Units as improvements to Single Family Dwellings that qualify for a three-year property tax exemption 	<p>SHB 2629</p> <p>HB 2797</p> <p>HB 2630 SSB 6231</p>	<p>Rep. Walen</p> <p>Rep. Robinson</p> <p>Rep. Walen Sen. Kuderer</p>	<p>2/16 – HOUSE PASSED 63 yeas, 33 nays, 0 abs, 2 excsd 2/28– Passed to Rules for second reading</p> <p>2/16 – HOUSE PASSED 63 yeas, 33 nays, 0 abs, 2 excsd 3/9 – Executive Action taken in Ways & Means</p> <p>2/28 – Referred to Rules 2 Review 3/2 – Scheduled for Exec Action in Ways & Means</p>
<p>Authorizing limited commission officers to review automated traffic safety camera citations</p>	<p>HB 2735</p>	<p>Rep Springer</p>	<p>2/6 – No action taken in Public Safety</p>
<p>Support capital and transportation budget funding for prioritized local infrastructure projects, such as:</p> <ul style="list-style-type: none"> Juanita Dr. – 79th Way NE to NE 120th St. (1st LD) Lighting CKC, south of NE 124th St. and under I-405 (45th LD) School Transit Connector Sidewalk Project (48th LD) 	<p>HB 2324 SB 6248</p> <p>SB 6248</p>	<p>Sen. Stanford Rep. Kloba</p> <p>Rep. Goodman Sen. Dhingra</p> <p>Sen. Kuderer</p>	<p>1/22 – Senate member form submitted 1/22 – House member form submitted</p> <p>2/27 - \$400,000 Recreation and Conservation Office 2/26 – \$200,000 Department of Commerce</p> <p>2/26 – \$120,000 Department of Commerce 2/29 – House members asked to support in House Capital Budget</p>
<p>Exempt street maintenance from the Public Works threshold limitations</p>			
<p>Formalize procedures to maximize development potential of lands adjacent to the I-405 & NE 85th Street Interchange</p>	<p>SHB 2343</p>	<p>Rep Fitzgibbon</p>	<p>2/16 – HOUSE PASSED 93 yeas, 2 nays, 0 abs, 3 excsd 3/3 – SENATE PASSED 36 yeas, 11 nays, 0 abs, 2 excsd</p>

* No HIGHLIGHTS = No change in status from last update.



CITY OF KIRKLAND
Planning and Building Department
123 5th Avenue, Kirkland, WA 98033
425.587.3600- www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Dorian Collins, AICP, Senior Planner
Sean LeRoy, Planner
Adam Weinstein, AICP, Planning and Building Director

Date: March 6, 2020

Subject: Amendments to the Kirkland Zoning Code (KZC) and Kirkland Municipal Code (KMC) related to "Missing Middle" housing - cottage, carriage and two/three-unit homes and accessory dwelling units (ADUs)
File CAM19-00152 and CAM19-00282

Staff Recommendation

Adopt the enclosed ordinances amending Kirkland Zoning Code (KZC) Chapters 5, 113, and 115 and miscellaneous Zoning Code amendments in zones requiring density minimums, and Kirkland Subdivision Ordinance (KMC) Chapter 22.28. The amendments contained in the ordinances are consistent with the recommendations of the Planning Commission and would implement key goals in the Housing Strategy Plan adopted in 2018. This memo also contains deviations from the Planning Commission recommendation made by the Houghton Community Council, which may also be considered by the City Council.

Background

At its meeting on March 3, 2020, the City Council received a briefing on the Planning Commission recommendation for amendments to the Kirkland Zoning Code and Kirkland Municipal Code for "Missing Middle Housing." As discussed in the [materials prepared for the March 3 City Council meeting](#), this term typically refers to a range of housing types, compatible in design and scale with single-family homes, which fill the gap between conventional single-family homes and apartment or condominium units in multi-story buildings. The amendments include changes to regulations for cottages, duplexes, triplexes, minimum density in multifamily zones, and accessory dwelling units (ADUs).

Members of the City Council identified several issues and questions related to the proposed amendments. Staff's response to these topics is provided below.

School Impacts

At the March 3 meeting, City Council expressed concerns about the impacts of the missing middle housing proposal (and development in general) on school capacity. As noted by Council, school funding and capacity is a larger issue that

is affected by many factors that include not only local rates of growth and development, but State formulas for funding education and local support for bond and levy measures for new school facilities. In the long-term, the City will continue meeting regularly with the Lake Washington School District (LWSD) to discuss school planning, including concepts such as increasing height limits on school sites, in addition to strategizing how to better link development growth and long-range school capital programs.

To help illustrate the potential impacts of the missing middle housing code amendments on LWSD schools, staff has developed a rough estimate of the number of students that would be generated by the proposed code amendments. The State Environmental Policy Act (SEPA) analysis for the code amendment project assumes a total of 919 net new missing middle housing units over the next 10 years. This is a very rough estimate of likely production, based on historic estimates and existing goals established in the Housing Strategy Plan regarding ADU production. Generally, staff believes that the demographic characteristics of missing middle housing units will more resemble those of multi-family units than single-family units (e.g., slightly smaller household sizes). Applying the student generation rates for multi-family housing units presented in the LWSD 6-Year Capital Facilities Plan adopted on June 10, 2019 (0.139 student generated per unit), the 919 new units of missing middle housing over the next 10 years would yield approximately 128 new students in Kirkland public schools (or an average of about 13 new students per year). For purposes of comparison, applying LWSD's single-family student generation rate (0.777 student generated per unit) to 919 new units of missing middle housing would yield 714 new students. The actual impact of an ADU or each unit of a duplex would likely be somewhere in-between the 128 students and 714 students. Unlike subdivisions and larger apartment/condominium projects, new missing middle housing units are likely to be distributed across the City, diluting impacts on specific school enrollment areas.

Missing middle housing on Goat Hill

Council also expressed concern about additional development on Goat Hill, in light of recent concerns expressed by residents about congestion, emergency vehicle access, hillside stability, and overall construction activity. A multi-disciplinary team of staff, including Public Works, Planning and Building, and City Attorney's Office staff is currently undertaking a study of these issues. Preliminary analysis indicates a significant number of vacant parcels on Goat Hill (63), but many of these contain slopes in excess of 40 percent, streams and wetlands, and heavy tree canopy that are likely to make them very difficult to develop. This study will yield recommendations on the extent of development- and geology-related issues on Goat Hill, and recommendations for next steps. In the context of missing middle housing types being already permitted on Goat Hill, staff would recommend deferring the institution of any development restrictions on Goat Hill to the conclusion of the study.

Transit distances

The amendments include reduced parking requirements for missing middle housing types where properties are located near high-frequency transit routes. Councilmembers asked for additional information showing properties within the city that are located within ¼ or ½ mile of these transit routes. The map in Attachment 1 shows these buffer distances from bus routes providing high frequency transit in Kirkland.

Costs of design guidelines for missing middle housing

Council also requested further input and analysis regarding the impact more robust design guidelines would have on development costs for cottages, duplexes, and triplexes. The day after the briefing, staff reached out to members of the Master Builders of King and Snohomish Counties (MBAKS), asking for feedback on the cost implications of the design guidelines. One conversation with a local housing developer has indicated that the proposed design guidelines encompass architectural/design features that are typical of single-family development (such as the use of high quality materials, entry features that dominate the street frontage, compatible roof forms, and screening vegetation) and thus would not result in significant cost impacts. Staff would also note that the design guidelines are intentionally flexible, and do not prescribe specific design solutions that might not be feasible for specific projects. Staff will share any additional information provided by MBAKS at the upcoming Council meeting.

Proposed Amendments

The Planning Commission's (PC's) recommended code amendments are shown as ~~strikethrough~~-(deleted) or **new** text in Attachment 1 (Cottage, Carriage and Two-/Three-Unit Homes) and Attachments 2 and 3 (ADUs) to the [staff memorandum included in the City Council materials for March 3, 2020](#). For ADUs, "clean" versions of the amended text for each section of the Zoning Code and Municipal Code are shown in Attachment A to attached Ordinance 4715 (KZC amendments) and Attachment A to attached Ordinance 4716 (KMC amendments). "Clean" versions of the amendments to the Zoning Code for Cottage, Carriage and Two-/Three Unit Homes are shown in Attachment A to Ordinance 4717. The ordinances are contained in Attachments 2-10 to this memorandum.

Houghton Community Council (HCC) recommendations

The City Council indicated it may opt to incorporate recommendations from the HCC in the amendments. The ordinances do not currently incorporate the HCC recommendations. Staff suggests that the City Council consider each amendment separately as a motion to amend the underlying ordinances. The alternative code amendment text provided below is for each topic where the recommendation of the HCC differed from that of the PC. The alternative text amendments would apply to development only within the disapproval jurisdiction of the HCC. Amendments for each of these topics will be placed on the dais at the Council meeting for possible action.

ADUs1) Number of ADUs

The HCC supports an amendment to increase the number of ADUs allowed on a lot from one to two. However, the HCC recommends that no more than one attached ADU and no more than one detached ADU be allowed. To incorporate the HCC recommendation, the following revision to the PC recommendation could be adopted (shown highlighted in yellow):

Two (2) accessory dwelling units (ADUs), including either one attached ADU and one detached ADU, or two of either type outside the jurisdiction of the Houghton Community Council, are permitted per single-family dwelling; provided, that an accessory dwelling unit shall not be considered a "dwelling unit" in the context of Special Regulations in Chapters 15 through 56 KZC which limit the number of detached dwelling units on each lot to one

(1): Accessory dwelling units must be consistent with the following standards:

2) Owner Occupancy

The PC recommendation includes eliminating the owner occupancy requirement. The HCC does not support this change but indicated support for providing a "hardship option" to allow a property owner to be absent from the property for a period of time. To incorporate the HCC recommendation, the regulation could be retained and adopted with the revisions shown highlighted in yellow below. Following the adoption of the code amendments, the ADU application form would be revised to provide more detailed information regarding the request for a waiver from the owner occupancy requirement.

2. Owner Occupancy – Within the disapproval jurisdiction of the Houghton Community Council, One (1) of the units must be the principal residence of the property owner(s). The Planning Director may waive this requirement for up to five years if the ADU application includes evidence of good cause for the waiver. Good cause may include circumstances such as job relocation, military deployment, sabbatical leave, education, illness, issues related to inheritance, etc.

Outside the disapproval jurisdiction of the Houghton Community Council, this regulation does not apply.

3) Number of unrelated people

The HCC does not support a revision to the approach used to establish occupancy limitations for ADUs. To incorporate the HCC recommendation, the following revision to the PC recommendation could be adopted (shown highlighted in yellow):

1. Occupancy Limitations— Outside the disapproval jurisdiction of the Houghton Community Council, occupancy limitations for ADUs shall be consistent with the provisions of the KMC Property Maintenance Code. Within the disapproval jurisdiction of the Houghton Community Council, the total number of occupants in the principal residence and the ADU combined shall not exceed the maximum number established for a single- family dwelling as defined in KZC 5.10.300.

4) Definition of an ADU

The HCC recommends retaining the use of the term “dwelling unit” rather than the term, “residence”, included in the PC recommendation. To incorporate the HCC recommendation, the following revision to the PC recommendation could be adopted (shown highlighted in yellow). Staff does not recommend this amendment, as the inclusion of “dwelling unit” in the definition would eliminate some of the flexibility of the new definition.

A subordinate dwelling unit residence added to, created within, or detached from a single-family structure, that provides basic requirements for living and sanitation that are independent from the primary dwelling unit.

5) Distance between DADU and the principle residence

The HCC recommendation includes an additional requirement for a minimum distance of five feet to be provided between a detached ADU and the principle residence. To incorporate the HCC recommendation, the following revision to the PC recommendation could be adopted (shown highlighted in yellow):

4. Location. An accessory dwelling unit may be added to or included within the principal unit, or located in a detached structure. Detached accessory dwelling units located on lots approved using the historic preservation subdivision regulations must be located behind the historic residence. Accessory dwelling units must conform with the setbacks, height restrictions, lot coverage and other applicable zoning regulations required for single-family dwellings in the applicable use zone; except as modified by KZC 115.42 and KZC 115.115.3.o. In addition, detached accessory dwelling units must be fully contained in a separate structure that is detached from the principal unit and any attached accessory dwelling unit. Within the disapproval jurisdiction of the Houghton Community Council, detached accessory dwelling units must also be located at least five (5) feet from the principle unit and any attached accessory dwelling unit. A detached accessory dwelling unit may not share a common roof structure with the principal unit and/or attached accessory dwelling unit.

Cottages, Duplexes and Triplexes

1) Standalone Duplexes and Triplexes

The HCC supports an amendment to allow standalone duplexes, provided such units do not include ADUs. HCC does not support permitting standalone triplexes in Houghton. To incorporate the HCC recommendation in the amendments to KZC 113, the following revised text amendment could be adopted (shown highlighted in yellow):

113.25 Development Chart for Cottages, Carriage Units and Two/Three-Unit Homes

Footnote 1:

1 Within the jurisdiction of the Houghton Community Council, standalone duplexes are allowed, provided a standalone duplex shall not include an Accessory Dwelling Unit (ADU). Standalone triplexes are not allowed within the disapproval jurisdiction of the Houghton Community Council.

2) Proximity to high-frequency transit and MMH parking standards

The HCC recommends parking requirements for MMH developments be reduced only if units are within ¼ mile (and not ½ mile) of high-frequency transit. Developments within ¼ mile of such transit services would be required to provide 1 space per unit, while developments further than ¼ mile from such transit services would be required to supply parking that is relative to the size of the proposed unit. To incorporate the HCC recommendation in the amendments to KZC 113, the following revised text amendment could be adopted:

	Cottage	Carriage	Two-/Three-Unit Home1
Parking Requirements 10	<p>Provided a development is within ½ mile (<u>¼ mile within the jurisdiction of Houghton Community Council</u>) of transit service with 15-minute headways during commute hours: 1 space per unit</p> <p>Provided a development is more than ½ mile (<u>¼ mile within the jurisdiction of Houghton Community Council</u>) from transit service with 15-minute headways during commute hours:</p> <p>Units which are 1,000 square feet or less = 1 space per unit</p> <p>Units which are over 1,000 square feet = 1.5 spaces per unit</p> <p>See KZC 105.20 for visitor parking</p> <p>One attached ADU = no additional on-site space required</p>		

Future Issues

Members of the City Council indicated interest in considering a number of issues in the future that may result in additional amendments to regulations for missing middle housing.

Definition of "Family"

The City Council discussed the recommended change to the approach used to determine maximum occupancy for ADUs. The Council asked staff to clarify in a formal interpretation how "Family" is defined, familial relationships are determined, and how unrelated persons living together are counted.

Maximum size for accessory structures/detached ADUs

Public testimony included comments regarding the proposed expansion of the size limit for a detached ADU to 1,200 square feet, and the similar size limitation of 1,200 square feet for accessory structures (which includes detached accessory dwelling units). The situation described by the commenter would entail the construction of a new 1,200-square-foot garage beneath a 1,200-square-foot ADU, resulting in a 2,400-square-foot accessory structure. Staff believes that

allowing such large accessory structures would have adverse effects on neighborhood aesthetics but acknowledges that additional allowances for accessory structures could be undertaken as a future work task.

Attachments

1. Transit map
2. Ordinance 4715
3. Attachment A to Ordinance 4715
4. Publication Summary – Ordinance 4715
5. Ordinance 4716
6. Attachment A to Ordinance 4716
7. Publication Summary –Ordinance 4716
8. Ordinance 4717
9. Attachment A to Ordinance 4717
10. Publication Summary –Ordinance 4717

cc: CAM19-00152
CAM19-00282
Interested Parties
Planning Commission
Houghton Community Council
Lindsay Masters, ARCH, lmasters@bellevuewa.gov

ORDINANCE NO. O-4715

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, INCLUDING CHAPTERS 5, AND 115, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM19-00282.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain sections of the Kirkland Zoning Code, Ordinance 3719, as amended, as set forth in the staff report dated February 21, 2020, containing the recommendation of the Planning Commission and bearing Kirkland Planning and Building Department File No. CAM19-00282; and

WHEREAS, prior to making the recommendation, the Kirkland Planning Commission and the Houghton Community Council, following notice as required by RCW 36.70A.035, on January 23, 2020, held a joint public hearing on the amendment proposals. The Houghton Community Council considered the comments received at the hearing and developed a recommendation to the Planning Commission at its meeting on January 27, 2020, and the Planning Commission considered the comments received at the hearing and the recommendation of the Houghton Community Council and developed its recommendation to City Council on February 13, 2020; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-625; and

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

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

Section 1. The following specified sections of the Kirkland Zoning Code are amended as set forth in Attachment A attached to this ordinance and incorporated by reference.

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

Section 3. To the extent the subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall be deemed

approved within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance. The effective date of this ordinance is set forth in Section 4 below.

Section 4. Except as provided in Section 3, this ordinance shall be in full force and effect ninety days from and after its passage by the Kirkland City Council and publication, in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

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

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2020.

Signed in authentication thereof this _____ day of _____, 2020.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney

.017 Accessory Dwelling Unit

A subordinate residence added to, created within, or detached from a single-family structure, that provides basic requirements for living and sanitation that are independent from the primary dwelling unit.

115.07 Accessory Dwelling Units

Two (2) accessory dwelling units (ADUs), including either one attached ADU and one detached ADU, or two of either type, are permitted per single-family dwelling; provided, that an accessory dwelling unit shall not be considered a “dwelling unit” in the context of Special Regulations in Chapters 15 through 56 KZC which limit the number of detached dwelling units on each lot to one (1): Accessory dwelling units must be consistent with the following standards:

1. **Occupancy Limitations**— Occupancy limitations for ADUs shall be consistent with the provisions of the KMC Property Maintenance Code.
2. **Subdivision** – A property containing a detached accessory dwelling unit shall not be subdivided but may be segregated in ownership from the principal dwelling unit.
3. **Size** – The square footage of the ADU shall not exceed 1,200square feet of gross floor area. For attached ADUs, if the accessory unit is completely located within existing gross floor area on a single floor, the Planning Director may allow increased size in order to efficiently use all floor area. When calculating the square footage of the ADU see KZC 5.10.340, definition of “gross floor area.” The gross floor area shall not include:
 1. Area with less than five (5) feet of ceiling height, as measured between the finished floor and the supporting members for the roof.
 2. Covered exterior elements such as decks and porches; provided, the total size of all such covered exterior elements does not exceed 200 square feet. See KZC 115.08 for additional size and height limitations.
4. **Location.** An accessory dwelling unit may be added to or included within the principal unit, or located in a detached structure. Detached accessory dwelling units located on lots approved using the historic preservation subdivision regulations must be located behind the historic residence. Accessory dwelling units must conform with the setbacks, height restrictions, lot coverage and other applicable zoning regulations required for single-family dwellings in the applicable use zone; except as modified by KZC 115.42 and KZC 115.115.3.o. In addition, detached accessory dwelling units must be fully contained in a separate structure that is detached from the principal unit and any attached accessory dwelling unit. A detached accessory dwelling unit may not share a common roof structure with the principal unit and/or attached accessory dwelling unit.

5. Entrances. The primary entrance to the accessory dwelling unit shall be located in such a manner as to be clearly secondary to the main entrance to the principal unit and shall not detract from or alter the single-family character of the principal unit.

6. Parking. On lots with more than one accessory dwelling unit, there shall be one (1) off-street parking space provided unless: :

- a. On-street parking is available within 600 feet of the subject property or
- b. The property is located within one-half mile of transit service with 15-minute headways during commute hours.

7. Applicable Codes. The portion of a single-family dwelling in which an accessory dwelling unit is proposed must comply with all standards for health and safety contained in all applicable codes, with the following exception for ceiling height. Space need not meet current International Building Code (IBC) ceiling height requirements if it was legally constructed as habitable space.

8. Permitting

a. Application

- 1) The property owner shall apply for an accessory dwelling unit permit with the Planning and Building Department. The application shall include an affidavit signed by the property owner agreeing to all the general requirements outlined in this section.

In the event that proposed improvements in the accessory dwelling unit do not require a building permit, a registration form for the unit must be completed and submitted to the Planning and Building Department.

- 2) The registration form as required by the City shall include a property covenant. The covenant must be filed by the property owner with the City for recording with the King County Recorder's Office to indicate the presence of the accessory dwelling unit, and reference to other standards outlined in this section. The covenant shall run with the land as long as the accessory dwelling unit is maintained on the property.
- 3) If an ADU was or is created without being part of a project for which a building permit was or is finalized, an ADU inspection will be required for issuance of an ADU permit. The

ADU inspection fee will cover a physical inspection of the ADU. This fee will be waived if the ADU existed on January 1, 1995, and the ADU permit is applied for by December 31, 1995.

b. Eliminating an Accessory Dwelling Unit – Elimination of a registered accessory dwelling unit may be accomplished by the owner filing a certificate with the Planning and Building Department, or may occur as a result of enforcement action.

c. Appeals. The decision of the Planning Official is appealable using the applicable appeal provisions of Chapter 145 KZC.

(Ord. 4491 §§ 3, 11, 2015; Ord. 4476 § 3, 2015; Ord. 4408 § 1, 2013; Ord. 4372 § 1, 2012; Ord. 4320 § 1, 2011; Ord. 4286 § 1, 2011; Ord. 4252 § 1, 2010; Ord. 4193 § 1, 2009; Ord. 4102 § 2, 2007; Ord. 4072 § 1, 2007)

115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones and Attached Dwelling Units in PLA 3C

The intent of these F.A.R. regulations is to limit the perceived bulk and mass of residential structures as they relate to the right-of-way and adjacent properties and to ensure houses are proportional to lot size. The design incentives in subsection (4) of this section are provided to encourage more interesting design and location of building massing toward the center of each lot, away from neighboring properties.

neighboring properties.

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones and attached dwelling units in PLA 3C shall include the entire area within the exterior walls for each level of the structure. It shall also include the area of all carports, measured as the area of the carport roof. It shall not include the following:

- a. Attic area with less than five (5) feet of ceiling height, as measured between the finished floor and the supporting members for the roof.
- b. Floor area with a ceiling height less than six (6) feet above finished grade. The ceiling height will be measured to the top of the structural members for the floor above. The finished grade will be measured along the outside perimeter of the building (see Plate 23). For window wells, finished grade will be measured at the outside perimeter of a window well only when it is designed and constructed to the minimum dimensions required by the current building code adopted by the City of Kirkland.
- c. On lots less than 8,500 square feet, the first 500 square feet of an accessory dwelling unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure, or 10 feet from and behind the main structure if the accessory structure contains an accessory dwelling unit (see subsection (3) of this section for additional information on the required distance between structures); provided, that the entire area of an accessory structure, for which a building permit was issued prior to March 6, 2007, shall not be included in the gross floor area used to calculate F.A.R. For purposes of this section, "behind" means located behind an imaginary plane drawn at the back of the main structure at the farthest point from, and parallel to, the street or access easement serving the residence.

- d. On lots greater than or equal to 8,500 square feet, the first 800 square feet of an accessory dwelling unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure, or 10 feet from and behind the main structure if the accessory structure contains an accessory dwelling unit (see subsection (3) of this section for additional information on the required distance between structures); provided, that the entire area of an accessory structure, for which a building permit was issued prior to March 6, 2007, shall not be included in the gross floor area used to calculate F.A.R.
 - e. Uncovered decks, and covered decks, porches, and walkways that are open on at least three (3) sides or have a minimum 50 percent of the perimeter of the deck, porch, or walkway open. Deck, porch, or walkway perimeters with the following characteristics are considered open:
 - 1) Have no walls of any height; and
 - 2) Have no guard rails taller than the minimum height required by the Building Code.
 - f. One (1) exemption of 100 square feet if the dwelling unit has an internal staircase and/or an area with a ceiling height greater than 16 feet.
2. Floor area with a ceiling height greater than 16 feet shall be calculated at twice the actual floor area toward allowable F.A.R. The ceiling height for these areas will be measured to the top of the structural members for the floor above or, if there is no floor above, to the bottom of the structural members for the roof.
 3. Separate structures will be regulated as one (1) structure if any elements of the structures, except for the elements listed in subsection (3)(b) of this section, are closer than 20 feet to each other, or closer than 10 feet if the structures contain an accessory dwelling unit.
 - a. Two (2) structures connected by a breezeway or walkway will be regulated as one (1) structure if any element of the breezeway or walkway is higher than 10 feet above finished grade.
 - b. Elements of structures that may be closer than 20 feet to each other, or ten feet if the structures contain an accessory dwelling unit, are:
 - 1) Elements of a structure no higher than 18 inches above finished grade;
 - 2) Chimneys, bay windows, greenhouse windows, eaves, cornices, awnings and canopies extending no more than 18 inches from the wall of a structure;

- 3) Stairs extending no more than five (5) feet from the wall of a structure;
- 4) For structures not containing an accessory dwelling unit, porches extending no more than five (5) feet from the wall of a structure if:
 - i) The porch is no higher than one (1) story and the finished floor of the porch is no more than four (4) feet above finished grade;
 - ii) Three (3) sides of the porch are open other than railings and solid walls no higher than 42 inches;
 - iii) No deck, balcony, or living area is placed on the roof of the porch;
 - iv) The length of the porch does not exceed 50 percent of the wall of the structure to which it is attached;
 - v) Porch eaves may extend an additional 18 inches from the edge of the porch.

115.115 Required Yards

Section 115.115.3 – Structures and Improvements:

o. In low density residential zones:

- 1) Detached garages, including second story uses, utilizing an alley for their primary vehicular access may be located within five (5) feet of the rear property line, if:
 - a) Garage doors will not extend over the property line when open; and
 - b) The garage complies with KZC 115.135, which regulates sight distance at intersections.
- 2) Detached garages, including second story uses, utilizing an alley for their primary vehicular access may extend to the rear property line, if:
 - a) The lot is 50 feet wide at the rear property line on the alley;
 - b) The garage has side access with garage doors that are perpendicular to the alley;
 - c) The garage eaves do not extend over the property line; and
 - d) The garage complies with KZC 115.135, which regulates sight distance at intersections.
- 3) Garages and detached accessory dwelling units without alley access may be located no closer than five (5) feet of the rear property line; provided, that:
 - a) The portion of the structure that is located within the required rear yard is no taller than 15 feet above average building elevation; and
 - b) The rear yard does not abut an access easement that is regulated as a rear property line.
- 4) Detached Accessory Dwelling Units may be located within five (5) feet of an alley.

PUBLICATION SUMMARY
OF ORDINANCE NO. O-4715

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, INCLUDING CHAPTERS 5, AND 115, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM19-00282.

SECTION 1. Amends Chapters 5 and 115 to the Kirkland Zoning Code.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Provides that the effective date of the ordinance is affected by the disapproval jurisdiction of the Houghton Community Council.

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

SECTION 5. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2020.

I certify that the foregoing is a summary of Ordinance O-4715 approved by the Kirkland City Council for summary publication.

Kathi Anderson, City Clerk

ORDINANCE NO. O-4716

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SUBDIVISION OF LAND AND AMENDING ORDINANCE NO. 3705 AS AMENDED, THE KIRKLAND SUBDIVISION ORDINANCE AND APPROVING A SUMMARY FOR PUBLICATION FILE NO. CAM19-00282.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain sections of the text of the Kirkland Subdivision Ordinance, Ordinance 3705 as amended, all as set forth in that report and recommendation of the Planning Commission dated February 21, 2020 and bearing Kirkland Planning and Building Department File No. CAM19-00282; and

WHEREAS, prior to making the recommendation, the Kirkland Planning Commission and the Houghton Community Council, following notice as required by RCW 36.70A.035, on January 23, 2020, held a joint public hearing on the amendment proposals. The Houghton Community Council considered the comments received at the hearing and developed a recommendation to the Planning Commission at its meeting on January 27, 2020, and the Planning Commission considered the comments received at the hearing and the recommendation of the Houghton Community Council and developed its recommendation to City Council on February 13, 2020; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA) there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-625; and

WHEREAS, in open public meeting the City Council considered the environmental documents received from the responsible official, together with the recommendations of the Planning Commission and the Houghton Community Council.

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

Section 1. Subdivision Ordinance text amended: The following specified sections of the text of Ordinance 3705 as amended, the Kirkland Subdivision Ordinance, be and they hereby are amended to read as follows:

As set forth in Attachment A which by this reference is incorporated herein.

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

Section 3. The subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall be deemed approved within the Houghton Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance. The effective date of this ordinance is set forth in Section 4 below.

Section 4. Except as provided in Section 3, This ordinance shall be in full force and effect ninety days from and after its passage by the Kirkland City Council and publication, in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

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

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2020.

Signed in authentication thereof this _____ day of _____, 2020.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney

22.28.042 Lots—Small lot single-family. Amended Ord. 4706

Within the RS and RSX 6.3, 7.2 and 8.5 zones, for those subdivisions not subject to the lot size flexibility provisions of Sections [22.28.030](#) and [22.28.040](#), low impact development provisions of Section [22.28.041](#), and historic preservation provisions of Section [22.28.048](#), the minimum lot area shall be deemed to be met if at least one-half of the lots created contain no less than the minimum lot size required in the zoning district in which the property is located. The remaining lots may contain less than the minimum required lot size; provided, that such lots meet the following standards:

- (a) Within the RS 6.3, RSX and RS 7.2 zones, the lots shall be at least five thousand square feet.
- (b) Within the RSX and RS 8.5 zones, the lots shall be at least six thousand square feet.
- (c) *Repealed by Ord. 4438.*
- (d) The floor area ratio (FAR) shall not exceed thirty percent of lot size; provided, that FAR may be increased up to thirty-five percent of the lot size if the following criteria are met:
 - (1) The primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical to twelve feet horizontal; and
 - (2) All structures are set back from side property lines by at least seven and one-half feet.
- (e) The FAR restriction shall be recorded on the face of the plat.

. . . (Ord. 4438 § 1 (Att. A) (part), 2014: Ord. 4372 § 2 (Att. B) (part), 2012: Ord. 4332 § 1(C) (Exh. C), 2011: Ord. 4330 § 1 (Exh. A), 2011: Ord. 4102 § 1(A), 2007)

22.28.048 Lots—Historic preservation.  

Within the low density zones listed below in subsections (a) through (d) of this section, for those subdivisions not subject to the lot size flexibility provisions of Sections [22.28.030](#) and [22.28.040](#), low impact development provisions of Section [22.28.041](#), and the small lot single-family provisions of Section [22.28.042](#), the minimum lot area shall be deemed to be met if no more than two lots are created that contain less lot area than the minimum size required in the zoning district in which the property is located, and if an “historic residence” is preserved on one of the lots, pursuant to the process described in Chapter [75](#) KZC. The lots containing less than the minimum required lot area shall meet the following standards:

- (a) Within the RSA 6, RS 6.3 and RS and RSX 7.2 zones, the lots shall be at least five thousand square feet.
- (b) Within the RSA 4, RS 8.5 and RSX 8.5 zones, the lots shall be at least six thousand square feet.
- (c) Within the RS 12.5, RSX 12.5 and WDII zones, the lots shall be at least seven thousand two hundred square feet.
- (d) Within the RS and RSX 35 zones not located north or northeast of the Bridle Trails State Park, the lots shall be at least fifteen thousand fifty square feet.
- (e) *Repealed by Ord. 4438.*

Lots containing historic residences shall also meet the following standards:

- (g) If a historic residence is destroyed, damaged, relocated, or altered inconsistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Rehabilitation) (Code of Federal Regulations, [36 CFR Part 68](#)), the replacement structure shall be reconstructed in accordance with the criteria established in KZC [75.105](#). The replacement restriction shall be recorded on the face of the plat.
- (h) As part of subdivision approval, the city may allow the following modifications to regulations in the Kirkland Zoning Code regarding minimum required yards, maximum lot coverage, and floor area ratio on the lot containing the historic residence if the modifications are necessary to accommodate the historic residence.
 - (1) Required yards may be two feet less than required by the zoning district as shown on the Kirkland zoning map.
 - (2) Floor area ratio may be five percentage points more than allowed by the zoning district as shown on the Kirkland zoning map.
 - (3) Lot coverage may be five percentage points more than allowed by the zoning district as shown on the Kirkland zoning map.
- (i) At the time of recording the plat, a notice of applicable restrictions for the lot containing the designated historic residence shall be recorded. (Ord. 4438 § 1 (Att. A) (part), 2014: Ord. 4372 § 2 (Att. B) (part), 2012: Ord. 4102 § 1(B), 2007)

PUBLICATION SUMMARY
OF ORDINANCE NO. 4716

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SUBDIVISION OF LAND AND AMENDING ORDINANCE NO. 3705 AS AMENDED, THE KIRKLAND SUBDIVISION ORDINANCE AND APPROVING A SUMMARY FOR PUBLICATION FILE NO. CAM19-00282.

SECTION 1. Amends certain sections of Ordinance 3705 relating to the Kirkland Subdivision Ordinance.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Provides that the effective date of the ordinance is affected by the disapproval jurisdiction of the Houghton Community Council.

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

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

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2020.

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

Kathi Anderson, City Clerk

ORDINANCE NO. O-4717

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, INCLUDING CHAPTERS 20, 25 AND 113, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM19-00152.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain sections of the Kirkland Zoning Code, Ordinance 3719, as amended, as set forth in the staff report dated February 21, 2020, containing the recommendation of the Planning Commission and bearing Kirkland Planning and Building Department File No. CAM19-00152; and

WHEREAS, prior to making the recommendation, the Kirkland Planning Commission and the Houghton Community Council, following notice as required by RCW 36.70A.035, on January 23, 2020, held a joint public hearing on the amendment proposals. The Houghton Community Council considered the comments received at the hearing and developed a recommendation to the Planning Commission at its meeting on January 27, 2020, and the Planning Commission considered the comments received at the hearing and the recommendation of the Houghton Community Council and developed its recommendation to City Council on February 13, 2020; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-625; and

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

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

Section 1. The following specified sections of the Kirkland Zoning Code are amended as set forth in Attachment A attached to this ordinance and incorporated by reference.

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

Section 3. To the extent the subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall be deemed

approved within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance. The effective date of this ordinance is set forth in Section 4 below.

Section 4. Except as provided in Section 3, this ordinance shall be in full force and effect ninety days from and after its passage by the Kirkland City Council and publication, in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

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

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2020.

Signed in authentication thereof this _____ day of _____, 2020.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney

Chapter 113 – COTTAGE, CARRIAGE AND TWO/THREE-UNIT HOMES

Sections:

113.05 User Guide

113.10 Provisions and Intent

113.15 Housing Types Defined

113.20 Applicable Use Zones

113.25 Development Chart for Cottages, Carriage Units and Two/Three-Unit Homes

113.30 Community Buildings and Community Space in Cottage Developments

113.35 Design Standards and Guidelines

113.40 Median Income Housing

113.50 Additional Standards

113.05 User Guide

This chapter provides standards for alternative types of housing in single-family zones. If you are interested in proposing cottage, carriage or two/three-unit homes, you should read this chapter.

(Ord. 4717, 2020; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

113.10 Provisions and Intent

The provisions of this chapter are available as alternatives to the development of typical detached single-family homes. In the event of a conflict between the standards in this chapter and the standards in KZC 15, the standards in this chapter shall take precedence. These standards are intended to address the need for smaller, more compact, and often, more affordable housing choices in neighborhoods characterized by single-family homes. Providing for a variety of housing types in single-family zones also encourages innovation and variety in housing design and site development, while ensuring compatibility with surrounding single-family residential uses.

(Ord. 4717, 2020; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

113.15 Housing Types Defined

The following definitions apply to the housing types allowed through the provisions in this chapter:

1. Cottage – A detached, single-family dwelling unit containing 1,700 square feet or less of gross floor area.
2. Carriage Unit – A single-family dwelling unit, not to exceed 800 square feet in gross floor area, located above a garage structure in a cottage housing development.
3. Two/Three-Unit Home – A structure containing two (2) dwelling units or three (3) dwelling units, designed to look like a detached single-family home.

(Ord. 4717, 2020; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

113.20 Applicable Use Zones

The housing types described in this chapter are allowed in single-family zones as defined in KZC 5.10.490 – Low Density Zones (see KZC 113.25 for further standards regarding location of these housing types).

(Ord. 4717, 2020; Ord. 4196 § 1, 2009; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

113.25 Development Chart for Cottages, Carriage Units and Two/Three-Unit Homes

Please refer to KZC 113.30, 113.35 and 113.40 for additional requirements related to these standards.

	Cottage	Carriage	Two-/Three-Unit Home
Max Unit Size	1,700 square feet 1, 2	800 square feet located above a garage structure in a cottage housing development	Maximum size of a two- or three-unit home is determined by the floor area ratio (FAR) in the underlying zone 3
Density	Two (2) times the maximum number of a detached dwelling unit allowed in the underlying zone 4, 5, 6, 7		

	Cottage	Carriage	Two-/Three-Unit Home
Max Floor Area Ratio (F.A.R.) 8	Equal to the base zoning allowance for single-family residences		
Development Size 9	Min. 2 units	Allowed when included in a cottage project; reviewed as part of cottage project	No development size limitation
	Max. 24 units		
	Maximum cluster: 12 units		
Review Process	None		None
Minimum Lot Size	Beyond density restrictions, there is no required minimum lot size for lots created through the subdivision process. (The number of allowed units on the subject property is determined by the density provision of this chart.)		
Parking Requirements 10	<p>Provided a development is within ½ mile of transit service with 15-minute headways during commute hours: 1 space per unit</p> <p>Provided a development is more than ½ mile from transit service with 15-minute headways during commute hours:</p> <p>Units which are 1,000 square feet or less = 1 space per unit</p> <p>Units which are over 1,000 square feet = 1.5 spaces per unit</p> <p>See KZC 105.20 for visitor parking</p> <p>One attached ADU = no additional on-site space required</p>		
Minimum Required Yards (from exterior property lines of subject property)	Front: 20' Side: 5'	Must be included in a cottage project	Front: 20' Side: 5'

	Cottage	Carriage	Two-/Three-Unit Home
	Rear: 10'		Rear: 10'
Lot coverage (all impervious surfaces) 11	Equal to the base zoning allowance for single-family residences	Must be included in a cottage project	Equal to the base zoning allowance for single-family residences
Height	Equal to the base zoning allowance for single-family residences		
Dwelling Units			
Accessory Structures			
Tree Retention	The tree retention plan standards contained in KZC 95.30 shall apply to development approved under this chapter		
Common Open Space	<p>300 square feet per unit for cottage developments containing 5 or more units and not required for duplexes or triplex</p> <p>Can be reduced to 200 square feet per unit if a permanent recreational/communal feature, such as cooking facilities, play equipment or permanent outdoor furniture is provided</p> <p>Private open space is also encouraged (see KZC 113.35)</p>		
Community Buildings	Community buildings are encouraged. See KZC 113.30 for further regulations		
Attached Covered Porches 12	Each unit must have a covered porch with a minimum area of 64 square feet per unit and a minimum dimension of 7' on all sides	NA	Attached covered porches are encouraged as a design feature
Development Options	<p>Subdivision</p> <p>Condominium</p> <p>Rental or Ownership</p>		
Accessory Dwelling Units (ADUs)	Allow attached ADUs as part of a cottage or two-/three-unit home development		

- 1 A covenant restricting any increases in unit size after initial construction shall be recorded against the property. Vaulted space may not be converted to habitable space.
- 2 Maximum size for a cottage is 1,700 square feet. A cottage may include an attached garage, not to exceed an additional 250 square feet, and is not included in the maximum square footage limitation.
- 3 Maximum size for a two- or three-unit home:
 - a. Regulated by the floor area ratio (FAR) of the underlying zone. In the disapproval jurisdiction of the Houghton Community Council, where FAR is not applicable, maximum unit size is limited to applicable development regulations found in the underlying zone.
- 4 Existing detached dwelling units may remain on the subject property and will be counted as units.
- 5 When the conversion from detached dwelling units to equivalent units results in a fraction, the equivalent units shall be limited to the whole number below the fraction.
- 6 See KZC 90.170 for density calculation on a site which contains a wetland, stream, minor lake, or their buffers.
- 7 To determine equivalent units for a two- or three-unit home, the following formula will be used: $\text{Lot area}/\text{min. lot size per unit in underlying zone} \times 2 = \text{maximum units}$ (always round down to nearest whole number). Example (RS 7.2 zone): $12,500/7,200 = 1.7 \times 2 = 3.4$ units, rounded down to 3 units
- 8 FAR regulations:
 - a. FAR regulations are calculated using the “buildable area” of the site, as defined in KZC 90.170. Where no critical areas regulated under Chapter 90 KZC exist on the site, FAR regulations shall be calculated using the entire subject property, except as provided in subsection (b) of this footnote.
 - b. Where Native Growth Protective Easements (NGPEs) for slopes result in a restricted area for development, density may be limited to ensure that the FAR on the developed portion of the site remains compatible with surrounding development and generally consistent with the FAR limitation of this chapter.
 - c. FAR for individual lots may vary. All structures on site, other than median income units and any attached garages for the median income units provided under KZC 113.40, shall be included in the FAR calculation for the development.
- 9 Cluster size for cottage developments, is intended to encourage a sense of community among residents. A development site may contain more than one (1) cluster, with a clear separation between clusters.

10 See KZC 105.20 for requirements related to guest parking.

11 Lot coverage is calculated using the entire development site. Lot coverage for individual lots may vary.

12 Requirements for porches do not apply to carriage or two-/three-unit homes.

The subsection (KZC 113.25 footnote 3 (floor area ratio, FAR) is not effective within the disapproval jurisdiction of the Houghton Community Council.

(Ord. 4717, 2020; Ord. 4551 § 4, 2017; Ord. 4238 § 2, 2010; Ord. 4196 § 1, 2009; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

113.30 Community Buildings and Community Space in Cottage Developments

Community buildings and community space are encouraged in cottage developments.

1. Community buildings or space shall be clearly incidental in use and size to the dwelling units.
2. Building height for community buildings shall be no more than one (1) story. Where the community space is located above another common structure, such as a detached garage or storage building, standard building heights apply.
3. Community buildings must be located on the same site as the cottage housing development and be commonly owned by the residents.

(Ord. 4717, 2020, Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

113.35 Design Standards and Guidelines

1. Cottage Projects
 - a. Orientation of Dwelling Units

Dwellings within a cottage housing development should be oriented to promote a sense of community, both within the development, and with respect to the larger community, creating variety and visual interest that is compatible with the character of the surrounding neighborhood.

- 1) Where feasible, each dwelling unit that abuts a common open space shall have a primary entry and/or covered porch oriented to the common open space.
- 2) Each dwelling unit abutting a public right-of-way (not including alleys) shall have an inviting facade, such as a primary or secondary entrance or porch, oriented to the public right-of-way. If a dwelling unit abuts more than one (1) public right-of way, the City shall determine to which right-of-way the inviting facade shall be oriented.

b. Variation in unit size, building and site design

Cottage projects should establish building and site design that promotes variety and visual interest that is compatible with the character of the surrounding neighborhood.

- 1) Proposals for cottage developments are encouraged to provide diversity in design elements. Dwellings with the same combination of features and treatments should not be located adjacent to each other.

c. Required Common Open Space

Common open space should provide a sense of openness, visual relief, and community for cottage developments. The space must be outside of wetlands, streams and their buffers, and developed and maintained to provide for passive and/or active recreational activities for the residents of the development.

Common open space shall meet the following standards:

- 1) For cottage developments containing 5 or more units, provide a total of 300 square feet per unit; provided that the total square footage of common open space for cottage developments of 5 or more units may be reduced to 200 square feet if a permanent recreational/communal feature is provided.
- 2) Each area of common open space shall be in one (1) contiguous and usable piece with a minimum dimension of 20 feet on all sides.
- 3) Land located between dwelling units and an abutting right-of-way or access easement greater than 21 feet in width may not serve as required common open space, unless the area is reserved as a separate tract, and does not contain pathways leading to individual units or other elements that detract from its appearance and function as a shared space for all residents.
- 4) Required common open space may be divided into no more than two (2) separate areas per cluster of dwelling units.
- 5) Common open space shall be located in a centrally located area and be easily accessible to all dwellings within the development.
- 6) Fences may not be located within required open space areas.

- 7) Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. Where feasible, existing mature trees should be retained.
- 8) Unless the shape or topography of the site precludes the ability to locate units adjacent to the common open space, the following standards must be met:
 - a) The open space shall be located so that it will be surrounded by cottages or two/three-unit homes on at least two (2) sides;
 - b) At least 50 percent of the units in the development shall abut a common open space. A cottage is considered to “abut” an area of open space if there is no structure between the unit and the open space.
- 9) Surface water management facilities shall be limited within common open space areas. Low Impact Development (LID) features are permitted, provided they do not adversely impact access to or use of the common open space for a variety of activities. Conventional stormwater collection and conveyance tools, such as flow control and/or water quality vaults are permitted if located underground.

d. Shared Detached Garages and Surface Parking Design

Parking areas should be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces. These areas should also maintain the single-family character along public streets.

- 1) Shared detached garage structures may not exceed four (4) garage doors per building, and a total of 1,200 square feet.
- 2) For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
- 3) Shared detached garage structures and surface parking areas must be screened from public streets and adjacent residential uses by landscaping or architectural screening.
- 4) Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.
- 5) Surface parking areas may not be located in clusters of more than four (4) spaces. Clusters must be separated by a distance of at least 10 feet.
- 6) The design of carports must include roof lines similar and compatible to that of the dwelling units within the development.

e. Low Impact Development

Projects constructed under KZC 113 shall include Low Impact Development techniques when feasible, pursuant to the adopted City of Kirkland Surface Water Manual.

f. Two/Three-Unit Homes and Carriage Units within Cottage Projects

Two/three-unit homes and carriage units may be included within a cottage housing development. Design of these units should be compatible with that of the cottages included in the project.

g. Private Open Space

Open space around individual dwellings should be provided to contribute to the visual appearance of the development, and to promote diversity in landscape design.

h. Pedestrian Flow through Development

Pedestrian connections should link all buildings to the public right-of-way, common open space and parking areas.

2. Two/Three-Unit Homes Not Included in Cottage Developments

Two and three-unit homes are an allowed use on individual lots in the zones listed in KZC 113.20. These homes should be consistent in height, bulk, scale and style with surrounding single-family residential uses.

a. To maintain and reflect the traditional character of single-family dwelling units, projects shall include the following design elements:

- (1) Façade modulation
- (2) Entry features that are dominant elements facing the street; and
- (3) Utilization of a variety of high-quality materials reflected in the surrounding neighborhood

b. In addition to the three (3) required design elements, applicants shall choose two (2) other design options from the following list:

- (1) Architectural articulation in walls and roofs;
- (2) Covered entry porch;
- (3) Second story step back or modulation; and
- (4) Minimize the appearance of garages on the front façade by
- (5) Providing garages in the rear yard;
- (6) Recessing the garage from the remainder of the façade;
- (7) Employing roof forms compatible with surrounding single-family residences

b. Low Impact Development (LID)

Projects constructed under this chapter shall provide Low Impact Development techniques if feasible pursuant to the adopted City of Kirkland Surface Water Manual.

c. Garages and Surface Parking Design

1) Garages and driveways for two/three-unit homes shall meet the standards established in KZC 115.43 and 115.115(5). In addition, no more than three (3) garage doors may be visible on any facade of the structure.

2) Surface parking shall be limited to groups of no more than three (3) stalls. Parking areas with more than two (2) stalls must be visually separated by at least a distance of 10 feet from the street, perimeter property lines and common areas through site planning, landscaping or natural screening.

(Ord. 4717, 2020, Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

113.40 Median Income Housing

1. Requirement to Provide Median Income Housing – Projects including 10 or more housing units shall be required to provide 10 percent of the units as affordable to median income households. The level of affordability shall be determined according to the following schedule:

10-unit project:	1 unit affordable to households earning 100% of King County median income
11-unit project:	1 unit affordable to households earning 98% of King County median income
12-unit project:	1 unit affordable to households earning 96% of King County median income
13-unit project:	1 unit affordable to households earning 94% of King County median income
14-unit project:	1 unit affordable to households earning 92% of King County median income
15-unit project:	1 unit affordable to households earning 90% of King County median income
16-unit project:	1 unit affordable to households earning 88% of King County median income
17-unit project:	1 unit affordable to households earning 86% of King County median income
18-unit project:	1 unit affordable to households earning 84% of King County median income

19-unit project:	1 unit affordable to households earning 82% of King County median income
------------------	--

For projects with 20 units or more, the following schedule will apply:

20-unit project:	2 units affordable to households earning 100% of King County median income
21-unit project:	2 units affordable to households earning 98% of King County median income
22-unit project:	2 units affordable to households earning 96% of King County median income
23-unit project:	2 units affordable to households earning 94% of King County median income
24-unit project:	2 units affordable to households earning 92% of King County median income

Median income dwelling units shall have the same general appearance and use the same exterior materials as the market rate dwelling units, and shall be dispersed throughout the development.

The type of ownership of the median income housing units shall be the same as the type of ownership for the rest of the housing units in the development.

As noted in KZC 113.25, any median income units, and any attached garages for the median income units, provided under this section shall not be included in the floor area ratio (F.A.R.) calculation for the development.

2. Agreement for Median Income Housing Units – Prior to issuance of a certificate of occupancy, an agreement in a form acceptable to the City Attorney shall be recorded with King County Recorder’s Office. The agreement shall address price restrictions, homebuyer or tenant qualifications, long-term affordability, and any other applicable topics of the median income housing units. The agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the applicant.

Median income housing units that are provided under this section shall remain as median income housing for a minimum of 50 years from the date of initial owner occupancy for ownership median income housing units and for the life of the project for rental median income housing units.

(Ord. xxxx, 2020; Ord. 4491 § 11, 2015; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

113.50 Additional Standards

1. Impact fees under Kirkland Municipal Code Chapters 27.04 and 27.06 for the proposed project shall be assessed at the rates for multifamily dwelling units, as identified in Appendix A of Kirkland Municipal Code Chapters 27.04 and 27.06.

2. The City's approval of a cottage housing or two/three-unit home development does not constitute approval of a subdivision or short plat. An applicant wishing to subdivide in connection with a development under this chapter shall seek approval to do so concurrently with the approval process under this chapter. To the extent there is a conflict between the standards set forth in the chapter and Title 22 of the Kirkland Municipal Code, the standards set forth in this chapter shall control. A lot that has existing cottage, carriage or two/three-unit homes may not be subdivided unless all of the requirements of the Zoning Code and Title 22 of the Kirkland Municipal Code are met.

(Ord. 4717, 2020; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

CHAPTER 20 – MEDIUM DENSITY RESIDENTIAL ZONES (RM 5.0; RMA 5.0; RM 3.6; RMA 3.6; WD I; WD III; PLA 2; PLA 3B; PLA 6F, PLA 6H, PLA 6K; PLA 7C; PLA 9; PLA 15B; PLA 17)

20.10 General Regulations

20.10.010 All Medium Density Residential Zones

1. Developments creating four or more new dwelling units shall provide at least 10 percent of the units as affordable housing units as defined in Chapter [5](#) KZC. Two additional units may be constructed for each affordable housing unit provided. In such cases, the minimum lot size listed in the Use Regulations shall be used to establish the base number of units allowed on the site, but shall not limit the size of individual lots. See Chapter [112](#) KZC for additional affordable housing incentives and requirements.
2. May not use lands waterward of the ordinary high water mark to determine lot size or to calculate allowable density (does not apply to PLA 6F, PLA 6H, PLA 6K, PLA 7C, PLA 9 and PLA 15B zones).
3. Structures located within 30 feet of a parcel in a low density zone or a low density use in PLA 17 shall comply with additional limitations on structure size established by KZC [115.136](#), except for the following uses:
KZC [20.20.060](#), Detached Dwelling Unit, and 20.20.180, Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit (does not apply to WD I, WD III, PLA 2, and PLA 3B zones).
4. Where maximum densities are established based on minimum lot size in KZC 20.30.60 and KZC 20.30.70, residential uses shall develop at a minimum of 80% of the maximum density allowed.

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**CHAPTER 25 – HIGH DENSITY RESIDENTIAL ZONES (RM 2.4; RMA 2.4; RM 1.8;
RMA 1.8; HENC2; PLA 5A, PLA 5D, PLA 5E; PLA 6A, PLA 6D, PLA 6I, PLA 6J
PLA 7A, PLA 7B)**

25.10 General Regulations

25.10.010 All High Density Residential Zones

The following regulations apply to all uses in these zones unless otherwise noted:

1. 1. Developments creating four or more new dwelling units shall provide at least 10 percent of the units as affordable housing units as defined in Chapter [5](#) KZC. Two additional units may be constructed for each affordable housing unit provided. In such cases, the minimum lot size listed in the Use Regulations shall be used to establish the base number of units allowed on the site, but shall not limit the size of individual lots. See Chapter [112](#) KZC for additional affordable housing incentives and requirements.

2. Where maximum densities are established based on minimum lot size in KZC 25.30.50 and KZC 25.30.60, residential uses shall develop at a minimum of 80% of the maximum density allowed.

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PUBLICATION SUMMARY
OF ORDINANCE NO. O-4717

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, INCLUDING CHAPTERS 20, 25 AND 113, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM19-00152.

SECTION 1. Amends Chapters 20, 25 and 113 to the Kirkland Zoning Code.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Provides that the effective date of the ordinance is affected by the disapproval jurisdiction of the Houghton Community Council.

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

SECTION 5. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 2020.

I certify that the foregoing is a summary of Ordinance O-4717 approved by the Kirkland City Council for summary publication.

Kathi Anderson, City Clerk



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Julie Underwood, Interim Public Works Director
Joel Pfundt, Transportation Division Manager
Armaghan Baghoori, Transportation Program Coordinator
Kimberly Scrivner, Transportation Planner

Date: March 12, 2020

Subject: POTENTIAL TRANSIT SALES TAX BALLOT MEASURE AND TRANSIT SERVICE CHANGES UPDATE

RECOMMENDATION:

City Council receives an update about a potential King County Transportation Benefit District transit ballot measure as well as changes to transit services in Kirkland and neighboring cities to be implemented by King County Metro on March 21, 2020.

BACKGROUND DISCUSSION:

The King County Council, acting as the King County Transportation Benefit District (KCTBD), is considering a countywide two-tenths of one percent sales tax measure to increase transit service throughout King County. Included as Attachment B is the 56 page March 11 KCTBD staff report and draft resolution authorizing the ballot measure. Current details about the potential uses of the ballot measure revenue are outlined in pages 45-55 of the memo.

In addition, there are major transportation projects and transit service changes coming to the central Puget Sound region that will change how people in Kirkland travel. Sound Transit will implement Stride bus rapid transit (BRT) on I-405 and SR 522/NE 145th St and Link light rail connecting to Lynnwood, Redmond, Federal Way and Seattle all by 2024. More light rail in the Downtown Seattle Transit Tunnel (DSTT) meant closing it to buses in 2019, including Metro Route 255. WSDOT is also completing the west end of SR 520, which has resulted in the closure of the Montlake Freeway Transit Station to all buses (once again impacting the 255). When complete the SR 520 projects will provide dedicated bus transit/HOV access to the University of Washington (UW) Link Station and South Lake Union. In Kirkland, King County Metro plans to begin operation of the RapidRide K-Line in 2025 providing even more bus transit in Kirkland.

These changes, along with continued growth throughout the region, led King County Metro and Sound Transit to re-examine transit access and mobility in north Eastside communities. Without changes to existing transit routes, service reliability will continue to decrease, and trip travel times will continue to increase. This is especially true with the Route 255 because of congestion on downtown Seattle surface streets. Also, without changes to the existing transit network there will continue to be very limited transit service between Kirkland and the University District.

On March 21, 2020 significant changes will be made to the north Eastside transit network based on the results of the NEMP, which was led by King County Metro in coordination with Sound Transit and Eastside communities. The change that will impact the most transit riders will be that the 255 will be rerouted and terminate at the UW Link light rail station at Husky Stadium. This will improve transit reliability and decrease travel times for many people who are traveling between Kirkland and downtown Seattle. It also provides an excellent connection between UW/Montlake and Kirkland. Finally, it also frees up transit service hours currently being invested in downtown Seattle to be reinvested in additional transit frequency and span of service in Kirkland.

OVERVIEW OF FINAL SERVICE CHANGES EFFECTIVE MARCH 21, 2020:

NEMP service changes that effect Kirkland are listed below and shown in Attachment A – Final Eastside Restructure Map:

- **New Routes**

- **225** Kenmore – Finn Hill – Totem Lake – Rose Hill – Redmond Technology Center
 - Creates a connection from Kenmore to Overlake, linking technology employers, training centers and workforce.
 - Weekday service from 5:15 AM to 10:00 PM, running every 30 minutes until 7:00 PM.
 - Weekend service from 8:00 AM to 9:00 PM, running every hour.
- **230** North Creek – UW Bothell – Juanita – Downtown Kirkland
 - Provides a more direct connection between Bothell and Kirkland that complements NEW Route 231, creating frequent service between 100th Ave NE and Juanita Woodinville Way NE and Kirkland Transit Center.
 - Weekday service from 7:30 AM to 10:00 PM, running every 30 minutes until 7:00 PM.
 - Weekend service from 8:00 AM to 8:30 PM, running every hour.
- **231** Woodinville – Juanita – Downtown Kirkland
 - Provides a more direct connection between Woodinville and Kirkland that complements NEW Route 230, creating frequent service between 100th Ave NE and Juanita Woodinville Way NE and Kirkland Transit Center.
 - Weekday service from 6:15 AM to 10:00 PM, running every 30 minutes until 7:00 PM.
 - Weekend service from 8:00 AM to 9:00 PM, running every hour.
- **239** UW Bothell – Kingsgate – Totem Lake – Downtown Kirkland
 - Provides a new connection with faster, more direct service between UW Bothell, Kingsgate, Totem Lake, Rose Hill and Kirkland Transit Center.
 - Weekday service from 6:00 AM to 12:00 AM, running every 30 minutes until 9:00 PM.
 - Weekend service from 7:00 AM to 12:30 AM, running every 30 minutes until 8:00 PM.
- **250** Avondale – Downtown Redmond – Rose Hill – Downtown Kirkland – South Kirkland Park and Ride – Downtown Bellevue
 - Provides a frequent connection between Redmond, Kirkland and Bellevue.
 - Weekday service from 5:30 AM to 12:00 AM, running every 15 minutes until 8:00 PM.
 - Weekend service from 7:00 AM to 11:30 PM, running every 30 minutes until 10:00 PM.

- **ST 544** Overlake – South Kirkland Park and Ride – South Lake Union
 - Provides a two-way connection during peak hours between Overlake Park & Ride, South Kirkland Park & Ride and South Lake Union.
 - Weekday service from 6:30 AM to 9:30 AM and 3:30 PM to 6:30 PM, running every 15 minutes.
- **Revised Routes**
 - **255** Totem Lake – Juanita – Downtown Kirkland – South Kirkland Park and Ride – University District
 - Route shortened to connect to Link light rail at the University of Washington Station for trips downtown. Route 255 will no longer directly serve downtown Seattle. On the Eastside, all trips will begin and end at the Totem Lake Transit Center, no longer serving the Kingsgate neighborhood.
 - Weekday service from 5:00 AM to 12:00 AM, running at least every 15 minutes between 6:00 AM and 10:00 PM.
 - Weekend service from 6:00 AM to 12:00 AM, running every 15 minutes between 8:00 AM and 10:00 PM.
 - **DART 930** Totem Lake – Kingsgate – Downtown Redmond
 - New flexible service area in the Kingsgate neighborhood, service to Lake Washington Institute of Technology eliminated, and Willows road flexible service area reduced.
 - Weekday service from 6:00 AM to 7:00 PM, running every 30 minutes.
- **New Flexible Transit Service**
 - **Weekday Community Ride** for Finn Hill, Juanita, and Kenmore. On-demand schedule using the Community Ride app or phone. Operates 7 AM to 7 PM.
 - **Community Van** expansion to serve all of Kirkland.
- **Deleted Routes**
 - **234** Kenmore – Finn Hill – Juanita – Downtown Kirkland – South Kirkland Park and Ride – Bellevue
 - **235** Totem Lake – Rose Hill – Downtown Kirkland – South Kirkland Park and Ride – Bellevue
 - **236** Woodinville – Kingsgate – Totem Lake – Juanita – Downtown Kirkland
 - **238** Woodinville – North Creek – UW Bothell – Juanita – Totem Lake – Rose Hill – Downtown Kirkland
 - **243** Redmond Technology Center – Downtown Redmond – Totem Lake – UW Bothell – Kenmore (Peak Only Route)
 - **244** Redmond Technology Center – Totem Lake – Juanita – Finn Hill – Kenmore (Peak Only Route)
 - **248** Avondale – Downtown Redmond – Rose Hill – Downtown Kirkland
 - **277** Juanita – Totem Lake – Rose Hill – University District

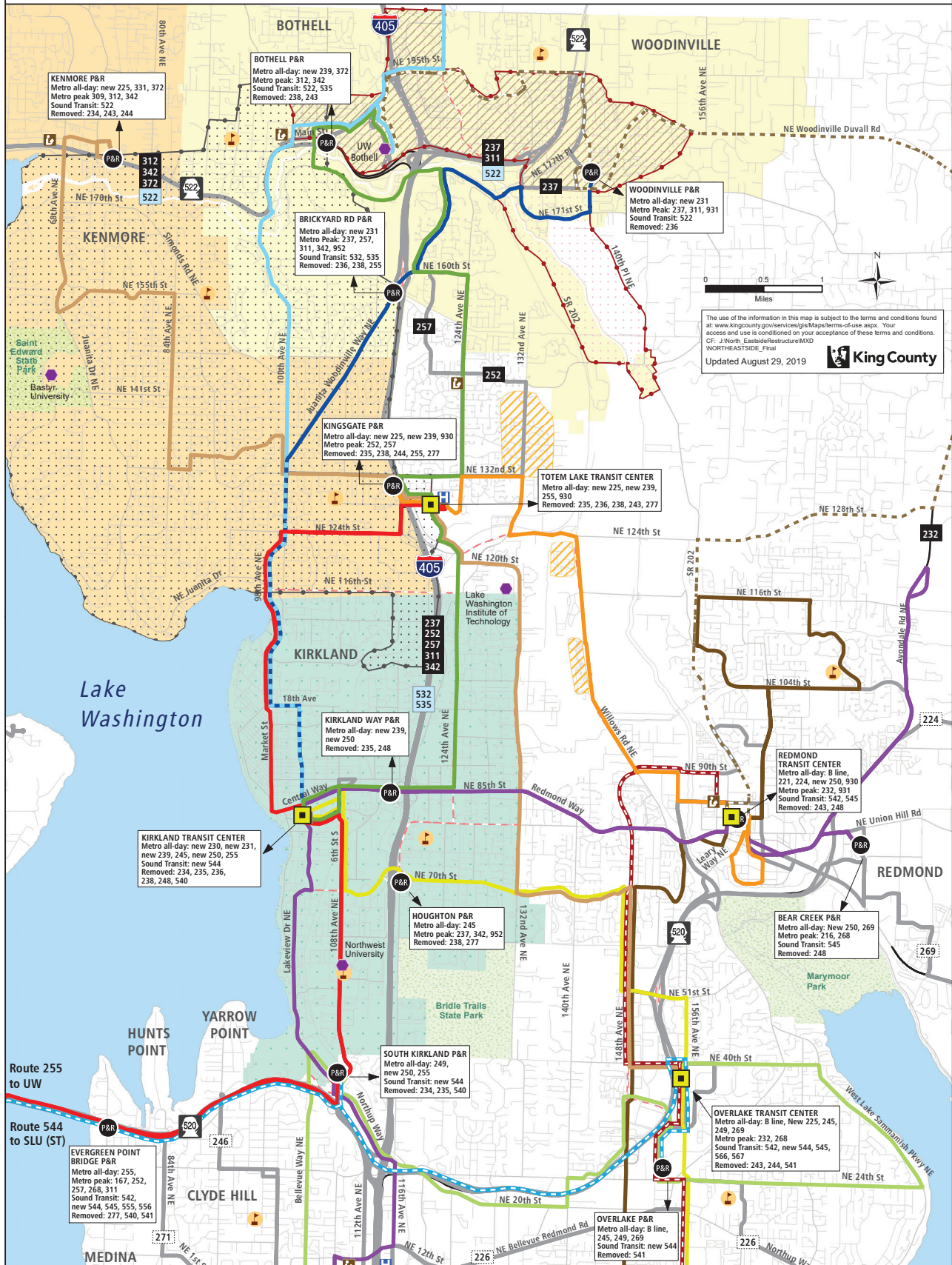
OUTREACH STRATEGIES:

King County Metro began implementing extensive outreach efforts starting in mid-February 2020 to inform all impacted communities, residents, schools, and organizations about the service change. The City has been working closely with King County Metro to extend the impact of their outreach further into our community. These outreach strategies were to include the following, unfortunately they have been significantly disrupted by the COVID-19 (coronavirus) outbreak as noted on the next page:

- **Marketing Campaign**
 - New enhanced web page including sample travel routes help customers visualize potential travel impacts
 - Local advertisements on buses, using rider alerts
 - Information flyers mailed to 122,000 households
- **In Language Support**
 - Working with Hopelink and Chinese Information and Service Center to reach out to low income, seniors, disabled customers, and non-English speakers
 - Targeting cash payers and providing information about using ORCA card to avoid double payment when transferring to Link Light Rail
 - COVID-19 Impact: Neighborhood Pop-Up, formerly ORCA To-Go appointments in March and one major Transportation Fair scheduled at Peter Kirk Community Center are being cancelled due to COVID-19 outbreak.
- **Transportation Demand Management**
 - Communication through Commute Trip Reduction contacts to reach out to major employers in the area
 - Just One Trip campaign to provide \$25 pre-loaded ORCA cards
 - In-Motion neighborhood campaign in targeted areas after service change, April through June 2020
 - COVID-19 Impact: Haven't received any updates/details regarding In-Motion program from Metro yet.
- **Street Teams**
 - Special Rider Alert (SRA) brochure in production. Distribute onboard buses, along with posters, last week of February (English, Chinese and Spanish versions will be available).
 - Rider Alerts will be posted at effected stops by first week of March
 - Recruiting Street Team volunteers will kick off the week of February 18
 - Street Team training March 16 & 17
 - Teams on the street 3/19, 3/20, 3/21 & 3/23 at UW, Totem Lake TC, Redmond Tech Station, UW Bothell, S. Kirkland P&R, Kirkland TC, downtown Seattle
 - COVID-19 Impact: This program is being cancelled.

Attachment A: NEMP Final Eastside Restructure Map

Attachment B: King County Transportation Benefit District March 11 Staff Report and Resolution



The use of the information in this map is subject to the terms and conditions found at: www.kingcounty.gov/services/gis/Maps/terms-of-use.aspx. Your access and use is conditioned on your acceptance of these terms and conditions.
 CR - 4-North_EastsideRestructureMND_NORTHEASTSIDE_Final
 Updated August 29, 2019 King County

- Revised/Enhanced/New Major Routes**
- new 225 - Kenmore-Overlake
 - new 230 - Bothell-Kirkland
 - new 231 - Woodinville-Kirkland
 - 230/231- shared routing
 - new 239 - Kirkland-Bothell
 - new 250 - Bellevue-Redmond
 - revised 255 - UDistrict-Totem Lake
 - New ST 544 - Overlake-SLU
 - DART 930 - Redmond-Kingsgate converted to all-day route with proposed DART area

- Unchanged Major Routes**
- B Line - Bellevue-Redmond
 - 221 - Redmond-Eastgate
 - 245 - Eastgate-Kirkland
 - 249 - Overlake-S Bellevue
 - 931 UW Bothell-Redmond route and DART area
- Other Routes**
- Peak Rt #
 - All-day Rt #
 - ST Rt #
 - Additional service (includes Metro operated Sound Transit routes)
 - Areas losing all regular transit service (no school routes)

- Community Van**
- Bothell-Woodinville (current)
 - Kenmore-North Kirkland (current)
 - South Kirkland (proposed)
- Planned Community Ride Service Areas:**
- Weekday
 - Weekend

- Community Assets**
- Transit Center
 - Permanent Park&Ride
 - Hospital
 - University
 - Library
 - High school
 - Park



King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Agenda

King County Transportation District

*Boardmembers: Claudia Balducci, Chair;
Dave Upthegrove, Vice Chair
Rod Dembowski, Reagan Dunn, Jeanne Kohl-Welles,
Kathy Lambert, Joe McDermott, Pete von Reichbauer, Girmay Zahilay*

1:00 PM

Wednesday, March 11, 2020

Room 1001

SPECIAL MEETING

1. Call to Order

To show a PDF of the written materials for an agenda item, click on the agenda item below.

2. Roll Call

3. Approval of Minutes of February 24, 2014 and March 3, 2020 pgs 3 & 7

4. Public Comment

Discussion and Possible Action

5. TD Resolution No. TD2020-01 pg 9

A RESOLUTION of the King County transportation district relating to financing transportation improvements; submitting a ballot measure regarding public transportation and mobility services funding to the qualified electors of the King County transportation district at a special election to be held on August 4, 2020, and submitting a proposition to district voters to authorize the district to fix and impose a two-tenths of one percent sales and use tax within the district to finance transportation improvements; requesting that the King County prosecutor prepare a ballot title for the proposition; and appointing committees to prepare the pro and con statements for the local voters' pamphlet.

Sponsors: Mr. Upthegrove, Ms. Balducci and Ms. Kohl-Welles



Sign language and communication material in alternate formats can be arranged given sufficient notice (206-1000).

TDD Number 206-1024.

ASSISTIVE LISTENING DEVICES AVAILABLE IN THE COUNCIL CHAMBERS.



6. TD Resolution No. TD2020-02 **pg 9**

A RESOLUTION of the King County transportation district relating to financing transportation improvements; expressing the intent of the board to use district revenues to maintain the level of transit service in Seattle, expand transit service to meet the needs of communities throughout King County, restructure transit service to promote connections to new regional transportation investments and to regional activity centers, increase investment in safety, speed and reliability improvements, improve access to transit, including access to parking, increase the affordability of transit for people most in need, implement flexible and innovative mobility solutions in communities throughout King County and support the transition to a environmentally-beneficial, zero-emission transit fleet.

7. **Adjournment**



King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Minutes

King County Transportation District

*Boardmembers: Larry Phillips, Chair;
Rod Dembowski, Reagan Dunn, Larry Gossett, Jane Hague,
Kathy Lambert, Joe McDermott, Dave Upthegrove, Pete von
Reichbauer*

3:00 PM

Monday, February 24, 2014

Room 1001

SPECIAL MEETING DRAFT MINUTES

1. **Call to Order**

The meeting was called to order at 3:50 p.m.

2. **Roll Call**

Present: 9 - Mr. Dembowski, Mr. Upthegrove, Mr. McDermott, Ms. Hague, Ms. Lambert, Mr. Phillips, Mr. Gossett, Mr. von Reichbauer and Mr. Dunn

Discussion and Possible Action

3. **Election of chair and vice-chair and executive committee**

*Boardmember McDermott nominated Boardmember Phillips as chair of the Board.
The motion passed unanimously.
Boardmember Hague nominated Boardmember Lambert as vice chair of the Board.
The motion passed unanimously.*

4. **TD Resolution No. TD2014-01**

A RESOLUTION adopting the bylaws for the King County Transportation District.

John Resha, Board staff, briefed the Board.

**A motion was made by Boardmember Lambert that this TD Resolution be Passed.
The motion carried by the following vote:**

Yes: 9 - Mr. Dembowski, Mr. Upthegrove, Mr. McDermott, Ms. Hague, Ms. Lambert, Mr. Phillips, Mr. Gossett, Mr. von Reichbauer and Mr. Dunn

5. Election of executive committee members

*Boardmember McDermott nominated Boardmember Phillips to the executive committee.
The motion passed unanimously.
Boardmember McDermott nominated Boardmember Lambert to the executive committee.
The motion passed unanimously.
Boardmember McDermott nominated Boardmember Hague to the executive committee.
The motion passed unanimously.
Boardmember McDermott nominated Boardmember Dembowski to the executive committee.
The motion passed unanimously.*

6. Substitute TD Resolution No. TD2014-02.2

A RESOLUTION relating to indemnification and defense of the board of the King County Transportation District from claims against their performance of statutorily-required duties for the district.

John Resha, Board staff, briefed the Board.

Ms. Lambert moved amendment 1. The motion carried unanimously.

A motion was made by Boardmember Lambert that this TD Resolution be Passed as Amended. The motion carried by the following vote:

Yes: 9 - Mr. Dembowski, Mr. Upthegrove, Mr. McDermott, Ms. Hague, Ms. Lambert, Mr. Phillips, Mr. Gossett, Mr. von Reichbauer and Mr. Dunn

7. Substitute TD Resolution No. TD2014-03.2

A RESOLUTION of the King County transportation district relating to financing transportation improvements; submitting a ballot measure regarding transportation funding to the qualified electors of the King County transportation district at a special election to be held on April 22, 2014, and submitting a proposition to district voters to authorize the district to fix and impose a one-tenth of one percent sales and use tax within the district and a sixty dollar vehicle fee on all vehicles within the district to finance transportation improvements; requesting that the King County prosecutor prepare a ballot title for the proposition; and appointing committees to prepare the pro and con statements for the local voters' pamphlet.

The following people spoke:

Katie Wilson

Pearl Richard

Alex Zimmerman

Alison Eisinger

Rob Johnson

Will Knedlik

Andrew Jeromsky

Tanna Shoyo

Sam Bellomio

On 2/24/2014, a public hearing was held and closed.

John Resha, Board staff, briefed the Board.

Ms. Lambert moved amendment 1. The motion passed unanimously.

Ms. Lambert moved amendment 2. Ms Hague moved to amend line 4 to delete "Knedik" and insert "Knedlik" and to amend line 5 to delete "Dave" and insert "Dick". The motion passed unanimously.

Ms. Hague moved amendment 3. The motion passed unanimously.

Ms. Hague moved amendment 4. Mr. Upthegrove moved to amend line 3 to delete "five" and insert "ten", amend line 5 to delete "five" and insert "ten" and delete lines 6-9. The motion passed unanimously.

Mr. Dembowski moved a verbal amendment to line 168 after 'with a' and before 'rebate' to insert "twenty dollar (\$20)". The motion was accepted as friendly by Ms. Lambert. The motion carried.

Jim Brewer, Legal Counsel, answered questions of the Board.

A motion was made by Boardmember Lambert that this TD Resolution be Passed as Amended. The motion carried by the following vote:

Yes: 9 - Mr. Dembowski, Mr. Upthegrove, Mr. McDermott, Ms. Hague, Ms. Lambert, Mr. Phillips, Mr. Gossett, Mr. von Reichbauer and Mr. Dunn

8. TD Resolution No. 2014-04

A RESOLUTION authorizing the chair of the King County Transportation District board to execute an interlocal agreement with King County related to the county providing services to the District related to the initial administrative and operational needs of the District.

John Resha, Board staff, briefed the Board.

A motion was made by Boardmember Lambert that this TD Resolution be Passed. The motion carried by the following vote:

Yes: 9 - Mr. Dembowski, Mr. Upthegrove, Mr. McDermott, Ms. Hague, Ms. Lambert, Mr. Phillips, Mr. Gossett, Mr. von Reichbauer and Mr. Dunn

9. Adjournment

The meeting was adjourned at 5:17 p.m.

Approved this _____ day of _____

Clerk's Signature



King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Minutes

King County Transportation District

*Boardmembers: Claudia Balducci, Chair;
Dave Upthegrove, Vice Chair
Rod Dembowski, Reagan Dunn, Jeanne Kohl-Welles,
Kathy Lambert, Joe McDermott, Pete von Reichbauer, Girmay
Zahilay*

1:00 PM

Tuesday, March 3, 2020

Room 1001

DRAFT MINUTES SPECIAL MEETING

1. **Call to Order**

The meeting was called to order at 2:32 p.m.

2. **Roll Call**

Present: 9 - Ms. Balducci, Mr. Dembowski, Mr. Dunn, Ms. Kohl-Welles, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer and Mr. Zahilay

3. **Public Comment**

*The following people spoke:
Alex Tsimerman
Alex Hudson
Kirk Hovenkotter
Anna Zivarts*

Discussion and Possible Action

4. **Election of board chair and vice-chair**

Boardmember McDermott made a motion to nominate Boardmember Balducci as chair of the Board. The motion carried.

Boardmember McDermott made a motion to nominate Boardmember Upthegrove as vice-chair of the Board. The motion carried.

5. Briefing: Regional Transit Funding

Mary Bourguignon, Council Staff, briefed the Council and answered questions.

John Resha, Assistant General Manager for Finance and Administration, Metro Transit Department, briefed the Council and answered questions.

Diane Carlson, Director, Capital Division, briefed the Council and answered questions.

Chris O'Claire, Director, Mobility Division, briefed the Council and answered questions.

6. Adjournment

The meeting adjourned at 3:48 p.m.

Approved this _____ day of _____

Clerk's Signature



King County

King County Transportation District

STAFF REPORT

Agenda Item:		Name:	Leah Krekel-Zoppi Mary Bourguignon
Proposed No.:	TD2020-01 TD2020-02	Date:	March 11, 2020

SUBJECT

Proposed Resolution TD2020-01 would submit a ballot measure to voters to provide funding for public transportation and mobility services.

Proposed Resolution TD2020-02 would function as a companion to the proposed transit funding measure, by documenting the intent of the King County Transportation District (KCTD) Board regarding funding and programming allocations for the funding measure.

SUMMARY

Proposed Resolution TD2020-01 would place a ballot measure before voters at the August 2020 election, seeking a 0.2 percent increase in the sales tax for transit service investments in King County. Such as measure could raise an estimated \$160 million in its first year. The proposed ballot measure resolution, as currently drafted, would direct funding to the following priorities:

- **Transit service hours** in Seattle and throughout King County, with a goal of increasing transit service by 10 percent countywide;
- **Safety and speed and reliability improvements**, such as dedicated bus lanes, improved intersections, or queue jumps for buses;
- **Affordability**, such as no- or low-cost fares for low-income transit riders;
- **Zero-emissions** investments to make the transit fleet more environmentally sustainable; and
- **Innovation and access improvements**, including first and last mile connections, flexible transit services, improved parking, non-motorized access, and safety at transit stations.

The proposed ballot measure, as currently drafted, states that transit service investments would prioritize connections to light rail and bus rapid transit stations, and to underserved areas, and would be consistent with adopted Metro policies and plans.

Proposed Resolution 2020-TD020-02 as currently drafted documents the KCTD Board's intent for the use of transit funding measure proceeds, specifically around: use

of adopted policies to guide spending; priorities for spending; engagement; and accountability.

BACKGROUND

Transportation Benefit Districts

Washington State law (RCW 36.73) allows for the creation of local Transportation Benefit Districts (TBDs) to raise revenue for and implement transportation improvements. TBDs may be established by the legislative authority of a county or city, and they can encompass territory within a jurisdiction's boundaries, the boundaries of multiple jurisdictions, or a portion of the territory within a jurisdiction's boundaries.¹

The state law provides funding authority for TBDs as shown in Table 1 on the next page. Voter approval of Initiative 976 in November 2019 removed the authority for TBDs to use vehicle license fees as a funding source,² so those funding sources are crossed out in Table 1.

Table 1. Transportation Benefit District Funding Sources

Funding Source	Authorizing Statute	Voter Approval Needed?	Max Rate	Max Term
Non-voted Vehicle License Fee <i>I-976 removed this</i>	RCW 82.80.140; 36.73.040(3)(B); 36.73.065	No	\$50 <i>(over time, in increments of \$20, \$20, \$10)</i>	No restriction
Voted Vehicle License Fee <i>I-976 removed this</i>	RCW 82.80.140; 36.73.040(3)(B); 36.73.065	Yes	\$100	No restriction
Sales Tax	RCW 82.14.0455; 36.73.040(3)(a)	Yes	0.2%	10 years <i>(plus 2nd 10 years with vote, can be longer if bonded)</i>
Development Impact Fee	RCW 36.73.040(3)(c); 36.73.120; 39.92.040; 39.92.030	No <i>(Must be reasonably necessary as a result of the impact of development)</i>	Must be linked to development impact	One-time <i>(Can be paid over 5+ years, must be spent within 6 years)</i>
Tolls	RCW 36.73.040(3)(d)	Yes	As limited by the Transportation Commission and voters	As limited by the Transportation Commission and voters
Property Tax Excess Levy	RCW 36.73.060; 84.52.056; Article VII, 2(a)	Yes <i>(60% approval, plus required percentage of participation of previous election)</i>	In excess of 1% limit	1 year <i>(Up to 40 years if bonded)</i>

¹ RCW 36.73.020

² There is a pending lawsuit challenging the constitutionality of I-976.

Funding Source	Authorizing Statute	Voter Approval Needed?	Max Rate	Max Term
Local Improvement District (LID)	RCW 36.73.080	No	Up to amount of special benefit to property owners	No more than 30 years for term of bonds

According to RCW 36.73.020, TBDs are, “for the purpose of acquiring, constructing, improving, providing, and funding a transportation improvement within the district that is consistent with any existing state, regional, or local transportation plans and necessitated by existing or reasonably foreseeable congestion levels.”

The statute defines "transportation improvement" as, “a project contained in the transportation plan of the state, a regional transportation planning organization, city, county, or eligible jurisdiction as identified in RCW 36.73.020(2). A project may include investment in new or existing highways of statewide significance, principal arterials of regional significance, high capacity transportation, public transportation, and other transportation projects and programs of regional or statewide significance including transportation demand management. Projects may also include the operation, preservation, and maintenance of these facilities or programs.”³

King County Transportation District

In 2014, King County created the King County Transportation District (KCTD) with Ordinance 17746.⁴ The KCTD’s geographic boundaries are those of King County.⁵ It is governed by a board made up of the members of the King County Council.

The KCTD Board placed a countywide transit and roads funding measure on the ballot in April 2014.⁶ Because that measure was not approved by voters, the City of Seattle TBD placed a Seattle-specific, six-year transit funding measure on the ballot.⁷ Seattle voters approved this measure in November 2014. The City and County subsequently approved a Community Mobility Contract⁸ that allows Seattle to purchase additional transit service hours from King County Metro for the duration of Seattle’s funding measure. Seattle’s purchased service began with an additional 220,000 annual service hours on more than 50 Metro routes and has since scaled up to more than 350,000 annual service hours on nearly 75 routes in and around Seattle.

Seattle’s measure expires at the end of 2020, after which funding for those purchased transit services would need to be renewed by Seattle voters, funded from a different source (such as the KCTD), or terminated.

³ RCW 36.73.015(6)

⁴ The KCTD replaced a prior King County TBD.

⁵ The KCTD Board could choose to change its boundaries, if desired, with 10 days advance notice and a public hearing. Note that, per state law, King County can have only one TBD at a time (though each city can have its own TBD).

⁶ Resolution TD2014-03

⁷ Seattle TBD Resolution 12 placed a six-year measure on the November 2014 ballot that was comprised of a \$60 vehicle license fee and a 0.1% sales tax.

⁸ Ordinance 17978

Regional Transit Planning and Funding Strategies

In early 2016, the Council adopted an updated Strategic Plan for Public Transportation and updated Service Guidelines for Metro,⁹ following a regional process that included recommendations from a Service Guidelines Task Force and adoption of these policy documents by the Regional Transit Committee.

The **Service Guidelines** were developed to evaluate, design, and modify transit services to meet changing needs. The Service Guidelines are used as the basis for an annual System Evaluation Report, which measures the performance of Metro's services and identifies investment needs for the system, according to the investment priorities established in the Service Guidelines.

The **Strategic Plan for Public Transportation** was developed to define a vision for the future of King County's public transportation system and sets objectives, goals, strategies, and measures for achieving that vision. It also directed Metro to:

- Establish and maintain a long-range transit service and capital plan developed in collaboration with local comprehensive and regional long-range transportation planning;¹⁰
- Explore and implement cost efficiencies, including operational and administrative efficiencies;¹¹
- Establish fund management policies that ensure stability through a variety of economic conditions;¹² and
- Establish a sustainable funding structure to support short- and long-term public transportation needs.¹³

In response to these policy documents, the Executive and Council convened a Special Committee on Transit, which developed and adopted fund management policies for Metro¹⁴ to establish updated reserve policies and priorities for the use of transit funds.

In addition, in response to the Strategic Plan's identification of the need for a long-range transit plan, the Council adopted **METRO CONNECTS**,¹⁵ which envisioned expanded transit service networks for 2025 and 2040 based on the Regional Transportation Plan and the County and cities' adopted Comprehensive Plans, as well as a goal of increasing transit service hours by 70 percent by 2040. Like the Strategic Plan and Service Guidelines, METRO CONNECTS was developed through a regional process and adopted by the Regional Transit Committee before it was adopted by the Council.

⁹ Ordinance 18301

¹⁰ Ordinance 18301 Attachment A Strategy 6.1.2

¹¹ Ordinance 18301 Attachment A Strategy 6.2.1

¹² Ordinance 18301 Attachment A Strategy 6.3.3

¹³ Ordinance 18301 Attachment A Objective 6.3

¹⁴ Ordinance 18321

¹⁵ Ordinance 18449

METRO CONNECTS was developed as an unconstrained plan and was not fully funded. Estimates at the time indicated that by 2040, existing revenue forecasts could fund almost 30 percent of the additional capital costs and approximately 50 percent of the additional service hours.¹⁶

In Fall 2018, in response to the long-range regional funding need identified in METRO CONNECTS and to prepare for the 2020 expiration of the Seattle transit funding measure, the King County Council passed Motion 15252, which asked the Executive to work in coordination with the Council to initiate a regional planning effort during 2019 to address the implementation of METRO CONNECTS as well as ongoing transportation maintenance needs.

The Executive transmitted a report in early 2019 as required by Motion 15252 summarizing potential transit funding options through King County or the KCTD.¹⁷ That report was used as the basis for briefings at the Regional Transit Committee¹⁸ and with local elected officials, the County Council, transit stakeholders, and community members on transit funding needs and options. As described in the Executive's 2019 report in response to Motion 15252, one option to fund regional transit needs would be for the KCTD to propose a countywide funding measure to King County voters.

ANALYSIS

Proposed Resolution TD2020-01: Ballot Measure

Proposed Resolution TD2020-01 would submit a transit and mobility funding ballot measure to King County voters at the August 4, 2020 election. The measure would ask voters to authorize a 0.2 percent sales tax increase for a term of ten years to finance transit-related transportation improvements in King County. A summary of the proposed ballot measure can be found in Attachment 3.

Section 3 of the proposed ballot measure resolution, as currently drafted, specifies that proceeds from the proposed sales tax would be used first to pay for administrative costs of the district, including the costs attributable to the KCTD for the election and to the state Department of Revenue for administration of the sales tax. After these administrative costs, the remainder of the proceeds would be dedicated to a range of transit-related transportation improvements allowed under state law.¹⁹ Specifically, as delineated in Section 2 (Priorities for Uses) and Section 4 (Use of Revenues) of the proposed resolution, proceeds would be allocated to:

- **Transit service hours** in Seattle and throughout King County, with a goal of increasing transit service by 10 percent countywide;
- **Safety and speed and reliability improvements**, such as dedicated bus lanes, improved intersections, or queue jumps for buses;

¹⁶ Ordinance 18449 Attachment A page 82.

¹⁷ 2019-RPT0075

¹⁸ 2019-B0101

¹⁹ Chapter 36.73 RCW

- **Affordability**, such as no- or low-cost fares for low-income transit riders;
- **Zero-emissions** investments to make the transit fleet more environmentally sustainable; and
- **Innovation and access improvements**, including first and last mile connections, flexible transit services, improved parking, non-motorized access, and safety at transit stations.

Section 2 of the proposed resolution states that included within those priorities would be maintaining transportation improvements provided by the Seattle Transportation District measure expiring December 31, 2020, including transit service levels, affordability programs, and innovative services.

Section 4 of the proposed resolution states that the KCTD Board, or its successor, would allocate funding to the above priorities on a biennial basis. This provision would allow the KCTD Board to make budgeting decisions for the revenue raised by the proposed measure on a biennial basis over the ten year span of the measure.

Transit Service Hours

Section 2.A.1 of the proposed resolution states that increasing transit service throughout King County would be a priority for use of sales tax proceeds from the proposed ballot measure. The proposed resolution states the goal of “increasing overall transit service levels by ten percent, and continuing transit service levels funded by Seattle Proposition 1 passed by Seattle voters in November 2014.”

Section 2.B.1 of the proposed resolution states that a priority should be given to transit service investments that connect to regional light rail and bus rapid transit stations, as well as transit service to connect historically underserved areas not served by regional high capacity transit to employment and activity centers.

Section 2.B.2 states that investments made by the proposed resolution must be allocated consistent with the Service Guidelines²⁰ and METRO CONNECTS,²¹ as adopted or updated hereafter, and that transit service investments should be guided by the annual descriptions in the System Evaluation report.²²

Section 4.C.1 states that transit service investments would be an eligible use for funding from the sales tax proceeds. The proposed resolution states that these investments would be made consistent with the Service Guidelines²³ and METRO CONNECTS,²⁴ as adopted or updated hereafter, and that these investments would include the service planning and engagement needed to guide transit investments.

²⁰ Ordinance 18301

²¹ Ordinance 18449

²² Formally known as the Service Guidelines report, required by Ordinance 17143, as amended by Ordinance 17597

²³ Ordinance 18301

²⁴ Ordinance 18449

As noted above, Section 4.B states that all allocations, including for transit service investments would be made by the KCTD Board (or its successor) on a biennial basis.

What these sections mean in practice is that, as part of the biennial budget process, the KCTD Board would use information from Metro's annual System Evaluation report, which is itself based on the adopted Service Guidelines, to identify need for transit service investments and allocate service hours, using the priority goals for maintaining Seattle service levels, expanding countywide service, enhancing connections to high capacity transit, and providing connections to historically underserved areas.

As an example, according to Metro's 2019 System Evaluation Report,²⁵ Metro's analysis found that 455,150 annual service hours are needed to address overcrowding, improve reliability, and meet unserved transit demand in King County.

Metro has provided estimated costs to fund an increase of between 350,000 and 550,000 annual service hours over the next decade. An increase of approximately 450,000 annual service hours would represent an increase of approximately 10 percent of Metro's annual service hours. Metro estimates the operating and capital costs of increasing transit service by 450,000 annual service hours over the ten-year span of the proposed ballot measure would average approximately \$43 million per year.

In terms of the proposed resolution's priority to maintain Seattle's currently funded service levels, Metro has estimated that continuing current levels of transit service currently funded by Seattle's expiring transit funding measure would require approximately 350,000 annual service hours, at an estimated annual cost of approximately \$60 million.

[METRO CONNECTS](#) envisions increasing Metro's transit service to a total of six million service hours each year by 2040. Using a funding measure to maintain Seattle's current 350,000 service hours and to add an additional 450,000 services hours by 2030 would bring Metro service levels to approximately five million, requiring an investment of an additional one million hours during the final decade of METRO CONNECTS.

In addition to guidance about service investments, [Metro's Service Guidelines](#) also include policy guidance that when new regional transit service is established, such as extensions or service enhancements to Link light rail and Sound Transit bus services, Metro's transit service should be restructured to connect with and not duplicate that service.²⁶

Sound Transit's system expansion plans include the following Link light rail and Bus Rapid Transit (BRT) stations, which will be opening in King County within the next five years.

²⁵ Motion 15602

²⁶ Metro Service Guidelines pgs. 21-22 and pg. 17 (Ordinance 18301)

Table 2. Planned High Capacity Transit Stations in King County

Station Location	Service Type	Estimated Opening
Seattle - Roosevelt	Light rail	2021
Seattle - Northgate	Light rail	2021
Shoreline	Light rail and BRT	2024
Lake Forest Park	BRT	2024
Kenmore	BRT	2024
Bothell	BRT	2024
Woodinville	BRT	2024
Kirkland	BRT	2024
Redmond	Light rail	2024
Bellevue	Light rail and BRT	2023 and 2024
Mercer Island	Light rail	2023
Renton	BRT	2024
Tukwila	BRT	2024
Burien	BRT	2024
Kent/Des Moines	Light rail	2024
Federal Way	Light rail	2024

For some of these system expansion locations, such as Northgate, existing Metro service duplicates the path of the planned Sound Transit expansion, providing transit service hours that can be reallocated to enhance connections to the new Sound Transit service. In other areas, however, such as for the Lynnwood Link extension, East Link extension, BRT along Interstate 405 and State Route 522, and the Federal Way Link extension much of the existing bus service is currently provided by Sound Transit, not by Metro, providing Metro with limited existing service hour capacity to provide residents in those areas with enhanced connections to the new high capacity transit. In those situations, funding from this proposed ballot measure could potentially be deployed, following adopted policies in the Service Guidelines, to provide for enhanced connections.

State law²⁷ requires that transportation improvements made through a TBD be consistent with existing state, regional, or local transportation plans. For the KCTD, as noted above, the primary transportation plans that would guide investments would be the King County Metro Service Guidelines, as described in the annual System Evaluation Report, and the METRO CONNECTS long-range plan.

Metro has indicated the intention of transmitting proposed updates to the Service Guidelines, METRO CONNECTS, and the Strategic Plan for Public Transportation in 2021. Metro's stated goals for updating these plans are to incorporate the long-range vision established in METRO CONNECTS, as well as the Guiding Principles and recommendations from Metro's Mobility Framework.²⁸

²⁷ Chapter 36.73 RCW

²⁸ Proposed Motion 2019-0464

Sections 2.B.2 and 4.C.1.a of the proposed resolution state that transit investments funded through the KCTD must be consistent with the Service Guidelines and METRO CONNECTS. If those policy documents are updated during the course of the next decade (which would require approval by ordinance by the Regional Transit Committee and Council), the updated policies (as approved by ordinance) would guide investment allocations. The overarching guidance to prioritize transit investments in connections to regional high capacity transit stations and in historically underserved areas, found in Section 2.B.2 of the proposed resolution would remain in place throughout the ten-year measure.

Safety and speed and reliability improvements

Section 2.A.2 of the proposed resolution states that investment in safety and speed and reliability improvements is a priority for allocation of sales tax proceeds. Section 4.C.5 provides more specificity around these types of investments, stating that these include the “planning, design, installation and management of improvements to optimize the speed and reliability of public transportation and mobility services, including, but not limited to, dedicated right-of-way and new technologies to optimize the existing transportation system.”

According to Metro, Metro currently spends an average of \$7 million per year²⁹ on speed and reliability improvements, such as bus-only lanes, traffic signals that give priority to transit, and intersection improvements that also enhance safety. Metro has stated that a transit funding measure that includes an additional \$3 to \$9 million annually for these types of improvements could fund an additional one to eight projects per year.

METRO CONNECTS identifies a need to double capital investments for keeping buses moving through congestion and on schedule by 2040.

Affordability

Section 2.A.3 of the proposed resolution states a priority to make transit more affordable for those in need throughout King County and to continue the affordability programs funded by Seattle’s funding measure. Section 4.C.2 provides more specificity about potential investments in this area, specifying that sales tax proceeds could be used for subsidized fares for people with low incomes or for services and programs to improve and support access to transit service for people with special transportation needs, including but not limited to low-income people, people of color, people with disabilities, and limited English speaking populations.

In February 2020, the King County Council passed legislation³⁰ enacting an income-based fare program to launch in mid-2020 that would provide fully subsidized annual transit passes to people with household earnings of 80 percent of the federal poverty level or less, and enrolled in state benefit programs. Metro estimates the cost of this

²⁹ Not including investments in new RapidRide lines.

³⁰ Ordinance 19058 and Motion 15600

program will average \$12 million in net costs annually. The program is not yet funded beyond 2020. The proposed ballot measure could support implementation of this program, or, if desired, an expansion of support for fare subsidies.

Additionally, Seattle's transit funding measure has supported the Seattle ORCA Opportunity Program, which provides free unlimited transit passes to students and low income residents. A countywide funding measure could support continuation of this program.

Zero-emissions

Section 2.A.5 of the proposed resolution identifies transitioning Metro's transit fleet to zero-emissions as a priority for the potential ballot measure. Section 4.C.3 provides further specificity by identifying as eligible for investment expenses related to the transition of the Metro fleet to zero-emission and other fleet maintenance and capital improvements.

In February 2020, the King County Council passed legislation³¹ requiring the implementation of a strategy to accelerate the adoption of electric vehicles. That legislation included a goal of Metro achieving a zero-emissions bus fleet by 2035. Metro is currently working on planning and design of the infrastructure needed to transition Metro to fully electric buses, and anticipates providing detailed cost estimates in September 2020. One of the major costs of converting to an electric fleet would be installing electric bus charging infrastructure and making other upgrades at Metro's seven existing transit bases, as well as a planned new base. Metro has estimated the following costs to install charging infrastructure at the new South Annex Base, to retrofit the existing North Base, and to retrofit the Central/Atlantic Ryerson Bases.

- South Annex (2021-2022): Estimated cost \$165 million (annual debt service \$11 million)
- North Base (2023-2024): Estimated cost \$166 million (annual debt service \$11 million)
- Central/Atlantic/Ryerson (2025-2026): Estimated cost \$448 million (annual debt service \$30 million)

These costs are not currently funded or included in Metro's financial plan. A countywide funding measure could provide funding to install electric charging infrastructure at one or more of Metro's bases.

Innovation and access improvements

Section 2.A.5 of the proposed resolution sets as a priority for investment implementing innovative mobility services and improved parking, non-motorized access, and safety at transit stations countywide, including continuing innovative mobility services funded by Seattle's transit funding measure. Section 4.C.4 provides more specificity on innovative services and improved transit access identifying the following as eligible for investment:

³¹ Ordinance 19052

- First and last mile services that connect transit riders to fixed route bus service and high capacity transit stations;
- Alternative services, such as vanpools, transit routes with flexible service areas, community shuttles, and real-time ridesharing;
- Improved access to transit stations, including expanded parking facilities, improved pedestrian and non-motorized access, and innovative technology and parking management practices; and
- Improvements to enhance access to and safety at public transit stops and stations.

Metro provides a range of projects, programs, and services that complement its fixed-route bus service. These include first and last mile connections to transit stations, access improvements that make it safer and easier for people to reach transit stations, and technology innovations to make it easier to use transit. A countywide funding measure could include additional funding for projects such as first and last mile connections to transit, additional parking stalls or parking technologies, and non-motorized transit access projects.

Metro states that a first/last mile project like the current Via service connecting people to light rail stations in Tukwila and Southeast Seattle costs approximately \$5 million annually per project, and that adding parking capacity to the transit system could range between \$5 and \$20 million annually, depending on the number of parking stalls added.

Additionally, Seattle's current transit funding measure includes funding for Trailhead Direct to connect people to hiking trails in King County, and Via service in Southeast Seattle.

Accountability

Section 5 of the proposed resolution contains a provision that the KCTD Board would annually review the projects and programs carried out by Metro with the sales tax revenues for consistency with this resolution. To inform the review, Metro would be required to identify and evaluate services, projects and programs through its annual System Evaluation report.

Proposed Resolution TD2020-02: Companion Resolution

This “companion” resolution would provide clarity and document the KCTD Board’s intent for the use of transit funding measure proceeds. A summary of the proposed resolution can be found in Attachment 4.

The proposed resolution would state the intent that:

- **Spending would follow adopted transportation policies.** Section A of the proposed resolution states the intent of the Board that all KCTD revenues would be spent consistent with adopted policies, as they are currently adopted or later

updated. These policies would include the Strategic Plan for Public Transportation, Service Guidelines, and METRO CONNECTS, as well as the Seattle Transit Master Plan and the adopted transportation plans of other cities.

- **Priorities for spending would be identified.** Section B of the proposed resolution states the intent of the Board that priorities for spending would include:
 - Increasing transit service levels, in a way that would maintain Seattle service levels, provide for a 10 percent increase in service countywide, and improve connections to high capacity transit and between activity centers;
 - Enhancing safety, speed, and reliability of transit;
 - Improving access to transit, including access to parking for people who must drive to get to transit;
 - Expanding the availability of innovative and flexible mobility services;
 - Making transit more affordable for people most in need; and
 - Supporting the sustainability of the system by moving to a zero-emission fleet and adding charging infrastructure to bus bases.

- **Engagement would be robust and transparent.** Section C of the proposed resolution identifies a number of stakeholders, including the King County Council, Regional Transit Committee, city of Seattle, Sound Cities Association, Sound Transit, King County regional transportation boards, Seattle Transportation Advisory Board, Equity Cabinet, and community representatives from communities that have historically been underserved.

- **Accountability would be ensured through an annual review.** Section D of the proposed resolution states that the System Evaluation report would guide Metro in identifying and evaluating services, projects, and programs. It also identifies a number of stakeholders with whom Metro should consult, including the Regional Transit Committee, King County's regional transportation boards, and the Seattle Transportation Advisory Board.

RESPONSES TO BOARD MEMBER QUESTIONS

At the March 3, 2020 KCTD meeting, Board members raised a number of questions. Attachment 5 includes answers to Frequently Asked Questions (FAQ) about transportation benefit districts, the King County Transportation District, the Seattle 2014 transit funding measure, and potential components of a funding package. This attachment responds to many of the questions raised at the March 3, 2020, KCTD meeting. This FAQ document will be updated following each KCTD meeting.

Councilmember questions and responses:

- Request for more information about the development impact fee: Legal counsel will provide a more detailed response, but this is a project-specific funding source that would not be able to be used for countywide transit service.
- Request for more information about whether roads can be included in KCTD: See attached FAQ
- Questions about KCTD boundaries and boundary changes: See attached FAQ
- Questions about electrification costs and cost estimates: See attached FAQ for general information. The electrification cost estimates provided by Metro include charging infrastructure at Metro's bases. Additional costs, such as purchasing electric buses, are included in the cost estimates for adding transit service. Federal formula funding is available to be applied towards the purchase of electric buses, similar to the way these funds are available for diesel bus purchases, but there are currently no known federal grants available towards the costs of installing electric charging infrastructure.
- Question about how equity is incorporated into Metro's currently adopted Service Guidelines: See FAQ for general information. Equity is incorporated into Metro's current Service Guidelines by establishing higher target service levels for corridors serving a high percentage of minority and/or low-income riders.
- Question regarding how far the proposed funding measure would go toward METRO CONNECTS: See the Transit Service Investments section of this staff report and the FAQ.
- Question about revenue from Metro's Permit Parking Program: According to Metro, in the month of January permit program administration and enforcement cost \$31,952, and revenue collected (less local sales and commercial parking taxes) totaled \$15,417. Metro anticipates permit revenue numbers will be larger for both February and March and state that a revenue outlook beyond March is unclear, given shifting demand as a result of the novel coronavirus.

SCHEDULE AND NEXT STEPS

As an independent government, the KCTD Board is able to develop a funding measure of its own to propose to voters. Once the KCTD Board votes on a funding measure resolution, the action is final.³² For an August 2020 ballot measure, if that is desired, the Clerk would need to transmit the final ballot resolution to Elections by the ballot deadline of May 8.

³² The KCTD is a separate and independent government. That means that regional and Council committees are not involved in its work. The KCTD could deliberate on a funding measure as a full, nine-member Board; or alternatively, could rely on its Executive Committee to develop a proposal to bring to the full Board for final action.

In order to provide certainty to local jurisdictions, in particular the City of Seattle, as its elected leaders contemplate plans for next steps following the end of Seattle's transit funding measure, representatives from the City of Seattle has stated that it would be desirable for the KCTD to approve a measure by the end of the month. The Seattle representatives have stated that would be the minimum amount of time they would need to place a renewal transit funding measure on the ballot for Seattle voters, should the KCTD decide not to act.

If KCTD does not act in time to place a transit funding measure on the August ballot, or does not provide enough certainty for Seattle to place its own transit funding measure on the August ballot, or if a countywide transit funding measure fails before voters in August, Seattle would have a gap in funding to sustain current transit service levels resulting in the period when funding from their existing measure expires until the next transit service change after they were able to begin collecting revenue from a successful transit funding measure. Such a funding gap could result in what Seattle has estimated to be a \$15 million to \$60 million shortfall, or the need to cut substantial transit service equivalent to approximately 10 percent of Metro's overall transit service.

The following dates and times have been proposed for special meetings of the KCTD:

- March 11, 1:00 PM
- March 17 (time to be determined)
- March 23 or 24, details to be determined

The goal of a meeting on March 17 would be to consider potential amendments to the proposed resolutions discussed at today's meeting. The goal of a meeting during the week of March 23 would be to consider action on placing a resolution on the ballot.

INVITED

- Rob Gannon, General Manager, King County Metro
- John Resha, Assistant General Manager for Finance and Administration, King County Metro
- Chris O'Claire, Director, Mobility Division, King County Metro
- Diane Carlson, Director, Capital Division, King County Metro

ATTACHMENTS

1. Proposed Resolution TD2020-01
2. Proposed Resolution TD2020-02
3. Summary of TD2020-01
4. Summary of TD2020-02
5. KCTD Frequently Asked Questions, updated March 10, 2020



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

TD Resolution

Proposed No. TD2020-01.1

Sponsors Upthegrove, Balducci and Kohl-Welles

1 A RESOLUTION of the King County transportation
2 district relating to financing transportation improvements;
3 submitting a ballot measure regarding public transportation
4 and mobility services funding to the qualified electors of
5 the King County transportation district at a special election
6 to be held on August 4, 2020, and submitting a proposition
7 to district voters to authorize the district to fix and impose a
8 two-tenths of one percent sales and use tax within the
9 district to finance transportation improvements; requesting
10 that the King County prosecutor prepare a ballot title for
11 the proposition; and appointing committees to prepare the
12 pro and con statements for the local voters' pamphlet.

13 WHEREAS, the Metro transit department is the largest public transportation
14 agency in the Puget Sound region, providing nearly five hundred thousand rides each day
15 throughout King County through a combination of fixed-route, contracted, shared and
16 flexible mobility services, and was named the "best large transit system in North
17 America" by industry peers in 2018, and

18 WHEREAS, Metro transit service keeps 190,000 cars off the road each weekday
19 and frees up the equivalent of seven freeway lanes during peak commute hours, and

20 WHEREAS, King County is growing quickly, with a projected population of 2.7
21 million people by 2040. That has led to growth in and out of the dense urban parts of
22 King County, in part because of increasing housing costs, which have required many
23 households to move further from job and activity centers to areas that are less well-served
24 by transit, and

25 WHEREAS, METRO CONNECTS, the Metro transit department's long-range
26 plan, which was adopted in 2017 by Ordinance 18449, outlines a vision for responding to
27 population growth and increased transportation needs through a 70 percent increase in
28 public transportation and mobility service hours by 2040 and the supporting capital
29 infrastructure needed to accommodate regionally forecasted growth throughout King
30 County, and

31 WHEREAS, METRO CONNECTS outlines a 2025 network of expanded
32 frequent, express, local and flexible services across King County that is expected to
33 require approximately 5.4 billion dollars in additional capital costs and 860,000
34 additional annual service hours, and

35 WHEREAS, by 2040, METRO CONNECTS envisions adding 2.5 million new
36 service hours above 2015 levels, making it so 73 percent of households are within half a
37 mile of frequent transit service, and improving equitable access to transit by ensuring 77
38 percent of minority households and 87 percent of low-income households have access to
39 frequent transit service, and

40 WHEREAS, Ordinance 17143 as amended, establishes the King County Metro
41 Service Guidelines. The guidelines have the purpose of establishing the criteria and
42 methodology for the Metro transit department to use as it designs and modifies transit

43 services and engages with the public to create services that meet community needs in an
44 ever-changing environment. The guidelines also have a stated objective of helping the
45 Metro transit department ensure that its community engagement and decision-making
46 processes are objective, transparent, aligned and responsive to the regional goals for the
47 public transportation system, and

48 WHEREAS, the 2019 System Evaluation report, which evaluates the performance
49 of Metro transit department service based on the criteria prescribed by the King County
50 Metro Service Guidelines, identified a need for an additional 455,150 annual service
51 hours in order to address overcrowding and transit reliability and to provide transit
52 service levels consistent with the demand, land use, and communities served by each
53 route, and

54 WHEREAS, the Metro transit department's mobility framework, which was
55 developed during 2019 in coordination with transit riders, community members and
56 elected leaders from throughout King County, outlines a vision for an equitable,
57 sustainable, integrated and innovative system that supports healthy communities, a
58 thriving economy and a sustainable environment, and outlines the need for an equitable
59 and sustainable focus in transit and mobility service investments, and

60 WHEREAS, the Metro transit department has already established and
61 implemented a number of equity-focused programs to make public transit more
62 affordable and accessible to people in need, including the human services transit ticket
63 program, the regional reduced fare program for seniors and people with disabilities, the
64 reduced-fare ORCA LIFT program for people with household income of less than double
65 the federal poverty level, the Access paratransit program for people with disabilities who

66 are unable to use fixed-route transit, the Community Connections program for residents
67 of areas not easily served by fixed-route transit and innovative rideshare programs such
68 as Via to Transit that provide convenient shuttle service to high-capacity transit, and

69 WHEREAS, Metro transit service plays a crucial role in reducing carbon
70 emissions by reducing the number of single-occupant vehicles on the road and by
71 displacing approximately four times more greenhouse gas emissions than it generates,
72 resulting in a net displacement of approximately 600,000 metric tons of carbon dioxide
73 equivalent each year, and

74 WHEREAS, King County recently adopted Ordinance 19058 establishing an
75 income-based fare program that will provide fully subsidized annual transit passes to
76 people enrolled in state benefit programs and earning household incomes at or below 80
77 percent of the federal poverty level, and Ordinance 19052 establishing the goal to
78 transition the Metro transit department's bus fleet to zero-emission by 2035, and

79 WHEREAS, achieving the regional transit service vision outlined in the METRO
80 CONNECTS long-range plan, expanding the availability of innovative and flexible
81 mobility services, implementing the equity-focused investments outlined in the mobility
82 framework, increasing transit affordability for those most in need and supporting the
83 transition to a zero-emission bus fleet will require additional resources, and

84 WHEREAS, the public transportation and mobility services provided by the
85 Metro transit department are eligible, under chapter 36.73 RCW, to use revenues imposed
86 by city or county transportation benefit districts and approved by voters, and

87 WHEREAS, King County Ordinance 17746 established the King County
88 transportation district with the authority to fund, acquire, construct, operate, improve,

89 provide, maintain and preserve transportation improvements authorized by chapter 36.73
90 RCW, and

91 WHEREAS, the King County transportation district has the legal authority to fix
92 and impose up to a two-tenths of one percent sales and use tax for up to ten years within
93 the district under RCW 82.14.0455 with approval of a majority of district voters, and

94 WHEREAS, Seattle Ordinance 123397 established the Seattle transportation
95 benefit district to invest in bicycle, pedestrian, freight mobility and transit enhancements
96 and provide people with choices to meet their mobility needs, and

97 WHEREAS, on November 4, 2014, Seattle voters approved Seattle transportation
98 benefit district Proposition 1, which provided funding for six years through a one-tenth of
99 one percent sales and use tax and a sixty-dollar annual vehicle license fee for the
100 expansion of transit services and low-income transportation equity, and that funding will
101 expire at the end of 2020, and

102 WHEREAS, given the need for funding to maintain the public transportation and
103 mobility services currently funded through the Seattle transportation benefit district and
104 for additional revenue to expand public transportation and mobility services countywide
105 to provide service to all communities in the county and to make transit more accessible
106 and affordable to people in need, it is appropriate for the King County transportation
107 district to seek funding for public transportation and mobility services countywide;

108 BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KING
109 COUNTY TRANSPORTATION DISTRICT:

110 SECTION 1. Tax submittal to voters. To provide necessary revenue for the
111 purposes identified in section 4 of this resolution, the King County transportation district

112 shall submit to the qualified electors of the district a proposition authorizing the district to
113 fix and impose, for ten years, a two-tenths of one percent sales and use tax.

114 **SECTION 2. Priorities for uses.**

115 A. It is the intent of the district that revenues generated by this proposition, less
116 the administrative costs identified in section 3 of this resolution be allocated to the
117 following priorities:

118 1. Increasing transit service throughout King County, with a goal of increasing
119 overall transit service levels by ten percent, and continuing transit service levels funded
120 by Seattle Proposition 1 passed by Seattle voters in November 2014;

121 2. Investing in safety and speed and reliability improvements;

122 3. Making transit more affordable for those most in need throughout King
123 County and continuing affordability programs funded by Seattle Proposition 1 passed by
124 Seattle voters in November 2014;

125 4. Transitioning the Metro transit department's transit fleet to zero-emissions;

126 and

127 5. Implementing innovative mobility services and improved parking, non-
128 motorized access, and safety at transit stations countywide, including continuing
129 innovative mobility services funded by Seattle Proposition 1 passed by Seattle voters in
130 November 2014.

131 B. It is the intent of the district that transit service additions funded by district
132 revenues should:

133 1. Prioritize investments in transit service to connect to regional light rail and
134 bus rapid transit stations, as well as transit service to connect historically underserved

135 areas not served by regional high capacity transit to employment and activity centers; and

136 2. Be allocated consistent with the King County Metro Service Guidelines, as
137 adopted by Ordinance 18301 or amended hereafter, as described in the annual service
138 guidelines report (also known as the system evaluation report) as required by Ordinance
139 17143 and amended by Ordinance 17597 or as amended hereafter, in a manner that
140 reflects the METRO CONNECTS long-range plan, as adopted by Ordinance 18449, or
141 amended hereafter.

142 SECTION 3. Distribution of revenues. The district sales and use tax shall first
143 pay any costs incurred by the district that are attributable to the special election called for
144 in section 7 of this resolution, any administrative costs to the state Department of
145 Revenue and the administrative costs of the district. The district intends to contract with
146 King County to expend those remaining revenues.

147 SECTION 4. Use of revenues.

148 A. The revenues generated by this proposition, less the administrative costs
149 identified in section 3 of this resolution, shall be used by the district consistent with this
150 resolution to fund transportation improvements permitted by chapter 36.73 RCW,
151 including but not limited to, the acquisition, construction, operation, improvement,
152 provision, maintenance and preservation of public transportation services, programs and
153 facilities within the boundaries of King County, or to pay debt service on any bonds or
154 other indebtedness issued from time to time to fund the transportation improvements
155 authorized in this resolution.

156 B. On a biennial basis, the King County Transportation District Board, or its
157 successor, shall allocate funding to the priorities listed in Subsection A of this section.

158 C. The public transportation and mobility services carried out with the sales and
159 use tax revenues must be projects or programs contained in the transportation plan of the
160 Puget Sound Regional Council, King County or a city within King County that are:

161 1. Transit service investments

162 a. The provision of Metro transit department public transportation and mobility
163 services that are consistent with the King County Metro Service Guidelines, as adopted
164 by Ordinance 18301 or the METRO CONNECTS long-range plan, as adopted by
165 Ordinance 18449, or updated hereafter;

166 b. The service planning and public engagement for the provision of Metro
167 transit department public transportation and mobility services;

168 2. Improved access and affordability for those persons most in need

169 a. Services and programs to improve and to support access to transit service for
170 persons with special transportation needs, including but not limited to, low-income
171 people, people of color, people with disabilities and limited English-speaking
172 populations;

173 b. Subsidized fares for people with low incomes;

174 3. Transition of the Metro transit department's fleet to zero-emission and other
175 fleet maintenance and capital improvements

176 a. The operation, maintenance and repair of Metro transit department vehicles,
177 equipment and facilities; and

178 b. The acquisition and replacement of Metro transit department vehicles and
179 equipment, including but not limited to acquisition of electric or other zero-emission
180 vehicles and the planning, design, construction and implementation of Metro transit

181 department capital improvements, including but not limited to installation of electric
182 vehicle charging infrastructure;

183 4. Innovative services and improved transit access

184 a. First and last mile services that connect transit riders to fixed route bus
185 service and high capacity transit stations;

186 b. Alternative services, such as vanpools, transit routes with flexible service
187 areas, community shuttles and real-time ridesharing;

188 c. Improved access to transit stations including implementing, maintaining and
189 expanding parking facilities, improving pedestrian and non-motorized access to transit
190 and applying innovative technology and management practices to the park-and-ride
191 network;

192 d. The planning, design, installation and management of improvements to
193 enhance access to and safety at public transit stops and stations; and

194 e. The implementation of transportation demand management programs;

195 5. Speed and reliability improvements

196 a. The planning, design, installation and management of improvements to
197 optimize the speed and reliability of public transportation and mobility services,
198 including, but not limited to, dedicated right-of-way and new technologies to optimize the
199 existing transportation system.

200 D. Consistent with RCW 36.73.020, the transportation improvements carried out
201 with the sales and use tax revenues shall be needed by existing or reasonably foreseeable
202 congestion levels, and selection of the transportation improvements shall, to the extent
203 practicable, consider the following criteria:

- 204 1. Reduced risk of transportation facility failure and improved safety;
205 2. Improved travel time;
206 3. Improved air quality;
207 4. Increases in daily and peak period trip capacity;
208 5. Improved modal connectivity;
209 6. Cost-effectiveness of the investment;
210 7. Optimal performance of the system through time; and
211 8. Improved accessibility for, or other benefits to, persons with special
212 transportation needs.

213 E. For the purposes of defining a transportation plan under chapter 36.73 RCW
214 and this section, unless the context clearly requires otherwise:

215 1. "The transportation plan of King County" includes, as adopted and updated,
216 the Transportation Element of the King County Comprehensive Plan, the King County
217 Metro Transit Strategic Plan for Public Transportation, the King County Metro Transit
218 long-range plan, which is METRO CONNECTS, the King County Metro Service
219 Guidelines, the annual King County Metro Transit Service Guidelines Report and the
220 Transportation Needs Report;

221 2. "The transportation plan of a city" means its transportation program adopted
222 and annually revised and extended as required by RCW 35.77.010; and

223 3. "The transportation plan of the Puget Sound Regional Council" means its
224 transportation improvement program developed and updated as required by RCW
225 47.80.023.

226 **SECTION 5. Accountability.** Annually, the board of the district shall review the

227 projects and programs carried out by the Metro transit department with these sales and
228 use tax revenues for consistency with this resolution. To inform the review, the Metro
229 transit department shall identify and evaluate services, projects and programs carried out
230 with the sales and use tax revenues in the annual service guidelines report required by
231 Ordinance 17597, or its successor.

232 SECTION 6. Definition of city. For the purposes of this resolution, unless the
233 context clearly requires otherwise, "city" means a city or an incorporated town.

234 SECTION 7. Call for special election. The district hereby request that the King
235 County director of elections call a special election on August 4, 2020, to consider a
236 proposition authorizing the district to fix and impose, for ten years, a sales and use tax in
237 the amount of two-tenths of one percent for the purposes described in this resolution.
238 The King County director of elections shall cause notice to be given of this resolution in
239 accordance with the state constitution and general law and to submit to the qualified
240 electors of the district, at the said special county election, the proposition hereinafter set
241 forth, in the form of a ballot title substantially as follows:

242 KING COUNTY TRANSPORTATION DISTRICT
243 PROPOSITION NO. _____
244 King County Transportation district passed Resolution No. TD2020-01
245 concerning funding for public transportation and mobility services. If
246 approved, this proposition would fund and repay indebtedness issued
247 for, among other things, bus service and associated capital
248 improvements, investments to improve transit speed and reliability and
249 increase access to transit, programs to increase access to public

250 transportation and mobility services for people with special needs. It
251 would authorize the district to impose a sales and use tax for a term of
252 ten years of 0.2% under RCW 82.14.0455, as proposed in Resolution
253 No TD2020-01.

254 Should this proposition be approved?

255 Yes

256 No

257 **SECTION 8. Voters' pamphlet preparation and distribution.** The King
258 County director of elections is hereby requested to prepare and distribute a local voters'
259 pamphlet, in accordance with K.C.C. 1.10.010, for the special election called for in this
260 resolution, the cost of the pamphlet to be included as part of the cost of the special
261 election.

262 **SECTION 9. Ratification.** Certification of the proposition by the clerk of the
263 district to the director of elections in accordance with law before the election on August
264 4, 2020, and any other acts consistent with the authority and before the effective date of
265 this resolution are hereby ratified and confirmed.

266 **SECTION 10. Severability.** If any provision of this resolution or its application

267 to any person or circumstance is held invalid, the remainder of the resolution or the
268 application of the provision to other persons or circumstances is not affected.
269

KING COUNTY TRANSPORTATION
DISTRICT
KING COUNTY, WASHINGTON

Claudia Balducci, Chair

ATTEST:

Melani Pedroza, Clerk of the District

Attachments: None

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KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

TD Resolution

Proposed No. TD2020-02.1

Sponsors

1 A RESOLUTION of the King County transportation
2 district relating to financing transportation improvements;
3 expressing the intent of the board to use district revenues to
4 maintain the level of transit service in Seattle, expand
5 transit service to meet the needs of communities throughout
6 King County, restructure transit service to promote
7 connections to new regional transportation investments and
8 to regional activity centers, increase investment in safety,
9 speed and reliability improvements, improve access to
10 transit, including access to parking, increase the
11 affordability of transit for people most in need, implement
12 flexible and innovative mobility solutions in communities
13 throughout King County and support the transition to a
14 environmentally-beneficial, zero-emission transit fleet.

15 WHEREAS, King County's Metro transit department ("Metro") is the largest
16 public transportation agency in the Puget Sound region, providing nearly five hundred
17 thousand rides each day throughout King County through a combination of fixed-route,
18 contracted, shared and flexible mobility services, and

19 WHEREAS, METRO CONNECTS, Metro's long-range plan, which was adopted

20 in 2017 by Ordinance 18449, outlines a vision for a seventy percent increase in public
21 transportation and mobility service hours by 2040 and the supporting capital
22 infrastructure needed to accommodate regionally forecasted growth throughout King
23 County, and

24 WHEREAS, King County is growing quickly, and that growth in population
25 underscores the need for the increase in public transportation and mobility services
26 envisioned by METRO CONNECTS, and

27 WHEREAS, King County's population growth has led to displacement of
28 affordable housing and overall increasing housing costs, which have required many
29 households to move further from job and activity centers to less dense areas that are less
30 well served by transit, resulting in a need for additional equity-focused transit and
31 mobility service investments, as outlined in Metro's mobility framework, which was
32 developed during 2019 in coordination with transit riders, community members and
33 elected leaders from throughout King County, and

34 WHEREAS, Metro has already established and implemented a number of equity-
35 focused programs to make public transit more affordable and accessible to people in
36 need, including the human services transit ticket program, the regional reduced fare
37 program for seniors and people with disabilities, the reduced-fare ORCA LIFT program
38 for people with household income of less than double the federal poverty level, the
39 Access paratransit program for people with disabilities who are unable to use fixed-route
40 transit, the Community Connections program for residents of areas not easily served by
41 fixed-route transit and innovative rideshare programs such as Via to Transit that provide
42 convenient shuttle service to high-capacity transit, and

43 WHEREAS, achieving the regional transit service vision outlined in the METRO
44 CONNECTS long-range plan and the equity-focused investments outlined in the mobility
45 framework will require additional resources, and

46 WHEREAS, the public transportation and mobility services provided by Metro
47 are eligible, under chapter 36.73 RCW, to use revenues imposed by city or county
48 transportation benefit districts and approved by voters, and

49 WHEREAS, on November 4, 2014, Seattle voters approved Seattle transportation
50 benefit district Proposition 1, which provided funding for six years and that expires at the
51 end of 2020, through a one-tenth of one percent sales and use tax and a sixty-dollar
52 annual vehicle license fee for the expansion of transit services and low-income
53 transportation equity, and

54 WHEREAS, Seattle elected officials have expressed support for maintaining this
55 level of service, focusing on making transit the first choice by investing in frequent, all-
56 day service to get riders where they want to go, provide access to opportunity for all by
57 supporting new transit connections and increasing transit affordability for those most in
58 need and continuing investments to improve the rider experience including improvements
59 in speed and reliability of buses throughout Seattle and the region, and

60 WHEREAS, elected leaders and community members throughout King County
61 have expressed the need for increased transit investment throughout the county, with a
62 particular focus on serving areas with unmet need, developing and strengthening
63 connections to new regional transportation investments such as Link light rail, improving
64 speed and reliability of transit services, implementing innovative and flexible mobility
65 services to increase access to transit and reducing the environmental impact of the transit

66 system by transitioning to a zero-emission transit fleet, and

67 WHEREAS, given the need for funding to maintain the public transportation and
68 mobility services currently funded through the Seattle transportation benefit district and
69 for additional revenue to expand public transportation and mobility services countywide
70 to provide service to all communities in the county and to make transit more accessible
71 and affordable to people in need, the King County transportation district has voted to
72 place a measure on the August 4, 2020, ballot to seek approval for a two-tenths of one
73 percent increase to the sales and use tax to provide funding for public transportation and
74 mobility services countywide;

75 BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KING
76 COUNTY TRANSPORTATION DISTRICT:

77 A. It is the intent of the board that district revenues be allocated to fund
78 transportation improvements permitted by chapter 36.73 RCW consistent with adopted
79 transportation plans, including:

80 1. The King County Strategic Plan for Public Transportation, as adopted by
81 Ordinance 18301, the Metro Service Guidelines, as adopted by Ordinance 18301 and the
82 METRO CONNECTS long-range plan, as adopted by Ordinance 18449, or as hereafter
83 updated;

84 2. The transportation improvement plan of the Puget Sound Regional Council,
85 as currently adopted or as hereafter updated;

86 3. The transportation element of the King County Comprehensive Plan or the
87 comprehensive plans of any of the cities located within King County, as currently
88 adopted or as hereafter updated;

89 4. The Seattle Transit Master Plan, as adopted by Resolution 31367 and
90 amended by Resolution 31648, or as hereafter amended; and

91 5. The transportation plans of any of the other cities within King County, as
92 currently adopted and as annually revised and extended as required by RCW 35.77.010.

93 6. To pay debt service on any bonds issued to fund the transportation
94 improvements authorized in this resolution.

95 B. It is the intent of the board that district revenues be prioritized to provide
96 access and opportunities for all by focusing on strategies to make the transit system more
97 integrated, innovative, equitable and sustainable, specifically by:

98 1. Increasing transit service throughout King County, with a goal of increasing
99 overall transit service levels by ten percent, continuing transit service levels funded by
100 Seattle Proposition 1 passed by Seattle voters in November 2014 and improving transit
101 connections to high-capacity transit and regional activity centers;

102 2. Improving safety, speed and reliability to improve the rider experience and
103 reduce travel time for buses by investing in capital improvements around the region,
104 including but not limited to bus access lanes, queue jumps, signalization, improvements
105 to congestion hot spots and other improvements to allow transit to move more quickly;

106 3. Improving access to transit by providing safe and easy access to transit hubs
107 and bus stops for people who walk, bike or roll, as well as parking and parking demand
108 management technology for people who must drive to reach transit;

109 4. Implementing innovative and flexible mobility services to provide first and
110 last mile connections between communities and high capacity transit, as well as
111 additional technology for services such as real-time arrival, parking demand management

112 and other services to enhance the use of transit;

113 5. Improving affordability for those persons most in need, including youth and
114 people with low incomes, by investing in reduced or subsidized fares, including the
115 income-based fare program established by Ordinance 19058; and

116 6. Increasing the sustainability of the system by supporting the transition to a
117 zero-emission transit fleet and by investing in electric charging infrastructure at bus bases
118 consistent with the goals outlined in Ordinance 19052.

119 C. Consistent with the Service Guidelines and the Strategic Plan for Public
120 Transportation, it is the intent of the board that robust and transparent community
121 engagement inform the allocation of district revenues. To inform the allocation of
122 resources, Metro should consult with elected leaders and community representatives,
123 including but not limited to the King County council, the council's regional transit
124 committee, city of Seattle, Sound Cities Association, Sound Transit, King County's
125 regional transportation boards, the Seattle transit advisory board, Metro's mobility equity
126 cabinet, representatives from communities historically lacking in access to or
127 underserved by transit and any other organization necessary to ensure that allocations of
128 district revenues reflect community needs.

129 D. It is the intent of the board that accountability for district spending be assured
130 through an annual review by the board of the projects and programs funded by the
131 district. To inform the review, the Metro transit department shall identify and evaluate
132 services, projects and programs carried out with the sales and use tax revenues in the
133 annual service guidelines report required by Ordinance 17143, as updated. To prepare
134 for this annual review, Metro should consult with King County's regional transportation

135 boards, the Seattle transportation advisory board and the regional transit committee.

136

KING COUNTY TRANSPORTATION
DISTRICT
KING COUNTY, WASHINGTON

Claudia Balducci, Chair

ATTEST:

Melani Pedroza, Clerk of the District

Attachments: None

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Outline of Proposed Ballot Measure Resolution TD2020-01

Section 1	Submit 0.2% sales tax to voters for 10 years
Section 2	Priorities
2.A	<p>The KCTD intends revenue from the ballot measure to be allocated for these priorities:</p> <ol style="list-style-type: none"> a. Increasing countywide transit service by 10% and continuing Seattle service b. Safety and speed and reliability improvements c. Making transit more affordable for those need, and continuing Seattle's affordability programs d. Transitioning Metro's transit fleet to zero-emissions e. Implementing innovative mobility services and improved parking, non-motorized access, and safety at transit stations countywide and continuing Seattle's innovative mobility services
2.B	<p>State that transit service additions funded by the district should:</p> <ol style="list-style-type: none"> 1. Prioritize investments in service to connect to regional light rail and bus rapid transit stations, as well as service to historically underserved areas of King County not served by regional high capacity transit; and 2. Be allocated consistent with the King County Metro Service Guidelines, as adopted or amended hereafter, as described in the annual service guidelines report (also known as the system evaluation report), and in a manner that reflects the METRO CONNECTS long-range plan, as adopted or amended hereafter.
Section 3	<ul style="list-style-type: none"> • Revenues from tax go first to election costs, then to admin costs of WA DOR and District • KCTD intends to contract with King County to spend remaining \$
Section 4	Use of Revenues
4.A	Revenues to be used by KCTD (after election and admin costs) for transportation improvements consistent with 36.73 RCW
4.B	On a biennial basis, the King County Transportation District Board, or its successor, shall allocate funding to the priorities
4.C	Revenues must be spent on projects or programs consistent with "transportation plan" of PSRC, King County, or a city:
4.C.1	<p>Transit service investments:</p> <ol style="list-style-type: none"> a. Metro services consistent with Service Guidelines and METRO CONNECTS (current or as amended) b. Service planning and public engagement needed to deliver these services
4.C.2	<p>Improved affordability for those most in need:</p> <ol style="list-style-type: none"> a. Services and programs to improve access to transit for people with special transportation needs, including low-income b. Subsidized fares for people with low incomes
4.C.3	<p>Electrification of Metro's fleet and other fleet maintenance and capital improvements:</p> <ol style="list-style-type: none"> a. Operation, maintenance and repair of Metro vehicles, equipment and facilities b. Acquisition and replacement of vehicles and equipment, including electric vehicles and charging infrastructure
4.C.4	<p>Innovative services and improved transit access:</p> <ol style="list-style-type: none"> a. First and last mile services b. Alternative services (vanpools, transit routes with flexible services, community shuttles, ride-sharing) c. Improved access to transit stations, including expanded parking, pedestrian and non-motorized access, applying innovative technology and parking management to park-and-ride network d. Planning, design, installation and management of improvements to enhance access to and safety at transit stops e. Implementation of transportation demand management programs
4.C.5	<p>Speed reliability improvements:</p> <ol style="list-style-type: none"> a. Planning, design, installation, and management of improvements to optimize speed and reliability

4.D	General list of state-allowed transportation improvements
4.E	List of what transportation plans include: <ol style="list-style-type: none"> 1. Transportation plan of King County includes Transportation element of Comprehensive Plan, Service Guidelines, Strategic Plan for Public Transportation, METRO CONNECTS 2. Transportation plan of a city 3. Transportation plan of PSRC means the Transportation Improvement Program
Section 5	Accountability Measures Review of projects and programs. Board to review annually using System Evaluation.
Section 6	Definition of city
Section 7	Call for special election: August 4, 2020 This section includes the ballot title
Section 8	Voters' pamphlet NOTE – this will require a separate resolution to appoint voters' pamphlet committees
Section 9	Ratification – must go to Elections by deadline
Section 10	Severability

KCTD Companion Resolution Outline

The companion resolution would accompany the ballot measure. It could provide a way to affirm the KCTD’s intent about the types of projects, programs, and services to be funded with a ballot measure, as well as the way that funding decisions would be approached.

A	Spending will follow <u>adopted policies</u> (As currently adopted or as those policies are updated)
A.1	Metro policies: Strategic Plan, Service Guidelines, METRO CONNECTS (as currently adopted OR as updated hereafter)
A.2	PSRC transportation improvement plan
A.3	Transportation Element of KC Comp Plan or any city Comp Plan
A.4	Seattle Transit Master Plan
A.5	Adopted transportation plans of any other city
B	Priorities for spending
B.1	Increase transit service , including maintaining Seattle’s service levels, expanding countywide service by 10%, and increasing connections to high capacity transit and between activity centers.
B.2	Safety, speed & reliability
B.3	Improve access, including parking
B.4	Innovative & flexible services
B.5	Affordability (such as income-based fares, ORCA Opportunity)
B.6	Sustainability (such as electrification / zero-emission fleet, base infrastructure)
C	Engagement – commitment to work with: <ul style="list-style-type: none"> • KC Council • RTC • Seattle • SCA • Sound Transit • KC regional transportation boards • Seattle transit advisory board • Equity Cabinet • Other community representatives (underserved communities)
D	Accountability – commitment to annual review by KCTD <ul style="list-style-type: none"> • Use System Evaluation plan to inform review • Prepare for review by consulting with: <ul style="list-style-type: none"> ○ KC regional transportation boards ○ Seattle transit advisory board ○ RTC

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KING COUNTY TRANSPORTATION DISTRICT

F R E Q U E N T L Y A S K E D Q U E S T I O N S

Updated: March 10, 2020

Transportation Benefit Districts – General Information

What is a Transportation Benefit District (TBD)?

A TBD is an independent taxing authority that is allowed by state law¹ to raise revenue for and implement local transportation improvements.

TBDs may be established by the legislative authority of a county or city. A TBD can encompass all or just a portion of the territory within a jurisdiction's boundaries, or it can be established as partnerships between multiple jurisdictions.

What can a TBD do?

According to state law,² a TBD can acquire, construct, improve, provide, and fund transportation improvements that are consistent with any existing state, regional, or local transportation plans. and necessitated by existing or reasonably foreseeable congestion levels. Under state law, a TBE is to consider the following criteria when selecting transportation improvements:

- Reduced risk of transportation facility failure and improved safety;
- Improved travel time;
- Improved air quality;
- Increases in daily and peak period trip capacity;
- Improved modal connectivity;
- Improved freight mobility;
- Cost-effectiveness of the investment;
- Optimal performance of the system through time; and
- Improved accessibility for, or other benefits to, persons with special transportation needs.

How many TBDs can a jurisdiction have?

Each city or county can establish one TBD. That TBD can encompass the city's or county's entire territory or only part of the territory. It is possible for a county to have a TBD and also for individual cities located within that county to have their own TBDs, but each individual city or county cannot establish more than one TBD of its own. (For example, King County has a TBD and Seattle has a TBD, but King County can only have one TBD.)³

What funding sources can a TBD use?

There are three basic categories of funding sources statutorily authorized for TBDs:

- **Vehicle License Fees.** Imposition of both councilmanic and voter-approved vehicle license fees. With the voters approving I-976 last Fall, the authority to impose such a fee

¹ RCW chapter 36.73

² RCW 36.73.020(1)

³ Note that if there is a joint city-county TBD, that counts as the one for each of the city and the county.

has been eliminated as a funding source. However, there is a pending lawsuit challenging the constitutionality of I-976.

- **Sales Tax.** Submission of a ballot measure to the TBD's voters to impose up to 0.2% sales tax for up to 10 years.
- **Time-Limited or Geographically Specific Sources.** Use of other funding sources that are either time-limited (such as submitting to the voters a ballot measure for a one-year property tax excess levy)⁴ or tied to specific geographic areas or projects (development impact fees, tolls, and local improvement districts).⁵

King County Transportation District – General Information

What is the King County Transportation District (KCTD)?

The KCTD was created by the King County Council in 2014.⁶ Its geographic boundaries are those of King County (the KCTD replaced an earlier TBD that covered only unincorporated King County). It is governed by a board made up of the members of the King County Council. The KCTD Board placed a countywide transit and roads funding measure on the ballot in April 2014. That measure was not approved by voters.

Could the boundaries of the KCTD be changed?

As noted above, the boundaries of the KCTD are the boundaries of King County. These boundaries could be changed by a vote of the KCTD Board. To do that, the Board must conduct a public hearing on its intent to change the boundaries, the notice of which must be published in a newspaper of general circulation within the district not less than ten days before the hearing date. The Board could then adopt a resolution establishing the new boundaries. Any funding measure proposed by the KCTD would apply to all the territory within the KCTD.

What can the KCTD fund?

The KCTD can fund transportation improvements identified in a transportation plan, using the criteria set by state law and described above. The ordinance establishing the KCTD identified the following types of projects as eligible to be funded by the KCTD:

- The provision of Metro Transit public transportation services;
- The service planning and public engagement for the provision of Metro transit public transportation services;
- The operation, maintenance, and repair of Metro Transit vehicles, equipment, and facilities;
- The acquisition and replacement of Metro Transit vehicles and equipment and the planning, design, and implementation of Metro Transit capital improvements;
- The implementation of transportation demand management programs;
- The planning, design, and implementation of capital improvement, preservation, and restoration projects for road facilities such as streets, roads, bridges, signals, guardrails, drainage systems, pedestrian and bicycle pathways, and related facilities and improvements;

⁴ RCW 36.73 This excess property tax levy could extend for up to 40 years if bonded, would require 60% voter approval plus a required percentage of participation from the previous election.

⁵ RCW 36.73.120 (development fees), .040(3), (tolls) and .080 (local improvement districts)

⁶ Ordinance 17746

- The operation, maintenance, and repair of road facilities such as streets, roads, bridges, signals, guardrails, drainage systems, bicycle pathways, and related facilities and improvements;
- The provision of emergency responses to protect road facilities and public health and safety; or
- The planning, design, installation, and management of intelligent transportation systems including traffic cameras, control equipment, and new technologies to optimize the existing transportation system.⁷

Seattle Transportation Benefit District (Seattle TBD) – General Information

What is the Seattle TBD?

The Seattle TBD was created in 2010 by the Seattle City Council.⁸ Its boundaries were the corporate limits of the City, and it was governed by a Board made up of the Seattle City Council.

In 2016, the Seattle City Council assumed the Seattle TBD into Seattle city government.⁹ This means that the City of Seattle is now responsible for making decisions related to Seattle TBD funding or projects.

What has the Seattle TBD funded?

In May 2011, the Seattle TBD imposed a \$20 councilmanic vehicle license fee. In November 2014, the Seattle TBD proposed¹⁰ and Seattle voters approved a six-year funding measure comprised of a \$60 vehicle license fee and 0.1% sales tax.

Most of the transportation improvements funded by the Seattle TBD are provided by King County Metro through a contract between Seattle and King County.¹¹ As of this writing, Seattle purchases approximately 350,000 annual bus service hours on nearly 75 routes in and around Seattle (nearly 10% of Metro's total fixed-route service). In addition, Seattle provides funding to make transit more affordable (specifically through the ORCA Opportunity program that provides free ORCA cards to high school students) and to support innovative mobility services (such as Via to Transit and Trailhead Direct).

When does Seattle's funding end?

Presuming that I-976 is upheld as constitutional, Seattle's voter-approved TBD funding expires at the end of 2020. The Seattle TBD's voted mix of funds currently provides approximately \$80 million annually. (Each 0.1% sales tax within Seattle raises approximately \$33.5 million per year, with the \$60 vehicle license fee responsible for the remainder.)

The \$20 councilmanic vehicle license fee would continue beyond 2020 if Initiative 976 is determined to be unconstitutional. If Seattle were to let its voted funding lapse and Initiative 76 is determined to be unconstitutional, Seattle could increase its councilmanic vehicle license fee to a total of \$50. A \$50 councilmanic vehicle license fee in Seattle (if Initiative 976 is determined to be unconstitutional) could raise approximately \$38 million per year.

⁷ Ordinance 17746

⁸ Seattle Ordinance 123397

⁹ Seattle Ordinance 125070

¹⁰ Seattle TBD Resolution 12

¹¹ Ordinance 17978

Timing and Procedural Information for a KCTD Ballot Measure

If the KCTD wants to place a measure on the ballot, what is the deadline for action?

The last ballot date that would allow for sales tax funding to begin on January 1, 2021, is August 4, 2020. The deadline to place a measure on that ballot is May 8, 2020.

However, representatives from the Seattle City Council and Seattle Mayor's Office have asked that the KCTD make a decision about a potential countywide funding measure by the end of March so that the City of Seattle has the option to proceed with a renewal of its Seattle TBD funding on the August ballot if the KCTD chooses not to propose a countywide measure.

What dates have been proposed for KCTD special meetings?

The following dates and times have been proposed for special meetings of the KCTD:

- March 11, 1:00 PM
- March 17, 1:00 PM (potentially after Council, to be determined)
- March 23 or 24, details to be determined

Potential Contents for a Countywide Transit Funding Measure

What is the estimate for what a 0.2% sales tax measure would raise?

A 0.2% sales tax implemented countywide would raise approximately \$160 million per year. Please note, however, that the sales tax is a volatile funding source. This is the current estimate, but it may not hold steady over time.

What general categories might be included in a countywide transit funding measure?

Based on its analysis of regional transit needs, Metro has suggested the following categories of funding:

- Renewed Seattle funding
- Regional bus service
- Access to Transit: Affordability
- Access to Transit: Innovation
- Speed and Reliability Improvements
- Electrification

Each of these categories is discussed in more detail below.

RENEWED SEATTLE FUNDING

How might continuing Seattle's service be incorporated into a countywide measure?

Metro has indicated that approximately \$70 million (first year estimate) could sustain Seattle's service, by maintaining the existing service levels and continuing affordability and innovation projects.

REGIONAL BUS SERVICE

How far could a funding measure go toward achieving the METRO CONNECTS vision?

Metro currently operates about 4.2 million hours of service each year (including the 350,000 hours purchased by Seattle).¹² The adopted long-range plan, METRO CONNECTS, envisions a transit network in 2040 with 6 million annual hours of service.¹³ Metro has indicated that a 0.2% sales tax measure could allow for gradual increases in bus service to reach a total by the end of the ten-year funding measure of:

- 350,000 additional hours (approximate cost of \$33.5 million/year); or
- 450,000 additional hours (approximate cost of \$43 million/year); or
- 550,000 additional hours (approximate cost of \$52.5 million/year).

Funding and implementing any of these options would require funding for more than 1 million additional service hours during the 2031-2040 decade (after the end of a 2021-2030 funding measure) to achieve the METRO CONNECTS vision.

How would decisions about where to allocate new transit service be made?

Decisions about adding or restructuring service are based on Metro's adopted policy documents, specifically the Strategic Plan for Public Transportation,¹⁴ Service Guidelines¹⁵ and METRO CONNECTS.¹⁶

Any changes to these documents would require review and approval by the Regional Transit Committee and the Council.

In addition, any specific service change proposals require approval by the Council unless the proposal affects the weekly service hours for a route by 25% or less, or a change in the route's location does not move any stop more than ½ mile.¹⁷

The Strategic Plan for Public Transportation sets goals, objectives, strategies, and measures to guide the transit system.

METRO CONNECTS outlines an envisioned transit service network for 2025 and 2040 and outlines the service and capital investments that would be required to achieve that network.

The Service Guidelines provide guidance on restructuring service, for instance to connect with new light rail lines or to accommodate new RapidRide service. They also establish protocols for setting target service levels on specific corridors, as well as priorities for evaluating where and when additional service is needed. These priorities are:

1. Crowding
2. Schedule reliability
3. Growing the all-day and peak-only network
Ranked by productivity (50%), social equity (25%), geographic value (25%)
4. Route productivity

¹² Motion 15602 (2019 System Evaluation Report)

¹³ Ordinance 18449 (METRO CONNECTS)

¹⁴ Ordinance 18301, Attachment A

¹⁵ Ordinance 18301, Attachment B

¹⁶ Ordinance 18449, Attachment A

¹⁷ KCC 28.94.020

Each year, Metro is required to use the Service Guidelines to evaluate its current service and prepare a System Evaluation report.¹⁸ The most recent System Evaluation report,¹⁹ which was transmitted to Council in October 2019, identified a total investment need of 455,150 annual service hours to meet target service levels and improve service quality.

Metro is in the process of updating its policy documents and has indicated the intention of transmitting updates in January 2021 for consideration by the Regional Transit Committee and Council. One of the stated reasons for updating the policies is to incorporate the Guiding Principles and recommendations from Metro's Mobility Framework, "which articulates a vision for a regional mobility system that builds on Metro's existing network of transit services to become more innovative, integrated, equitable, and sustainable."²⁰

ACCESS TO TRANSIT: AFFORDABILITY

How could a funding measure enhance affordability?

Metro has indicated that a funding measure could include the approximately \$12 million annually necessary to implement the income-based fare recently approved by the Council.²¹ This could cover a full subsidy for Metro services for the approximately 54,000 people who have household incomes at or below 80% of Federal Poverty Level and participate in one of six state benefit programs.

Alternatively, a funding measure could include additional funding to expand the income-based fare program to more participants. Metro estimates that \$35 million a year would be needed to expand the subsidy to all people at 80% of Federal Poverty Level or below.

ACCESS TO TRANSIT: INNOVATION

How could innovative mobility services be expanded with a funding measure?

Metro has estimated the cost to provide three different levels of innovative, flexible service or first/last mile service (similar to Via to Transit). These are:

- 1-2 active projects (approximately \$10 million per year)
- 3-5 active projects (approximately \$20 million per year)
- 5-8 active projects (approximately \$30 million per year)

SPEED AND RELIABILITY IMPROVEMENTS

How could a funding measure address the need for greater speed and reliability?

Metro works with local jurisdictions to construct speed and reliability improvements, such as traffic light queue jumps, bus lanes, and new signals. Metro indicates that it currently invests approximately \$7 million per year, at an average of \$1.5 million per project (not including RapidRide investments).

To add capacity to implement speed and reliability improvements, Metro has estimated the cost to provide three different levels of investment:

- Average of 1-2 projects per year (approximately \$3 million per year)
- Average of 3-5 projects per year (approximately \$6 million per year)

¹⁸ Ordinance 17597

¹⁹ Motion 15602

²⁰ Proposed Motion 2019-0464

²¹ Motion 15600, Ordinance 19058

- Average of 5-8 projects per year (approximately \$9 million per year)

Implementation of speed and reliability improvements relies on partnerships with local jurisdictions, since Metro does not control the right of way. The Service Guidelines can help guide areas for investment, since buses that are unreliable (the Priority 2 for adding service) can sometimes be made more reliable, thus possibly reducing the need for additional service hours, by investing in speed and reliability improvements at key “hot spots” along the route.

ELECTRIFICATION

What could a funding measure support in terms of the move toward electrification?

The County has adopted a goal of moving to a zero-emission bus fleet by 2035.²² Metro has indicated that accomplishing this goal will require a combination of new vehicles, as well as electric charging infrastructure at Metro’s bus bases. Metro has estimated the amount that would be required to incorporate this charging infrastructure into the new South Annex Base, to retrofit the existing North Base, and to retrofit the Central/Atlantic Ryerson Bases. These amounts could be included in a funding measure:

- South Annex (2021-2022): Estimated cost \$165 million (annual debt service \$11 million)
- North Base (2023-2024): Estimated cost \$166 million (annual debt service \$11 million)
- Central/Atlantic/Ryerson (2025-2026): Estimated cost \$448 million (annual debt service \$30 million)

²² Ordinance 19052

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